



**Testimony of Assistant Commissioner Sara Meyers  
City Council Hearing Regarding SCRIE  
May 1, 2014**

Good afternoon Chairwoman Ferreras, Chairwoman Chin, and members of the Committees on Finance and Aging. I am Sara Meyers, Assistant Commissioner of Tax and Parking Program Operations. Thank you for the opportunity to testify before you today regarding Introduction 243 and administration of the Senior Citizen Rent Increase Exemption Program, which will increase the SCRIE income eligibility threshold from \$29,000 to \$50,000 as of July 1, 2014.

SCRIE is hugely important to this Administration. We support this bill. However, the enabling State legislation sunsets in two years; therefore, we suggest amending the language so that the local law also sunsets at the same time. We are fully committed to continuing SCRIE at the higher income threshold, but we feel it is crucial that the local law mimics what is in State law.

We understand that there are concerns about the SCRIE program, and we are making every effort to continually improve our administration of this valuable benefit. We look forward to your feedback today. Our new Finance Commissioner will be starting in a few weeks, and he has already expressed his commitment to SCRIE, and his desire to work together to reach people who may qualify for the program but are not already taking advantage of this crucial benefit.

Introduction 243 will increase the number of SCRIE applicants and participants due to the increase in the maximum qualifying income. We are gearing up to handle these new enrollees and will be prepared for this change. After we receive an application, our first step is to verify that applicants meet the requirements for the program. In order to qualify for SCRIE, in addition to meeting the maximum income threshold, applicants must also meet the rent to income ratio set out in the law. This ratio requires that the monthly rent for a SCRIE participant must be more than 1/3 of their monthly income.

We determine the monthly income by looking at the annual income submitted with the application. Income includes all household income and takes into account the income of everyone residing in the home, including Social Security, income for taxable and non-taxable sources, and pensions. We require income documentation in order to process an application. In 2014, applicants must submit income documentation from calendar year 2013. When a household member does not file taxes, we accept other documentation that represents earned income such as Social Security statements, pension statements, IRA dividend statements, IRS forms 1099 and/or a W2. If they do not have any of those documents, we will accept a signed letter from the applicant stating they had no income in a certain year and why.

Once we have determined the income, we look at the legal rent on the applicant's lease to see if it is more than 1/3 of their income. For example, if the applicant's household income is \$35,000, we would determine the monthly income to be \$2,916.67. Their legal rent would have to be more than \$972 in order to qualify for the program. The legal rent for an applicant with a household income of \$50,000 would have to be at least \$1,389 for them to qualify for the program. To put this in context, according to the Furman Center Rent Stabilization Report from April 2012, the median rent of rent stabilized apartments outside of the Manhattan core below 96<sup>th</sup> Street was \$1,132 in 2011. Including the Manhattan core, the median rent in 2011 was \$1,480. Taking into account the monthly legal rent to income ratio, the Mayor's Office of Management and Budget has estimated that an additional 6,000 households may be eligible for SCRIE when the proposed increase goes into effect on July 1<sup>st</sup>.

The expansion of the SCRIE program will require us to add some new staff to help process the new applications and support the program participants. We expect we will need three new staff for every 4,000 participants that are added to the program. In addition to this number, we anticipate that we will need more staff to help with renewals and program support in the future. It is our priority to make sure we have the staffing capacity to maintain our current customer service and operational standards. It is also crucial to us that we have the team in place that will enable us to continue building upon these standards as we strive to improve the program further. To that end, I would like to highlight the progress we have made

since Finance first took the SCRIE program over from DFTA in 2009. Our last testimony about SCRIE in front of the Council was in March 2012. At that time, we spoke at length about the concerns elected officials, advocates, community groups and SCRIE participants had about the program. We took these concerns seriously, and have implemented a number of changes to SCRIE, which I would like to highlight.

For example, two years ago, it took up to 30 days to process a SCRIE renewal; now, renewal applications are processed in 9 days or less on average, and initial applications are processed in 4 days on average. We have achieved these efficiencies by reorganizing our SCRIE/DRIE unit and by automating parts of the process. We scan and categorize all SCRIE and DRIE files so that we can quickly access them when there is an inquiry or we are working to process them. We established a SCRIE/DRIE Customer Service Group, as well as a SCRIE/DRIE Walk-in Center that is open from 8:30 am to 4:30 pm five days a week. SCRIE program participants, including tenants and landlords, can come to see us anytime they would like to ask us a question in-person. We help potential applicants understand what is needed to apply to the program, and whether they qualify. We accept applications and associated documents, and distribute applications. The Center staff can quickly look up the status of an application. We provide information about services for seniors and locations of senior centers throughout the City.

The three full time employees working in the Center are part of the SCRIE/DRIE Customer Service Group. Their supervisor, who oversees the whole SCRIE/DRIE Customer Service Group, has vast experience with customer service. One of the Center staff members is fluent in Spanish. All of these staff have access to phone interpretation service so that they can communicate with non-English speaking customers. Our interpretation provider gives us access to more than 100 different languages.

In addition to the Center, our Customer Service Group responds to many SCRIE/DRIE emails and 311 service requests. We respond to SCRIE inquiries sent to us by 311 or that we receive via email within 48 hours; in the case of a tenant or applicant inquiring via phone through 311, we contact them back by a phone call. Through March of this fiscal year, this

team has so far responded to more than 10,000 inquiries that we received either from 311 or by email. Two of the staff members charged with these responses used to process SCRIE applications. All of our SCRIE dedicated customer service staff are knowledgeable and care deeply about helping people get the information they need.

We have improved our customer service for SCRIE in the area of Outreach as well. We now have a full time Outreach Coordinator for Seniors who works within our Outreach group. She has personal relationships with groups that work with the aging population, including senior centers, advocacy groups and community groups. She speaks frequently with DFTA to share information and coordinate on outreach efforts. Earlier this week, she attended DFTA's Annual Housing Benefits and Entitlements Training. The coordinator focuses on outreach events that specifically target seniors. All of our Outreach staff can speak expertly about SCRIE and our other housing benefit for seniors, the Senior Citizen Homeowner Exemption. In Calendar Year 2013, our outreach team held 130 events. Of these, 37 were specifically focused on seniors, and 20 were specific to the SCRIE program. We often receive questions about senior programs at all of our outreach events, and we are well equipped to handle these. Apart from Finance's outreach events, DFTA participated in approximately 180 community events, which were attended by more than 14,800 older adults, where they also spoke about SCRIE. DFTA and Finance continue to work collaboratively to distribute SCRIE information. In Calendar Year 2013, we sent SCRIE flyers via email and fax to 335 aging services providers, which reached 17,000 home delivered meal recipients, senior centers, case management agencies, caregiver programs, homecare providers, and legal services providers.

In addition to outreach and customer service, last year we published a comprehensive guide to SCRIE and DRIE. This booklet has everything tenants, landlords, and new applicants need to know about SCRIE. It is also available in English, Spanish, Russian, Chinese and Korean. We distribute these booklets at all of our outreach events. We work closely with elected officials' offices to ensure that you have the materials you need to help your constituents. One of the tools that we provide is a monthly list of SCRIE tenants at risk of losing their benefits

because they have failed to renew. Working together, we are able to reach more people and provide the support that this vulnerable population needs, and we appreciate your feedback.

I would like to end my testimony by emphasizing that the new Administration, including the new Finance and Department for the Aging (DFTA) Commissioners, is totally committed to providing this valuable benefit to all qualified New Yorkers. SCRIE is tremendously important to us, and we take very seriously the need to reach as many people as possible. We are developing new methods of outreach to publicize SCRIE and get additional people signed up for the program. Our new Commissioner is starting soon and is looking forward to leading this initiative. One project we are launching soon is to send letters regarding the income increase to all applicants who were denied for having income above the threshold over the last several years. We will update you on all our plans as they develop over the next few months.

At this time, I would be happy to answer any questions you may have.

**Testimony by New York Legal Assistance Group**

**before the NYC Council Committees on Aging and Finance regarding:**

**Int. No. 243 - In relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain senior citizens;**

**Res. No. - Resolution calling upon the New York State Legislature to pass and the Governor to sign S.1218 and A.1790, legislation that would link income threshold increases for the senior citizen rent increase exemption (SCRIE) program to changes in the consumer price index; and**

**Oversight: The Senior Citizen Rent Increase Exemption Program: Examining Strategies for Improving the Administration of SCRIE.**

**May 1, 2014**

Chairs Chin and Ferreras, Council Members, and staff, good afternoon and thank you for the opportunity to speak about Intro No. 243, the Resolution relating to linking income threshold increases for the SCRIE exemption program to changes in the consumer price index, and general oversight of the SCRIE program. My name is Mary Fox and I am a Senior Staff Attorney at the New York Legal Assistance Group (NYLAG). NYLAG is a nonprofit law office dedicated to providing free legal services in civil law matters to low-income New Yorkers. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence victims, persons with disabilities, patients with chronic illness or

disease, low-wage workers, low-income members of the LGBT community, Holocaust survivors, as well as others in need of free legal services. I am joined today by Kamilla Sjödin, Associate Director, Housing Law and a member of NYLAG's LegalHealth division, Elizabeth Esser-Stuart, Special Projects Coordinator.

We commend all those who have worked on both Intro No. 243 and the above-mentioned resolution and strongly urge the passage of both. NYLAG has hundreds of clients who are seniors, many of whom live in rent stabilized or otherwise subsidized apartments, for whom this increase in the yearly income will be a great relief and for whom SCRIE is the only means to remain in their affordable homes, which they have often occupied for decades. This increase in the income for SCRIE eligibility is a great stride towards keeping seniors housed, as well as maintaining New York City's dwindling affordable housing stock for a little longer.

In order to strengthen Intro. No. 243, we urge the Council to amend the language to allow for retroactive benefits at the rate at which the benefits were previously frozen to anyone who had SCRIE in the past but who is no longer eligible because his/her income is over the current cap. For example, NYLAG is currently assisting an elderly cancer patient with an income of \$31,000.00. She and her husband have lived in their rent stabilized apartment for over 10 years. With SCRIE they paid \$1,085.00 a month since 2009. Their income rose slightly, and now they do not fall into the protections of the current law. Unfortunately, their grace period is ending one month before this law will go into effect and, as such, they will have to pay the rent with the increases from the past five years of \$1,419/month, making her monthly rent go up by almost 40%.

This problem is particularly acute for elderly, low-income people with serious health problems. As medical bills are not included as a deduction in calculating SCRIE income eligibility, many seniors with incomes above the current threshold are struggling to remain in their homes and pay their medical bills. In addition, many seniors may appear as if they have disposable income because they are above the income threshold to qualify for Medicaid. However, as Medicare covers only 80% of many medical expenses, we see many seniors at our legal clinics paying out of pocket for home health care, doctors' appointments, and other life-saving medical needs, thereby greatly reducing their actual disposable income. In turn, by raising the SCRIE threshold, these seniors would have more disposable income to pay for their medical treatments.

Additionally, since we have the opportunity to discuss SCRIE generally, we would also urge the following immediate changes:

1. That SCRIE applications, letters, and notices be available and sent out in a diversity of languages and not just in English;
2. That all SCRIE forms regardless of which agency administers the application process be available online;
3. That SCRIE recipients receive automated phone reminders about their renewal due dates because the letters are not enough and sometimes get lost; and
4. That the SCRIE 'specialist' at 311 either truly be knowledgeable about SCRIE or that there be a community liaison at the agency that administers SCRIE that advocates and recipients can reach directly to ask questions and/or resolve minor issues informally.



We would be happy to discuss our proposals further with the Council or other advocates and work together to make this program even better than it is. Again, we commend all those who have already worked to create this program, as well as to improve it, and strongly urge the passage of both Intro. No. 243 and the resolution.

Thank you for the opportunity to testify today.

Respectfully submitted,

Mary Fox, Senior Staff Attorney

Kamilla Sjödin, Associate Director, Housing Law

Elizabeth Esser-Stuart, Special Projects Coordinator



**Council of New York Cooperatives & Condominiums**  
**INFORMATION, EDUCATION AND ADVOCACY**

250 West 57 Street • Suite 730 • New York, NY 10107-0700

**TESTIMONY BEFORE THE COMMITTEE ON AGING  
AND THE COMMITTEE ON FINANCE**

**Thursday, May 1, 2014**

**SUGGESTING AN ADDITION TO INT. NO. 243**

Good afternoon Chair Chin and Chair Ferreras and committee members.

My name is Mary Ann Rothman and I am executive director of the Council of New York Cooperatives & Condominiums, a membership organization comprised of housing cooperatives and condominiums located throughout the five boroughs of New York City and beyond. More than 170,000 New York families make their homes in our member buildings, which span the full economic spectrum from very modest housing to some very upscale dwellings.

CNYC offers strong support for Int. No. 243, which raises the income eligibility cap for seniors to qualify for SCRIE, a program which appropriately provides government help for low and modest income seniors who rent their homes. Many of our member cooperatives and condominiums house seniors who opted to remain in their homes when the buildings where they lived were converted to cooperatives or condominiums. In a number of instances, the sponsors who owned these units defaulted or walked away, leaving the cooperatives with the responsibility of administering these units. Higher SCRIE thresholds will help the rent regulated seniors in these cooperatives and condominiums to continue to live on in their homes affordably.

New York City has a program that is parallel to SCRIE for senior homeowners, called SCHIE, SENIOR CITIZEN HOMEOWNER'S EXEMPTION. It shields low and moderate income home owners, shareholders and unit owners from increases in their carrying charges. We respectfully point out that these seniors are equally deserving of an increase in their eligibility threshold, so that they, too can afford to continue to live on in their homes. Please amend this legislation to include a parallel increase for senior home owners.

Thank you for this opportunity to express our views.



**Council of Senior Centers & Services of NYC, Inc.**

49 West 45<sup>th</sup> Street, Seventh Floor, New York, NY 10036 (212) 398-6565 <http://www.cscs-ny.org>

**JOINT CITY COUNCIL PUBLIC HEARING ON SCRIE  
FINANCE COMMITTEE  
COUNCILWOMAN JULISSA FERRERAS, CHAIR  
COMMITTEE ON AGING  
COUNCILWOMAN MARGARET CHIN, CHAIR  
MAY 1, 2014**

CSCS' mission is to champion the rights of older adults to make New York City a better place to live for the 1.4 million people over the age of 60. Founded in 1979, CSCS is recognized as the leading NYC-based organization representing senior services and aging issues, advocating for needed community based services which allow older adults to age with independence and dignity. With over 100 member organizations providing services through more than 600 programs, CSCS' members range from individual community-based centers to large multi-service, citywide organizations and serve over 300,000 older adults annually. CSCS' work spans enabling healthy aging and supporting family caregivers to promoting economic security, affordable housing with services and addressing elder abuse.

As a leading advocate for allowing older New Yorkers to age in place in their homes and communities with dignity, we wholeheartedly support Intro 243 which increases the income eligibility for SCRIE. CSCS is appreciative of the state's action to increase SCRIE income eligibility to \$50,000. We worked closely with state legislative leaders to accomplish increasing the SCRIE income eligibility level to \$50,000. The \$29,000 income eligibility level had remained stagnant since 2009 while rents increased substantially. The February, 2014, CSCS housing paper, "*Call to Action: Building a Housing Agenda for Older New Yorkers*", lays out a multi-faceted plan for keeping older New Yorkers stably housing.

<http://cscs-ny.org/files/CSCS-Housing-Policy-Paper2014.pdf>

**The rent burden level of older New Yorkers is shockingly high:**

- ✓ By 2030, New Yorkers, age 60+ population, will increase to 1.84 million, a 47% increase from 2000. Over 50% of older New Yorkers come from minority or immigrant segments of the NYC population.
- ✓ Median income for New York City renters, ages 60-69 is \$24,000, and even worse for those age 70+, median income drops to \$15,000, compared to overall median income of \$38,000.
- ✓ One out of five seniors in NYC lives below poverty. Women, age 65+, comprise 69% of the frail older adult population and are more likely to receive lower Social Security payments.
- ✓ The current average Social Security benefit is \$1230 per month or only \$14,760 annually.
- ✓ Between 2007 and 2011, median monthly rent grew by 8.5%, from \$999 to \$1,084. Households living on a fixed income, like so many seniors, are hit hard by rent increases of this magnitude. Over time, fixed-income households face unsustainable rent burdens, even when living in rent-stabilized buildings.
- ✓ **According to the 2011 Housing Vacancy Survey, of the 98,000 single elderly renter households in rent-stabilized units, a shocking 65% pay more than half of their incomes for rent, while 62% of such households in rent unregulated units also paid such a high proportion of their incomes for rent.**
- ✓ **SCRIE was recently increased to a \$50,000 income eligibility level. Thousands of seniors on SCRIE do not receive the benefit until they are paying 40%-50% of their income in rent. Even getting on to**

**SCRIE leaves them on a cliff of affordability. SCRIE should be reformed to limit the rent burden to 30% of the tenant's gross income as per federal affordability standards.**

- ✓ Tragically, remaining housed is a challenge for more than 2000 people, age 60+, sleeping in municipal homeless shelters each night.

**Recommendations:**

- CSCS recommends that a review of the Department of Finance's administration of SCRIE be done to decide if SCRIE should remain there or be transferred back to the Department for the Aging.
- CSCS asks the deBlasio administration to immediately halt DOF's policy of removing seniors from SCRIE if they fail to recertify in time or for some other reason. Recertification remains a problem that needs to be addressed so seniors can remain on SCRIE. City Hall implementing such a policy would help DOF keep seniors on SCRIE. Being removed from SCRIE unnecessarily plunges the senior into a housing crisis as their rent escalates overnight.
- The city should explore implementing a "rollback" program within SCRIE, whereby all seniors pay no more than 30% of their income in rent as established by the federal government as the level of affordability. Thousands of seniors get on to SCRIE when they are already paying 40-50% of their income in rent. While SCRIE freezes the rent, it still leaves the senior on a financial cliff, often having to choose between rent, food, medication and other expenses. CSCS recommends that DOF do a cost benefit analysis of this "rollback" idea.
- Launch an aggressive public outreach and enrollment campaign to ensure that eligible seniors are aware of SCRIE. Application and renewal procedures need to be publicized. Provide city funding for community-based outreach and enrollment to enroll eligible seniors in SCRIE.
- Help seniors facing eviction due to nonpayment of rent by reforming the program to offer landlords a tax rebate for back payment of rent. For tenants who could have qualified for SCRIE while accruing rental arrears, an emergency SCRIE "One Shot" should be offered similar to the HRA program which most commonly pays for rent, utilities and moving/furniture.
- Explore the opportunity to amend city and state policies regarding the recertification process to ensure seniors are not deemed ineligible for missing the recertification deadline. This will improve their ability to remain stably housed.
- Consider lengthening the number of years for recertification since the income situation of seniors is unlikely to change enough warranting annual recertification especially with the \$50,000 income level.
- Implement a Right to Counsel in Housing Court program for seniors in housing court. Facing eviction or other legal procedures in housing court without a lawyer is a terrifying event for thousands of seniors. Having legal representation provides due process and a greater likelihood that the older adult will remain in their home. CSCS supports efforts within City Council to establish a citywide Right to Counsel in Housing Court program.

Thank you for the opportunity to testify on the SCRIE program. CSCS looks forward to working with City Council and the administration to ensure that older New Yorkers can age in place in apartments that are affordable and safe.

For further information, please contact CSCS Director of Public Policy, Bobbie Sackman, (212) 398-6565 x226 or [bsackman@cscs-ny.org](mailto:bsackman@cscs-ny.org)

TESTIMONY

ON

**STABILIZING NYC:  
DEFENDING SENIORS AGAINST  
PREDATORY EQUITY LANDLORDS**

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL  
COMMITTEE ON AGING and COMMITTEE ON FINANCE

PRESENTED BY:

Peter Gee  
Chief Program Officer  
PRATT AREA COMMUNITY COUNCIL  
On behalf of the  
STABILIZING NYC COALITION

MAY 1, 2014

Good afternoon. My name is Peter Gee and I am the Chief Program Officer at the Pratt Area Community Council, and a member of Stabilizing NYC, a new citywide coalition that has come together to fight the depletion of affordable housing in NYC at the hands of predatory equity. Thank you for the opportunity to testify this afternoon about our support for this proposed legislation.

Our anti-predatory equity coalition is made up of twelve community organizations and one civil legal services provider— CAAAV, the Community Development Project at the Urban Justice Center, Asian Americans for Equality, Chhaya CDC, Community Action for Safe Apartments at New Settlement Apartments, Fifth Avenue Committee/Neighbors Helping Neighbors, Flatbush Tenant Coalition, GOLES, Mirabal Sisters Cultural and community Center, Mothers on the Move, Northwest Bronx Community and Clergy Coalition, Pratt Area Community Council and Woodside on the Move. I thank those of you who have already expressed support for our initiative, especially Chair Chin, one of our champions.

At Stabilizing NYC we are working to fight one root cause of the problem that these bills seek to address, the lack of affordable housing for seniors in New York City. Over the past seven years, New York City's affordable housing market has been severely destabilized by private (predatory) equity companies that purchase large numbers of rent-stabilized buildings at inflated prices and then push out the rent-stabilized tenants so that they can increase rents and eventually charge market rates, using a wide range of harassing techniques from frivolous lawsuits to failing to provide heat or conduct necessary repairs. Low and moderate-income senior citizens are disproportionately affected by these tactics because many of them cannot afford rising rents or simply cannot stay in buildings where there is no heat in January.

As the crisis continues, the organizers and lawyers of Stabilizing NYC have begun working with tenants throughout the city, fighting back against these landlords' aggressive and illegal tactics through tenant organizing, education, litigation against abusive landlords, and intervening in foreclosure proceedings to urge the court to sell foreclosed buildings to responsible owners who respect tenants' rights.

These bills will benefit the moderate-income seniors who do not currently qualify for SCRIE and are most vulnerable to losing their housing amidst rising rents. Those on fixed incomes who make just over \$29,000 per year may end up paying half or more of their income towards housing as rents increase. Even in rent-stabilized apartments, landlords can legally increase the rents up to 6% per year on top of regular

increases authorized by the Rent Guidelines Board by making or claiming to make Major Capital Improvements to their buildings and passing costs along to tenants.

These bills will contribute to our long-term campaign on behalf of all rent-stabilized tenants in New York City by empowering some of the most committed, long-term tenants in our most vulnerable neighborhoods. Expanding rent protections for seniors will shield them from many of their landlords' most aggressive tactics and preserve more units of affordable housing. The more housing we are able to preserve, the less effective the private equity companies' tactics will be as they seek to intimidate and price tenants out of their buildings. Senior citizens have the will and resolve to fight back against injustice in the place they have called home for so long, but they must have the solvency to do so. Empowering our seniors will protect tenants across the city from the loss of affordable housing.

Increasing the SCRIE threshold from \$29,000 to \$50,000 would preserve affordable housing for seniors who are the backbone of our communities, having established roots and invested in this city when many others did not. They have spent their lives here building neighborhoods, starting businesses, and raising families and deserve to stay.

Because predatory equity companies have far more resources than community organizations and tenants, the preservation of rent-stabilized units depends on the assistance of the New York City Council. We ask the Council to step in and provide funding to the SCRIE program to help stop the loss of these vital rent regulated apartments. In the meantime, the community organizers and attorneys of Stabilizing NYC can defend tenants against dangerous predatory equity landlords, tenants can begin to fight back, and we can make sure that private investment corporations don't rob the city of its precious affordable housing for those who need it most.

Once again, thank you for the opportunity to testify.



LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

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Commission on Science & Technology

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**TESTIMONY OF ASSEMBLYMEMBER LINDA B. ROSENTHAL BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON AGING, COMMITTEE ON FINANCE AND SUBCOMMITTEE ON SENIOR CENTERS ON INTRO 0243-2014 AND OVERSIGHT OF SCRIE PROGRAM**

May 1, 2014

Good afternoon. I am Assemblymember Linda B. Rosenthal, and I represent the 67th Assembly District, which includes the Upper West Side and parts of Clinton/Hell's Kitchen in Manhattan. I am testifying today in regard to Intro 0243-2014, which would raise the annual household income limit for the Senior Citizen Rent Increase Exemption (SCRIE) to \$50,000, and on improving the operations of the SCRIE program as administered by the New York City Department of Finance.

As a member of the New York State Assembly's Committee on Housing and an elected official who has assisted hundreds of SCRIE applicants and recipients, I have been fighting for years to raise the SCRIE income limit, which stagnated at \$29,000 for five years. Now that we in the State Legislature have voted to include seniors earning up to \$50,000 in SCRIE eligibility for the next two years, I am pleased to see the City Council taking up legislation to adopt the new income eligibility criteria here in New York City.

This <sup>72</sup>~~84~~% increase will provide thousands of seniors with access to this critical benefit, which will help them remain in their homes. Many of my constituents, especially rent-controlled tenants, are paying nearly 100% of their income toward their rent, but have been ineligible for SCRIE because their annual rent exceeds \$29,000. With a \$50,000 income maximum, these tenants and many others could be exempted from truly unaffordable rent increases. I know that I will be working hard to ensure that the State Legislature renews the \$50,000 limit when it expires and applies it to the Disability Rent Increase Exemption (DRIE) in order to create parity between the two programs.

Increasing the income limits, however, is only part of the solution to the dwindling numbers of SCRIE recipients. While the administration of SCRIE has markedly improved since the disastrous transition from the New York City Department for the Aging to Finance, the hundreds of constituents who contact my office each year for help with any number of problems with their SCRIE applications are testament to the need for further reforms.

I have seen constituents' applications denied because Finance staff did not follow the requirements of the authorizing State law, because Finance staff applied agency policies inconsistently or because of human error that often takes months to undo. Additionally, although Finance has issued a helpful brochure on SCRIE and DRIE, it unfortunately has yet to promulgate a comprehensive



Assemblymember Linda B. Rosenthal

May 1, 2014

set of rules and regulations that clearly explains specific policies regarding how income is calculated, how rent is frozen and other critical areas. While I inform constituents who contact my

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office about many of these rules and ensure that errors made by Finance staff are corrected, there are undoubtedly hundreds of tenants who remain in the dark about their rights for every tenant who seeks help.

Change is needed in many aspects of Finance's administration of the SCRIE and DRIE programs from broad policies to streamlining and clarifying forms and applications. I have therefore included a list of recommendations that address the myriad issues I and my constituents have encountered in recent years. I urge Finance to implement these changes immediately to make the administration of SCRIE and DRIE truly fair and accessible to all eligible tenants. Thank you.



LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

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**ASSEMBLYMEMBER LINDA B. ROSENTHAL RECOMMENDATIONS FOR  
REFORMS OF SENIOR CITIZEN RENT INCREASE EXEMPTION (SCRIE) AND  
DISABILITY RENT INCREASE EXEMPTION (DRIE) BY THE NEW YORK CITY  
DEPARTMENT OF FINANCE**

May 1, 2014

**1. Create, issue and promulgate a comprehensive set of rules and regulations governing SCRIE and DRIE.**

While basic information regarding eligibility criteria and SCRIE/DRIE benefits are available in current Finance literature, many critical questions and issues that applicants and benefit recipients encounter do not have publicly available answers. Additionally, a public set of rules and regulations would help prevent incidents of Finance staff failing to consistently apply currently internal policies, and would help provide applicants and benefit recipients with a means of redress.

The rules and regulations should cover all relevant policies on SCRIE/DRIE, including:

- Rules and regulations governing the calculation of income and deductions, including:
  - Income that is not countable toward eligibility requirements due to specific provisions in the enabling statute:
    - Increases in Social Security benefits that are less than the Consumer Price Index (CPI) (all items U.S. city average) in any year following the first submission of an initial application
    - Gifts
    - Inheritances
    - Payments made to individuals because of their status as victims of Nazi persecution
    - Wages and business income for a SCRIE applicant who has recently retired.
  - Policy determinations on sources of income that are or are not countable toward SCRIE/DRIE eligibility pursuant to the enabling statute that are not specifically identified in it.
  - Deductions countable against SCRIE/DRIE eligibility limits, including the various sources usable to calculate applicable deductions.

- Rules and regulations governing how frozen rent is calculated, including:
  - How the effective date of a benefit is determined.
  - How a tenant's frozen rent is calculated, including how Finance determines which lease or rent period is used to set a frozen rent.
  - Circumstances under which Finance will raise frozen rents of renewal applicants to 1/3 of total household income.
  - Benefit effective on the first of the month after application is received, but frozen rent determined based on rent as of the date application is received—not consistently applied across all cases.
    - Circumstances under which Finance will raise frozen rents to 1/3 of income for renewal applicants—not consistently applied across all cases.
- Any other relevant rules and regulations, including:
  - The right of tenants occupying two contiguous and connected rent-regulated units for at least two years to receive SCRIE or DRIE for both units.

**2. Include all relevant information from the rules and regulations in all relevant forms and applications.**

Lack of publicly available information about or the consistent application of each of the above items has been the source of issues for my constituents who are applying for or receiving SCRIE or DRIE. Publicizing these rules and regulations requires that as much relevant information as possible be included on the forms that tenants read when they are applying for SCRIE or DRIE.

**3. Implement policy reforms to comply with the enabling statute and create an equitable regulatory framework.**

Due to a lack of proper administration of SCRIE and DRIE, many requirements of the enabling statute are not being applied consistently or properly. Finance has an opportunity to not only remedy these issues, but also to enact other policy changes to broaden the reach of SCRIE and DRIE as possible. These changes include:

- Reforming the system of calculating income and deductions, including by:
  - Discounting all inheritances and income earned on those inheritances, such as distributions from inherited IRAs or pensions.
  - Automatically discounting all applicable Social Security and pension increases following the initial eligibility date.
    - Requesting that current benefit recipients provide Social Security benefit history to discount past increases.
    - Setting the initial eligibility date at the year prior to the submission of the first initial application, as was upheld in *Nunez v. Guliani* (1998), rather than the year prior to the submission of the most recent initial application.
  - Discounting all sources of income for DRIE eligibility that are not counted toward eligibility for Supplemental Security Income (SSI), such as dividends, rather than only discounting those sources of income not

- 
- identified as generally countable toward SCRIE and DRIE in the enabling statute.
- Deducting all business losses in order to count all net business income, as required by the enabling statute, rather than offsetting business revenue with losses only until net income reaches \$0.
  - Reinstating deductions of union dues and court-ordered support payments for anyone receiving SCRIE when the deductions were removed.
  - Ceasing the inclusion of the income of anyone who does not reside in the apartment, including spouses who file jointly with applicants.
  - Accepting an SSI benefit letter and appropriate rent documentation in lieu of a full DRIE application.
  - Allowing DRIE applicants to use their current year's income in any applications or appeals, as State law bases eligibility on current year's income.
- Changing the tenancy eligibility criteria to comply with the enabling statute, including by:
    - Removing the requirement for applicants to be named on the lease or rent order and replacing it with a requirement that applicants be entitled to the use or occupancy of a unit.
    - Consulting with New York State Homes and Community Renewal (HCR) to determine specific situations in which a tenant can be entitled to the use or occupancy of a unit without being named on the lease or rent order. This information should be included in all relevant forms and publications.
    - Creating and implementing a mechanism for rent-stabilized tenants without a current lease to substantiate their tenancy and rent and obtain SCRIE, such as with the use of rent histories and rent registrations as is used for hotel-stabilized applicants.
  - Overhauling policies on benefit succession to create an equitable and compassionate system, including by:
    - Changing benefit takeover applications to automatically transfer benefits to any eligible, surviving occupant who has claimed succession rights, rather than requiring that landlords or courts grant succession rights or issue new leases.
      - Issuing Tax Abatement Credit (TAC) for a benefit successor until a warrant of eviction is executed, the successor vacates or a market-rate lease is signed for the apartment, discontinuing TAC on the first of the month following the execution of the warrant, vacating of the apartment or effective date of the deregulated lease.
    - Requiring that benefit succession applications be filed within 6 months of the death of the decedent rather than the current 30-day deadline in order to match the statutory grace period for benefit recipients to file renewal applicants.
    - Removing the requirement that successors be listed on application filings and instead investigating on a case-by-case basis whether income information was not disclosed in prior applications that would have made the household ineligible for SCRIE or DRIE.
    - Undertaking appropriate rent adjustments due to loss of income automatically, rather than at the separate, written request of the benefit successor.

- Streamlining application processing policies, including by:
  - Expediting application and appeal processing for any tenants in court for non-payment.
  - Utilizing access Finance has received to HCR databases to obtain rental documents for tenants who have not submitted them with applications.
  - Review and retroactively reverse previous denials of all tenants (especially rent-controlled tenants) denied for not showing a rent increase following *Gentile v. City of New York Department for the Aging SCRIE* (2002).
- Reforming the system for calculating and maintaining frozen rents and benefits, including by:
  - Excluding any Major Capital Improvement from a tenant's frozen rent that was approved effective any time during a lease or rent period whose increases will also be excluded from the frozen rent.
  - Reducing frozen rents before TAC when a rent reduction order is issued by HCR, as required by City Administrative Code.
  - Reducing the frozen rent of any benefit recipient who experiences a permanent decrease in income of at least 20% during a benefit period as required by the enabling statute, rather than only in cases of a tenant dying or being moved permanently into a nursing home.
  - Setting all benefit periods at 2 years unless tenant has a one-year lease, including for hotel-stabilized tenants.

**4. Make necessary changes to forms and applications to streamline the application and appeal processes.**

SCRIE and DRIE forms contain numerous redundant or confusing questions and document requirements. Simple changes will help make the programs more accessible to anyone interested in applying for them. These changes should include:

- Form changes:
  - Removing the question on SCRIE/DRIE forms regarding the number of rooms and windows in an applicant's apartment.
  - Making all forms available in all necessary languages and automatically sending applicants and benefit recipients communications and forms in the language of choice.
  - Including the general contact emails [scrie@finance.nyc.gov](mailto:scrie@finance.nyc.gov) and [drie@finance.nyc.gov](mailto:drie@finance.nyc.gov) in all forms and accepting all forms via email.
  - Clarifying what additional documentation applicants must provide to substantiate that they are fully reporting their household incomes when their rent exceeds their monthly income.
  - Including increases in supplementary charges for real-estate taxes to tenants in buildings receiving a 421-a tax abatement in its adjustment form.
- Notice changes:
  - Sending all applicants automatic written acknowledgment of the receipt of their application with a docket number or DRIE ID number to allow initial SCRIE applicants to track their application status online.

- Including a breakdown of income calculations in all letters denying applications based on excess income to streamline appeals and help reduce the number of appeals filed by ineligible applicants.
- Finance should include a fact sheet on SCRIE and DRIE with every approval order which includes an explanation of which increases are not exemptible—this is included in their brochure but many tenants are unaware that IAs are not exemptible and will be added to their frozen rent.
- Issuing an advisory opinion, to be included with all approval orders sent to tenants and landlords, that a tenant with an active benefit or a benefit which expired within six months is never responsible for past-due TAC and that it is a crime to collect rent being covered by TAC.
- Including information on all approval orders informing tenants of their rights to a frozen rent reduction if they have experienced a permanent loss of income of at least 20% during a benefit period.
- Changes to document requirements:
  - Allowing applicants to submit Social Security benefit letters in lieu of SSA-1099.
  - Requiring rent-stabilized applicants to submit their current lease only, as rent-stabilized leases have the prior lease amount included and tenants can receive SCRIE while on their first lease.
  - Requiring rent-controlled initial applicants to submit only those Maximum Base Rent / Maximum Collectible Rent and Fuel Cost Adjustment documentation for current and prior years that were issued and providing an option on initial applications to indicate which increases were not issued in either year.



70 West 36<sup>th</sup> Street, Fifth Floor, New York, NY 10018

Tel: 212-967-0322 Fax: 212-967-0792

[www.unhny.org](http://www.unhny.org)

**Testimony of United Neighborhood Houses  
Before the New York City Council  
Committee on Aging  
Committee on Finance**

**Submitted by Valerie Rosenberg, Policy Analyst  
May 1, 2014**

**Honorable Margaret Chin, Chair, Committee on Aging  
Honorable Julissa Ferreras, Chair, Committee on Finance**

Thank you for convening today's hearing. I am Valerie Rosenberg, a policy analyst at United Neighborhood Houses (UNH). UNH is the federation of 38 settlement houses that collectively benefit over half a million New Yorkers annually—from infancy through old age—with a variety of services at 400 sites throughout the city. For nearly 100 years, UNH has addressed the common interests and concerns of New York's settlement houses and the communities they serve, and we are here today to collaborate with you on the improvement of this vital program aimed at keeping seniors housed in their communities.

UNH enthusiastically supports raising the SCRIE qualifying income to \$50,000 and linking this threshold to the regional consumer price index in the future. We know that, even with SCRIE in place, 41% of older adults living in rent-regulated units throughout the city are paying unaffordable rents.<sup>1</sup> Raising the income threshold is a significant step toward correcting this problem, and I would like to offer several additional suggestions for improving the administration of the program increase housing security for older adults.

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**1) Change the post-mortem benefit transfer requirement:**

Currently, when a married SCRIE beneficiary dies, the surviving spouse must notify the Department of Finance within 30 days in order to transfer and maintain the benefit. If the grieving tenant fails to do so, the SCRIE benefit will be revoked, and the surviving tenant will have to pay the full rent beginning the first month after the death. The expectation that any person who has just lost his/her life partner is thinking about calling the Department of Finance to arrange for a transfer of SCRIE is unreasonable. We recommend that the post-mortem benefit transfer be incorporated into the regular recertification process.

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<sup>1</sup> John C Liu, "Senior Housing in New York City: The Coming Crisis," *Office of the New York City Comptroller*, May 2013

**2) If a senior's income increases temporarily, disqualifying her from the program, allow him/her to return to the program at the prior frozen rent level:**

Assemblymember Linda Rosenthal (A708) and Senator Bill Perkins (S5495) are sponsoring legislation that would allow for continuation of the same exemption level prior to the temporary income increase, as long as the increase does not extend beyond a period of two years. We encourage the Council to support this legislation.

**3) Establish a provision for seniors to reenroll in SCRIE after failing to recertify for good cause:**

Twenty percent of older adults suffer from a mental disorder, yet less than 3% of older adults report seeing a mental health practitioner for their concerns.<sup>2</sup> Older adults who have mental health concerns, but are not receiving the appropriate support, may not remember to recertify their exemption as required. Additionally, elder abuse, physical illness, the onset of a disability, or even problems receiving one's mail could cause a SCRIE beneficiary to miss the recertification deadline. In cases such as these, when good cause for reinstatement of the exemption can be established, the senior should be able to reenroll in the program at the prior frozen rent level, and have the difference between the frozen rent and the real rent of the unit credited for the intervening months. Other government benefits, such as SSI, SNAP, and public assistance, can be helpful in establishing guidelines for good cause benefit reinstatement.

**4) Revise the eligibility determination to exclude any income dedicated to out-of-pocket medical expenses:**

The average senior spends almost 20% of his/her income on health care expenses, with out-of-pocket costs for a person with Medicare averaging about \$4,600 per year.<sup>3</sup> During the last five years of life, people with Alzheimer's disease spend an average of \$66,155 out of pocket, and people with cancer, cardiovascular disease, or diabetes spend averages of \$32,000 to \$39,000 during that same period.<sup>4</sup> Because an older adult has no choice but to expend his/her resources on necessary health care, we recommend that this income should not be treated as a fungible financial resource.

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Senior housing security is a serious issue that will only become more urgent as the older adult population surges. Some of the current SCRIE regulations present significant obstacles to the goal of preventing homelessness among older adults, but we are encouraged that you are examining and pursuing ways to improve the program. The Council has often been the lead in establishing and expanding important programs for older New Yorkers, and we appreciate the work that you are doing now to address this crucial issue. Thank you.

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<sup>2</sup> U.S. Department of Health and Human Services, Administration on Aging. (2001). *Older adults and mental health: Issues and opportunities*.

<sup>3</sup> AARP. (January 2014) *Medicare: Get the Facts*.

<sup>4</sup> Amy S. Kelley, Kathleen McGarry, Sean Fahle, Samuel M. Marshall, Qingling Du, and Jonathan S. Skinner. "Out-of-pocket spending in the last five years of life." *Journal of general internal medicine* 28, no. 2 (2013): 304-309.





LENOX HILL NEIGHBORHOOD HOUSE  
SINCE 1894

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Testimony of Diane Lutwak before the New York City Council on behalf of  
Lenox Hill Neighborhood House

May 1, 2014

Thank you Council Members Ferreras and Chin for the opportunity to testify at this City Council hearing focused on the Senior Citizen Rent Increase Exemption (SCRIE) program. My name is Diane Lutwak and I am the Director of Legal Advocacy at Lenox Hill Neighborhood House.

I. Lenox Hill Neighborhood House

Lenox Hill Neighborhood House is a 120-year-old Settlement House on the East Side of Manhattan that provides an extensive array of effective and integrated human services—social, educational, legal, health, housing, mental health, nutritional and fitness—which significantly improve the lives of 20,000 people in need each year, ages 3 to 103. We are the largest provider of Older Adult services on the East Side, and our comprehensive senior services include two senior centers, a social adult day program, transportation, case management for homebound elderly, adult education, fitness and our Civil Legal Services program. We serve over 10,000 seniors each year through the combined efforts of our social workers, case managers, lawyers, advocates, volunteers, bus drivers, fitness instructors and more.

## II. Our SCRIE Experience and Expertise

The Legal Advocacy Department at Lenox Hill Neighborhood House provides comprehensive civil legal services to low-income individuals and families on the East Side. Approximately 60% of our clients are seniors above the age of 60. We have considerable experience with the SCRIE program – our attorneys, advocates and volunteers assist hundreds of SCRIE participants with applications, adjustments, renewals and appeals each year. Additionally, we provide educational workshops about the SCRIE program to older adults and to older adult services providers throughout New York City. Although nearly 50,000 seniors participate in the SCRIE program, we believe that thousands more are eligible but are not enrolled in the program. In response to this need, since January 2011 we have been conducting monthly SCRIE enrollment clinics, one at each of our two senior centers, and now since this past Fall a third clinic at our main building, at which trained volunteer attorneys help seniors apply for and renew their SCRIE benefits. Since its launch over three years ago, our clinics have submitted nearly 300 applications and/or renewals, which is in addition to the dozens of other SCRIE cases that our Legal Advocacy Department works on each year.

The SCRIE program is absolutely vital to retaining seniors in their homes in our community. Without SCRIE, low-income seniors would be forced to leave their apartments, our community and ultimately, New York City. It would not be possible for low-income seniors to afford rising rents, fuel cost increases and Major Capital Improvement increases while living on fixed incomes that rise very little each year. SCRIE is the ultimate life-line that allows our seniors to age in place and remain an integral part of our diverse City; thus, it must remain a fully funded and successful program in New York City.

The SCRIE program was created over 40 years ago to ameliorate the effects of ever-increasing rents on low-income seniors and to protect them from unaffordable rent increases that

cause their rent to exceed one-third of their incomes and which might otherwise result in their eviction and homelessness. Many seniors who fit this profile are denied participation in or terminated from the SCRIE Program due to inconsistent and unfair statutory and regulatory language, as well as the absence of a mechanism for reinstating lapsed benefits where good cause exists to do so.

### III. Support for Int. No. 243 and Res. No. 871

We support the proposal to increase the maximum annual household income level to \$50,000. There has been no increase in the maximum annual income level since 2009, when it was raised to the current level of \$29,000. An increase in the maximum annual income level is long overdue and certainly warranted at this time. We also support the City's Council's Resolution calling upon the New York State Legislature to pass and the Governor to sign S.1218 and A.1790, legislation that would link income threshold increases for the SCRIE Program to changes in the consumer price index.

### IV. Oversight: Strategies for Improving the Administration of the SCRIE Program

With regard to strategies for improving the administration of the SCRIE Program, I would like to highlight two areas where legislative intervention is needed.

#### A. Retroactive Reinstatement of Lapsed SCRIE for Good Cause Shown

First, is the need for statutory authority providing the SCRIE Program with discretion to reinstate lapsed SCRIE benefits for good cause shown. Given the fundamental characteristics of the aging population of low-income renters who are the intended beneficiaries of the SCRIE Program, various circumstances can and do arise that interfere with the ability of program participants to submit renewal applications within the requisite six-month recertification period. Such circumstances may include, but are not limited to: a spell of illness; a chronic physical or mental health condition that interferes with daily functioning; a household emergency; lack of receipt of

warning notices due to a defective mailbox or actions of an interfering third party such as a hostile neighbor, family member or landlord; agency error; or other extenuating circumstances beyond the program participant's control.

At present, the local agency lacks statutory authority to allow retroactive reinstatement of benefits for good cause shown, and elderly tenants who miss their SCRIE recertification deadlines face eviction from long-term apartments that previously had been affordable with the assistance of SCRIE Program benefits.

To address this problem, participants in the SCRIE Program need a new statutory mechanism under which they can seek retroactive reinstatement of their benefits for good cause shown in the event of a failure to recertify within the six-month grace period set forth in Sections 26-405m.(6) [Rent Control] and 26-509b.(6) [Rent Stabilization] of the New York City Administrative Code.

The essence of a "good cause" exception is its ability to be flexible and equitable in order for a person's unique circumstances to be evaluated on a case by case basis, guided by some general overarching principles. A meaningful "exception to policy" should be broad and flexible, and should include and not be limited to: Illness; a chronic physical or mental health condition that interferes with daily functioning; a household emergency; agency error; and/or other extenuating circumstances beyond the participant's control. It should also not be limited to a strict six month deadline.

Helpful guidelines for defining the parameters of "good cause" exist in the rules and regulations governing other government benefit programs. For example:

Public Assistance: The New York City Code of Rules and Regulations states that an applicant for or recipient of public assistance is exempt "from complying with any requirement concerning eligibility for public assistance if the applicant or recipient establishes that good cause exists for failing to comply with the requirement." Good cause exists when "(1) the applicant or recipient has a physical or mental condition which prevents compliance; (2) the applicant's or recipient's failure to comply is directly attributable to social services district error; or (3) other

extenuating circumstances, beyond the control of the applicant or recipient, exists which prevent the applicant or recipient from being reasonably expected to comply with an eligibility requirement.” See 18 NYCRR 351.26.

Supplemental Security Income: In Volume 20 of the Code of Federal Regulations governing the Supplemental Security Income program, a needs-based cash benefit for the elderly and disabled, Section 416.1409 allows for an extension of the 60-day period for requesting reconsideration of a determination where good cause is shown for missing the deadline. “Good cause” is defined in 20 C.F.R. § 416.1411 as follows:

- (a) In determining whether you have shown that you have good cause for missing a deadline to request review we consider—
  - (1) What circumstances kept you from making the request on time;
  - (2) Whether our action misled you;
  - (3) Whether you did not understand the requirements of the Act resulting from amendments to the Act, other legislation, or court decisions; and
  - (4) Whether you had any physical, mental, educational, or linguistic limitations (including any lack of facility with the English language) which prevented you from filing a timely request or from understanding or knowing about the need to file a timely request for review.
- (b) Examples of circumstances where good cause may exist include, but are not limited to, the following situations:
  - (1) You were seriously ill and were prevented from contacting us in person, in writing, or through a friend, relative, or other person.
  - (2) There was a death or serious illness in your immediate family.
  - (3) Important records were destroyed or damaged by fire or other accidental cause.
  - (4) You were trying very hard to find necessary information to support your claim but did not find the information within the stated time periods.
  - (5) You asked us for additional information explaining our action within the time limit, and within 60 days of receiving the explanation you requested reconsideration or a hearing, or within 30 days of receiving the explanation you requested Appeals Council review or filed a civil suit.
  - (6) We gave you incorrect or incomplete information about when and how to request administrative review or to file a civil suit.
  - (7) You did not receive notice of the initial determination or decision.
  - (8) You sent the request to another Government agency in good faith within the time limit and the request did not reach us until after the time period had expired.
  - (9) Unusual or unavoidable circumstances exist, including the circumstances described in paragraph (a)(4) of this section, which show that you could not have known of the need to file timely, or which prevented you from filing timely.

Supplemental Nutrition Assistance Program: Good Cause is defined “for food stamp purposes, as those circumstances beyond the household member’s control, such as but not limited to: illness, illness of another household member requiring the person’s presence, household emergency, unavailability of transportation, or lack of adequate child care . . .”; and (b) Temporary Assistance Source Book, at § 6-7, which includes as good cause for not complying with certain eligibility/recertification requirements

“circumstances beyond the head of household’s control, such as, but not limited to: (1) Illness of the head of household, (2) Illness of another household member requiring the presence of the head of the household or, (3) A household emergency,” as well as if the “applicant or recipient has a physical or mental condition which prevents compliance” and if “there are other extenuating circumstances or reasons beyond the recipient’s or applicants control whereby the applicant or recipient cannot reasonably be expected to fulfill the responsibility to comply.”

**B. Amending the Definition of Income**

Second, while the increase in the income limit under the proposed local law 243-2014 will extend the Program’s reach, a closer examination of the definition of income shows how it harms certain low-income seniors, especially those who are already in the Program and who then receive certain types of single-issuance, lump sums of money. There are no exclusions or deductions from income for the receipt of a one-time lump sum payment such as the net proceeds of the sale of an asset, payout of a recently deceased family member’s life insurance policy, withdrawal from an IRA or discharge of a debt. By comparison, withdrawal of the same amount of money from a savings account has no effect on SCRIE eligibility.

This definition of income causes irreparable harm to certain SCRIE Program participants – some of whom may have been in the program for many years – when they are terminated due to excess income after receiving one of these types of lump-sums. After benefits are terminated, their rents increase to the full legal rent and the SCRIE Program tells them that they can reapply in the future if their income drops to below Program limits again. However, upon such reapplication they are not entitled to have their previous “frozen” share of the rent reinstated but instead are treated like a new applicant whose rent is frozen at current legal Rent Controlled or Rent Stabilized rates, which often have risen beyond the tenant’s means.

Accordingly, we recommend the following changes:

- (1) The definitions of income for the SCRIE Program found in the New York City Administrative Code at Sections 26-405m.(2)(ii) [Rent Control] and 26-509b.(2)(ii) [Rent Stabilization], should be amended to exclude from countable income: discharged debts, annuity and IRA distributions, life insurance proceeds, personal injury and other court-

ordered judgments and settlements, conversions of one type of asset to another and other items which either are functional equivalents of withdrawals from savings or provide no tangible economic benefit; and

- (2) Program participants whose benefits are terminated due to receipt of extra countable income that puts them over the income limit in a given year should be allowed to have their prior “frozen” share of the rent reinstated in the future upon reapplication if income drops below the income cap.

The definitions of income for other government benefit programs provide guidance. For example, in New York State’s Medicaid program, there is a long list of income disregards, including health insurance premiums for elderly and disabled participants (see 18 NYCRR § 360-4.6(2)vii). In the Supplemental Nutrition Assistance Program (Food Stamps), there is a similarly long list of exclusions and deductions from income, including “lump-sum nonrecurring payments”, 18 NYCRR § 387.11(k), and medical expenses over \$35 per month, 18 NYCRR § 387.12(c); in federally-subsidized housing programs such as the Section 8 housing voucher program, exclusions from income include “lump-sum additions to family assets such as inheritances, insurance payments (including payments under health and accident insurance and worker’s compensation), capital gains and settlement for personal or property losses”, 24 C.F.R. § 5.609(c)(3), and deductions include “unreimbursed medical expenses of any elderly family or disabled family”, 24 C.F.R. § 5.611(a)(3)(i), as well as an annual deduction of \$400 for any elderly family or disabled family, 24 C.F.R. § 5.611(a)(2).

### **Conclusion**

We support proposed local law 243 and resolution 871, and suggest these additional legislative changes to you, based on our extensive experience working with SCRIE Program participants over many years. These proposals will result in practical, positive outcomes and improve the lives of those adversely affected by the described limitations of the existing statutory scheme. We appreciate the Council’s investigation of these pressing matters and are hopeful that with action by the Council the concerns which we have described can be addressed.

Thank you again for the opportunity to testify today. As advocates on the front-line of SCRIE applications, adjustments and renewals, we applaud the City Council's decision to hold these hearings and to examine the status of the SCRIE program. The SCRIE program is a true lifeline for low-income seniors throughout New York City and we look forward to its continued improvement.





The Henry J. & Erna D. Leir  
Center for Nazi Victim Services  
The Henny and Friedrich Brodnitz  
Case Management Program  
Selfhelp Kensington Program  
419 Church Avenue  
Brooklyn, NY 11218  
Tel: 718.633.1300

Testimony from Selfhelp Community Services, Inc.  
New York City Council Committee on Aging and Committee on Finance  
May 1, 2014

Good afternoon.

My name is Mariam Khachatryan and I am the Program Director of the Selfhelp Community Services Russian Nazi Victim Program.

As you may know, Selfhelp was founded in 1936 to help those fleeing Nazi Germany to maintain their independence and dignity as they struggled to forge new lives in America. Today, Selfhelp has grown into one of the largest and most respected not-for-profit human service agencies in the New York metropolitan area, with 26 sites throughout Manhattan, Brooklyn, Queens, the Bronx, and Nassau County. Selfhelp provides a broad set of important services to more than 20 thousand elderly, frail, and vulnerable New Yorkers each year, while remaining the largest provider of comprehensive services to Holocaust survivors in North America. Selfhelp offers a complete network of community-based home care, social service, and senior housing programs with the overarching goal of helping clients to live with dignity and avoid institutionalization.

Our services are extensive and include: Specialized programs for Holocaust Survivors · Seven affordable senior housing complexes; · Four Naturally Occurring Retirement Community (NORC) programs; · DFTA funded case management; · Five senior centers including one of New York City's first Innovative Senior Centers; · Home health care; · Client Centered Technology Programs including the City's first Virtual Senior Center; · Court-Appointed Guardianship; and · The Selfhelp Alzheimer's Resource Program (SHARP).

Selfhelp wholeheartedly endorses the New York City Council's work on Intro. No. 243, which would approve the increase for SCRIE income eligibility to \$50,000. This would have a

profound impact on the ability of so many of our city's elders to continue living independently and with dignity in their homes.

We would also like to encourage you to consider using this momentous opportunity to advocate for a rollback program for SCRIE recipients. So many of our neighbors who are the fortunate recipients of the benefits of this wonderful program, nevertheless are paying more than 50% of their limited incomes towards housing costs. We urge you to advocate that the maximum rent to be paid by a SCRIE recipient be capped at 30% of income, which is universally considered to be the affordable housing level.

Lastly, we respectfully ask you to consider returning the administration of the SCRIE program to the New York City Department for the Aging. When the program was under DFTA auspices, clients and advocates could call staff who were knowledgeable about SCRIE and who were able to speak about the details of individual cases. Issues were resolved efficiently and personally.

This is markedly different than the process which exists today. Clients and advocates must call 311 and speak to representatives who only know the program superficially and are unable to meaningfully discuss the details of any individual case. These calls then get referred to someone at the Department of Finance. Neither the client nor the advocate is given a name or a contact number for this person. An unfortunate number of individuals have been wrongly terminated from the program. And instead of being able to call and speak to a program representative and resolve these matters as we used to, our skilled advocates are forced to go through the bureaucracy of calling 311 repeatedly to request that someone call us back. The resulting delays are inefficient and cause the affected elders a great deal of stress.

The elders of our community are very fortunate to be living at a time when the New York City Council is advocating so strongly on their behalf. We stand with them in thanking you and encourage you to continue doing so. And please let us know if there is anything we can do to help you in this process.

Thank you.



**LEGAL  
SERVICES**

INCORPORATED

TESTIMONY

ON

STRATEGIES FOR IMPROVING THE ADMINISTRATION  
OF THE SENIOR CITIZENS RENT INCREASE  
EXEMPTION (SCRIE)

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL'S  
COMMITTEE ON AGING  
AND  
COMMITTEE ON FINANCE

PRESENTED BY:

DONNA CHIU  
SENIOR STAFF ATTORNEY  
MFY LEGAL SERVICES, INC.

MAY 1, 2014

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MFY LEGAL SERVICES, INC., 299 Broadway, New York, NY 10007  
212-417-3700 [www.mfy.org](http://www.mfy.org)

## **I. Introduction**

MFY Legal Services, Inc. envisions a society in which no one is denied justice because he or she cannot afford an attorney. To make this vision a reality, for 50 years MFY has provided free legal assistance to residents of New York City on a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy. We provide advice and representation to more than 8,000 New Yorkers each year. Of this number, MFY serves more than 3,600 tenants, including more than 2,000 who are at least 60 years old. MFY is also part of the Assigned Counsel Project, through which the Manhattan Housing Court refers cases involving tenants over 60 years of age who are facing eviction.

One of MFY's priorities is to ensure that clients who do not speak English or have limited English proficiency receive legal assistance in their native languages. Aside from the more frequently spoken languages such as Spanish and various dialects of Chinese, MFY has provided direct assistance to clients in Tagalog, Russian, Albanian, Haitian-Creole and Hindi, just to name a few.

## **II. MFY's Clients' Experiences**

MFY serves hundreds of seniors every year who are limited-English proficient (LEP). Many of these low-income LEP seniors are linguistically isolated, meaning that they do not have family or friends who can readily translate English-language materials for them. This makes it especially difficult for them to understand and timely respond to critical notices that are not in their own languages.

The importance of language access for the success of the SCRIE program was underscored when, in spring 2013, the Department of Finance (DOF) sent letters to nearly 6,000 New York City senior citizens notifying them that their SCRIE benefits had been revoked and that they had a limited time to reverse the revocation by submitting income recertification documents to DOF. Because this critical notice was sent only in English and many did not have access to informal or formal translation, thousands of LEP SCRIE recipients could not fully understand its content, and delayed or took no action. As a result, many of these LEP seniors failed to quickly recertify their SCRIE benefits.

## **III. Recommendations**

Based on this experience, on August 8, 2013, a group of community organizations consisting of MFY, Asian Americans for Equality (AAFE), Project Home at University Settlement, Good Ole Lower East Side (GOLES), and Councilmember Margaret Chin's office met with the then-DOF Commissioner and his key staff to present eight actions to improve language access for SCRIE and DRIE. We recommended that SCRIE:

1. Translate all essential documents - letters or correspondences that affect a senior's rights through a denial, loss or decrease in benefit or services - into Spanish,

Chinese and Russian, the top three most-requested languages at DOF, or any other appropriate language.

2. For all non-essential documents sent only in English, include a statement in Spanish, Chinese and Russian or any other appropriate language, informing the senior on how he/she can access that document in another language.
3. Ensure all translated documents and translation on the SCRIE website are accurate.
4. Continue to develop partnerships with community advocates, service providers and elected officials who serve as resources to DOF in providing equal language access to its LEP SCRIE customers, including direct and timely access to SCRIE staff to help resolve the clients' concerns.
5. Establish a SCRIE call center where LEP customers can access SCRIE information immediately through either bilingual staff or telephonic interpretation.
6. Ensure there is signage at the lobby of the SCRIE office at 66 John Street informing LEP customers that translation and interpretation are available. Make sure these signs are in Spanish, Chinese and Russian or any other appropriate language. Also, ensure there is directional signage with pictograms at the lobby of the SCRIE office about the specific location of the SCRIE office. Finally, ensure "I Speak" cards are available at the SCRIE office.
7. Ensure all front line staff at the SCRIE office at 66 John Street has access to telephones to provide customers with telephonic interpretation when bilingual staff is not available to translate.
8. Ensure all SCRIE staff are properly trained regarding DOF's language access policy and procedures, and trained to be culturally sensitive to LEP customers.

The DOF was hearteningly receptive, and promised to adopt several of the community groups' recommendations.

Since that meeting, DOF has improved the accessibility of the SCRIE webpage by providing translations in Spanish, Chinese and Russian alongside the English text, rather than in a separate window or link. DOF has also begun including an insert, written in Spanish, Chinese and Russian, with all critical notices, such as the Renewal Application Notices, Denial Order Notices, Revocation Notices and Pending Notices. The insert notifies the senior that the enclosed notice is important and informing him/her on how to access a translation of that notice.

DOF has also stated its intent to improve the language accessibility of its 66 John Street walk-in office by installing multi-lingual directional signage with pictograms, providing multi-lingual "I

Speak” cards for LEP customers to identify their languages, and ensuring that front-line staff has access to telephonic interpretation.

MFY applauds DOF for their receptiveness to community concerns and the steps they have taken to address language access issues. MFY hopes that DOF will continue to improve language access by following through on its commitment to implement the above recommendations. Specifically, MFY strongly urges DOF to install multi-lingual signage in its customer service center and fully translate all essential documents into Spanish, Russian, and Chinese, as more fully set forth above.

#### **IV. Conclusion**

MFY looks forward to working with the DOF and the City Council in improving access to SCRIE for LEP seniors.

MFY wishes to thank the Committee for this opportunity to testify, and for its continuing work to improve the lives of New York City’s most vulnerable seniors.



**TESTIMONY BY THE LEGAL AID SOCIETY**  
**BEFORE A JOINT HEARING OF THE NEW YORK CITY COUNCIL COMMITTEES**  
**ON FINANCE AND AGING**  
**REGARDING INTRO 243— A LOCAL LAW TO AMEND THE ADMINISTRATIVE CODE OF**  
**THE CITY OF NEW YORK IN RELATION TO INCOME ELIGIBILITY INCREASES FOR THE**  
**SCRIE PROGRAM**

MAY 1, 2014

The Legal Aid Society is the oldest and largest provider of legal assistance to low-income families and individuals in the United States. The Society's Civil Practice operates 14 neighborhood offices and city-wide units serving residents of all five boroughs of New York City, providing comprehensive legal assistance in housing, public assistance and other civil areas of primary concern to low-income families and individuals. In Brooklyn, the Society operates the Brooklyn Office for the Aging to address the needs of low-income senior citizens in that borough. The Society is also counsel in numerous class action cases concerning the rights of tenants and the needs of vulnerable New Yorkers, including senior citizens.

We appreciate the opportunity to testify at this City Council hearing regarding Intro 243, a local law to amend the administrative code of the city of New York, in relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain senior citizens. We greatly appreciate the leadership on SCRIE and DRIE issues

provided by Councilmember Ferreras, Chair of the Finance Committee, and Councilmember Chin, Chair of the Aging Committee.

The SCRIE program was created some 40 years ago to protect low-income seniors from rent increases that they could not pay with their fixed incomes and that therefore might otherwise result in their eviction and homelessness. Upon application, eligible seniors living in rent regulated housing may have their rent frozen for the duration of their tenancies, avoiding annual or bi-annual increases that may raise their rent burdens to unaffordable levels. The DRIE program was adopted by the city in 2005.

To be eligible for the SCRIE program, New Yorkers must be at least 62 years old with annual household incomes of less than \$29,000 and rent levels of one-third or more of their income. To be eligible for the DRIE program, New Yorkers must be in receipt of disability-related government benefits with annual incomes of less than \$20,412 for a household of one person. Participants in the SCRIE and DRIE programs must apply to be recertified annually or every two years depending on the length of their lease.

On March 31<sup>st</sup>, the State legislature approved a budget that included a significant increase to the income limit for eligibility to the SCRIE program from a household income of \$29,000 to \$50,000. According to State estimates, this would allow an additional 24,000 households to enter the program. At The Legal Aid Society, we see an increasing number of seniors who fall outside of the current SCRIE income limits but face enormous rent burdens that in turn threaten these seniors' long term tenancies. For example, a rent-controlled tenant, often times a senior who has resided in his or her home for decades, may face a 7.5% annual increase on his or her rent. These rental increases can quickly outpace any income increases thereby creating a debilitating rent burden within a few short years. For



these tenants, most of whom live on a fixed income; SCRIE is the only program that can preserve their tenancies. We see too many seniors with incomes that are above the current SCRIE income limit of \$29,000 but too low to cover the costs of living in the city and increasing rents.

The State legislature has recognized that the income limits for the SCRIE program have not kept pace with mounting costs of living in New York City, as they have been increased only twice in the last decade.

We applaud the State taking this important step in protecting more seniors' housing and strongly urge the City Council to approve Intro 243 so that this much needed increase can go into effect on July 1<sup>st</sup>.

It is our understanding that many seniors who would qualify for SCRIE under the current eligibility standards have failed to file an application. The fact that so many low-income seniors are not accessing a benefit to which they are entitled is tragic. Though we are obviously enthusiastically supportive of this change in the law, we believe that it is as important that an outreach campaign be designed to reach those newly eligible for SCRIE as well as those who are currently eligible but are yet to apply. To that end, we urge the Administration to design a public service announcement program that would inform New York City's seniors about the SCRIE program and its benefits. The Legal Aid Society would welcome working with the new Administration to help design such an outreach plan and is available to do so.

We also encourage the Council to amend the legislation to include a comparable income eligibility increase for DRIE applicants. Out of the more than 43,000 disabled individuals living in rent-regulated housing in the city, more than two-thirds of them have a

rent burden that exceeds 30 percent of their income. An increase in the level of income eligibility would make an additional 1,000 disabled individuals eligible for the DRIE program and would prevent them from losing their long term homes to unaffordable rent burdens. Furthermore, equalizing the income eligibility requirements for SCRIE and DRIE would avoid the myriad of problems faced by households that move from one program to another and the potential for loss of this important benefit if this kind of shift is necessary.

Thank you again for the opportunity to testify before the City Council on this important issue.

Respectfully Submitted:

Adriene Holder, Attorney in Charge, Civil Practice  
Judith Goldiner, Attorney in Charge, Law Reform Unit  
THE LEGAL AID SOCIETY  
199 Water Street, 3rd Floor  
New York, New York 10038  
(212) 577-3332

Jack Streitman

308 East 6<sup>th</sup> Street, Apt 16

New York, NY 10003

Good afternoon,

My name is Jack Streitman. I am living in the East Village, in a rent controlled apartment for 40 years and have seen my rent go up steadily from a very modest start to what it is now – just short of unaffordable. I didn't worry about this problem while I was employed, but I retired in 2007 and receive now Social Security and a small annuity. I have been subscribing to the Cooper Square Committee newsletter for over 10 years now, and had read in it about 3 years ago an article about SCRIE. I visited the committee's office and the workers graciously helped me calculate if I was eligible to sign up to receive SCRIE to lower my rent. I was ecstatic to find out I was qualified to sign up and the Cooper Square Committee got my application out. For the next few years I happily had my rent frozen at an amount I could afford: about \$827/mo. This situation was short-lived because in early 2014 I found my social security income for 2013 to be \$25,018 and my annuity to be \$5,232 for a sum of \$30,250. A short time later, SCRIE notified me that they were discontinuing my membership because my income was only \$1,000 above the SCRIE maximum allowable amount. My landlord therefore raised my monthly rent by \$200/month, to \$1,030/mo. I hope that this bill goes through so that I can continue to live in the neighborhood that I love. Seniors deserve to live in New York City too.

My name is Patricia Still. I am 68 years old and I live in a rent-controlled apartment. Many people believe that rent control means a fabulous apartment at almost no rent.

I do live in a decent apartment, but with rent increases of as much as 7.5% each year, my rent is higher than my monthly income. Each month I use savings to enable me to stay in my home. This year my social security payment increased \$17 while my rent increased \$186.

Although my taxable income has been under the \$29,000 income limit for SCRIE for years, once social security was counted, I was always a few thousand dollars over the limit.

Raising the SCRIE income limit to \$50,000 means that I will be able to remain in my home. While I still will not be able to buy new clothes or eat in restaurants or go to the theatre, I might be able to spend a little bit on my twin grandchildren who were born last year. For me, that would be a real benefit of SCRIE!

## TESTIMONY OF NORMA SCHREIER - MAY 1, 2014

I am Norma Schreier. I am a rent controlled tenant living on the Upper West Side in a co-op building of 70 apartments. I am the only rent controlled tenant in the building. I am also a member of Tenants and Neighbors. I have lived in my apartment since 1962. When we first moved in, there was my husband, my mother and one daughter. Then another daughter was born. Now there is only my daughter and myself.

I very much appreciate being allowed to speak to you about my circumstances and many more seniors like me who have lived in their apartments for a lifetime. I want to thank Councilmember Margaret Chin for introducing this bill to the City Council allowing income qualifications for SCRIE to increase from \$29,000 to \$50,000. I also want to thank Assemblyman Brian Kavanagh for getting this passed by the State Legislature and to express our deep gratitude to him and to Councilmember Chin.

This year, 2014, we received a 7.5% rent increase as well as a monthly fuel pass along charge. My rent increase is \$171.40 per month retroactive to Jan. 1. My fuel pass along charge is \$187.19 per month retroactive to Jan. 1 as well. I am the only resident in my building to pay this fuel charge. My daughter, who is disabled, and on Social Security, does contribute to the rent as much as she can. She has increased this amount for 2014 in view of the increases. I am retired and on Social Security as well. If I do not receive SCRIE I don't know how I can manage in the future.

As senior citizens, many, if not most, of us have Social Security as our main source of monthly income. This year our Social Security increase was 1.2% while our rent control, MCR, was 7.5%. There may be some of us seniors who will not be able to afford these increases. What are we to eliminate from our budgets to cover the disparity? Should we cut our food budgets or our medicines? How do we choose? I have looked carefully at all of the items in my budget to see what else I can eliminate, such as travel, new clothing, books, theater, etc. These have already been eliminated. I frequent the library for reading material. Perhaps now I will be able to fill my new eyeglass prescription. If I qualify for SCRIE the quality of my life can improve and some of the stress I feel each month will be eliminated because I will know that I can afford to pay my rent.

Thank you.

Parvati Devi  
Parkwest Finance Station  
P. O. Box 20873  
New York, NY 10025

1 May 2014

On Intro. 243

Good Afternoon:

My name is Parvati Devi. Over the years I've testified as a younger disabled person on Rent Increase Exemptions. Today, as a senior, I'm back again voicing my objections to the Intro. before us in its current form.

I can understand that there are families who do need the increase proposed. If, for example, the individual or couple receiving the limit of \$50,000 yearly, paid 50% of it on rent, then \$25,000 would be left to live on. Unless there are unusual expenses, such as medical, wouldn't \$25,000 be enough for most people to survive on? Does the legislature remember that SCRIE was intended for the very poor, such as people like myself? I am expected to live on \$9,696 a year. From that, I pay \$5,592 for rent. That leaves me \$4,104 for everything else for the entire year. And I do have SCRIE. I wonder how many here have thought about the poor.

There are many of us on the verge of homelessness. I propose that this Intro. be expanded. When the income, after paying rent, is so low, like mine, a roll back in rent to 30% of our income can make all the difference in preventing homelessness. Without this, we will have more seniors becoming homeless. And I still support the younger disabled community on DRIE whose income limit remains at \$10,000. This disparity is shameful.

Ultimately, the poorest on DRIE or SCRIE will become homeless, costing the government far more in the end. Wouldn't it be more pragmatic to roll back our rents so this does not happen?

Please do not pass Intro. 243 as is. Rather, pass an expanded SCRIE program that will make a significant impact in preventing more homelessness. It is my contention that this Intro. should be modified to include a roll back in rent to 30% of the income, when the frozen rent doesn't leave a livable amount to survive on.

Thank you.

## FOR THE RECORD

Testimony for the Senior Citizen Rent Increase Exemption City Council Hearing  
May 1, 2014 from Debra Greif Chairperson Brooklyn Family Support Service  
Advisory Council

Good afternoon ,

First the BFSSAC wants to thank City Councilmember Margaret Chin to introduce Intro.243 to increase SCRIE incomes from \$29,000 to \$50,000 for Mitchell-Lama Tenants and rent regulated tenants when our rent is over 1/3 of their income.

Now can you please do the same for tenants with disabilities who could qualify for Disability Rent Increase Exemption too? The income levels for persons with disabilities is very much lower than the SCRIE . Why is this? By the time persons with Disabilities finally get to the age to qualify for SCRIE , they then pay more than 50% of their income for rent.

This income disparity affects the disability community especially our veterans who have disabilities. Have you done a survey on how many families who have family members with disabilities are in the homeless shelters? With the population I represent we have families who cannot qualify for DRIE because their income is considered too high. With the push to have the disabled population to work their income will then be considered too high even though more than 50% of their income goes to their rent.

In my family I have disabilities as well as my brother and son. If we were senior citizens we may qualify for the new income levels of SCRIE but not for DRIE. Every two years our rent goes up but the amount from Social Security we receive does not go up enough to cover for our rent. Even though you are Chairperson of the Senior committee Please add DRIE with SCRIE to have the same income guidelines.

Thank you , Debra Greif , Chairperson BFSSAC

EMAIL :bfssac@yahoo.com

Katie Goldstein, Executive Director  
New York State Tenants & Neighbors

*Testimony as Prepared*  
May 1, 2014

New York City Council Committee on Aging and the New York City Council Committee on Finance

Re: Int. No. 243 - In relation to increasing the maximum income level qualifying for exemption from rent increases granted to certain senior citizens.

Good morning. Thank you to Chairwoman Chin and Chairwoman Ferreras and to the Aging Committee and Finance Committee members for the opportunity to testify today.

My name is Katie Goldstein and I am the Executive Director for New York State Tenants & Neighbors Information Service and New York State Tenants & Neighbors Coalition, two affiliate organizations that share a common mission: to build a powerful and unified statewide organization that empowers and educates tenants; preserves affordable housing, livable neighborhoods, and diverse communities; and strengthen tenant protections. The Information Service organizes tenants in at-risk rent regulated and subsidized buildings, helping them preserve their homes as affordable housing, and organizes administrative reform campaigns. The Coalition is a 501c4 membership organization that does legislative organizing to address the underlying causes of loss of affordability. Our membership organization has over 3,000 dues-paying members.

Tenants & Neighbors organizes in rent-regulated, Mitchell-Lama, and project-based Section 8 developments citywide. In the buildings where we organize, the story is the same. Low and moderate income tenants in New York City are regularly experiencing the pressure of displacement. New York City has lost an immense amount of affordable units. Rents continue to go up, however, in the past numbers of years the affordable housing developed has not been developed for low and moderate income tenants. This displacement pressure is overwhelmingly felt by Tenants & Neighbors' senior members who are struggling to afford to remain in their homes, many of whom who have lived in their neighborhoods for decades.

Tenants & Neighbors commends the state legislature for taking the initial step of increasing the maximum income level for tenants qualifying for the Senior Citizen Rent Increase Exemption (SCRIE) to \$50,000 from \$29,000. As our members have often told us, their incomes are close to the \$29,000 threshold; however, once you are over the threshold, there is no assistance. So, our members have seen their rents go up and up. Therefore, we support the swift passage of the Intro No. 243 to authorize the expansion of the program to those tenants whose incomes are \$50,000. Tenants & Neighbors especially commends Councilmember Margaret Chin, the main champion of the bill and all of the Councilmembers who have co-sponsored this important legislation. This is a huge victory for our members, many of whom have been organizing for years for affordable rents in their communities. This will make the difference for an estimated 24,000 senior tenants to be able to stay in their homes and live with dignity in their communities in their later years.



However, there is more work to do. We encourage the State legislature and City Council to increase the annual income requirement for the Disability Rent Increase Exemption (DRIE) to \$50,000 as well, so disabled tenants have the same opportunity to remain in their homes.

Tenants & Neighbors will continue to organize for affordable rents throughout New York City for rent-regulated and Mitchell-Lama tenants, but for this moment, we can breathe a sigh of relief for increased protections for senior tenants. Thank you for the opportunity to testify on SCRIE Expansion today. We look forward to working with the Council on increasing tenant protections and developing pro-active solutions to protect low and moderate income tenants.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 245-2014 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Paul Sawyer

Address: 230 West 72nd Street, #2F

I represent: Assembly member Linda B. Rosenthal

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Katie Goldstein

Address: ~~230~~

I represent: Tenants & Neighbors

Address: 236 W. 27th Street, NY 10001

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: LUCY NEWMAN

Address: 199 WATER ST, NY NY 10038

I represent: THE LEGAL AID SOCIETY

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: PATRICIA STILL

Address: 122 W 74 STREET 10023

I represent: MYSELF

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. SCRIE Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Edith Prentiss

Address: 739 W 186 ST 4E 10033

I represent: Disabled In Action

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243-2014 Res. No. 85-2014

in favor  in opposition

Date: 5/1/2014

(PLEASE PRINT)

Name: Diane Lutwak

Address: 3536 - 12<sup>th</sup> Ave Bklyn NY

I represent: Lenox Hill Neighborhood House

Address: 331 E. 70<sup>th</sup> St NY NY 10021

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. 185

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Kamila Sjodin

Address: \_\_\_\_\_

I represent: NYCAG

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. 185

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Mary Fox

Address: \_\_\_\_\_

I represent: NYCAG

Address: 7 Hancover Sq. 18th Fl. NY NY 10004

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Peter Gee

Address: 201 DeKalb, Bk

I represent: Pratt Area Comm. Council

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5-1-14

(PLEASE PRINT)

Name: Mary Ann Rothman

Address: 110 Riverside Dr, NYC

I represent: Council of New York Cooperatives &

Address: 250 W 57 St. NY 10107 Condominiums

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. T2014-0440 Res. No. \_\_\_\_\_

in favor  in opposition

Date: May 1, 2014

(PLEASE PRINT)

Name: Jack Streetman

Address: 308 East 6<sup>th</sup> Street, NY, NY 10003

I represent: Cooper Square Committee and myself as

Address: 61 East 4<sup>th</sup> St a tenant

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Donna Chiu

Address: 299 Broadway, 4<sup>th</sup> Fl.

I represent: MFY Legal Services, Inc.

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5.1.14

(PLEASE PRINT)

Name: Caryn Resnick

Address: Deputy Commissioner, External Affairs

I represent: DFTA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. SPRE changes Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Valerie Rosenberg

Address: \_\_\_\_\_

I represent: United Neighborhood House

Address: 70 W 36th St #503 10018

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Bobbie Sachman

Address: 49 W 45 St NY 10036

I represent: Council of Jr Centers & Services

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

*as expander in proposed version*  
Date: May 2014

(PLEASE PRINT)

Name: Parvati Devi

Address: PO Box 20873 NYC 10025

I represent: Myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 05.09.2014

(PLEASE PRINT)

Name: MARIAM KHACHATRYAN

Address: 3000 Ocean Pkwy #19S

I represent: Selfhelp Community Services

Address: 419 Church Ave, Brooklyn, NY 11218

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Sara Meyers - Assistant Commissioner DOF

Address: 59 Maiden Lane NYC

I represent: NYC DEPART OF FINANCE

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MARTIN ROSENFELD

Address: 254 WEST 122<sup>ND</sup> ST NYC

I represent: MYSELF

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MORGAN VAN TRUNN

Address: 270 WEST 11<sup>TH</sup> STREET NYC 10014 NY

I represent: MYSELF

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 243 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5-1-2014

(PLEASE PRINT)

Name: NORMA SAHREIER

Address: 333 CENTRAL PARK WEST

I represent: MYSELF

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/1/14

(PLEASE PRINT)

Name: Adelle Bender

Address: 99-44 67th St Forest Hills

I represent: mt Council on Housing

Address: 339 Lafayette St NYC

Please complete this card and return to the Sergeant-at-Arms