

**Testimony of the New York City Department of Housing Preservation and Development to
the New York City Council Committee on Housing and Buildings on Vacant and Neglected
Properties and Introductions 195-A, 352 & Resolution 563**

Tuesday, June 6, 2022

Good afternoon, Chair Sanchez and members of the Housing and Buildings Committee. I am Lucy Joffe, Assistant Commissioner for Housing Policy at the New York City Department of Housing Preservation and Development (HPD). I am joined by my colleagues Dr. Elyzabeth Gaumer, HPD's Chief Research Officer, and AnnMarie Santiago, Deputy Commissioner for Enforcement and Neighborhood Services. Thank you for the opportunity to be here to discuss the topic of vacant and neglected properties as well as the legislation being heard today.

Almost exactly one year ago, HPD shared with the Committee the 2021 New York City Housing and Vacancy Survey (NYCHVS) Selected Initial Findings. Based on the requirements of State law, the Council considered those data, and other available information, and determined that New York City remains in a state of housing emergency.

As in all previous cycles of the NYCHVS, the only survey specifically designed to measure vacancy in New York City, we reported a net rental vacancy rate. The citywide net rental vacancy rate was 4.54%. Of the 3,644,000 total homes in New York City, there were 103,200 vacant units available for rent across all types of rental housing. That vacancy rate only considers units that are actually available for rent. This is a critically important distinction that has been misunderstood in recent months.

Because of the importance of our rent stabilized stock and because it has, in particular, become a focal point in the discussion of vacant units, I want to focus there for a moment.

- Of the 3,644,000 total homes in New York City, just over 1 million are rent stabilized. That means roughly one third of our total housing stock is rent stabilized.
- 4.57% of the rent stabilized units, or approximately 45,970 units, were vacant. This only includes vacant units that were **on the market and available for rent**. This represents less than 1.5% of our total housing stock.
- Of the more than 1 million rent stabilized units total, 42,860 vacant rent-stabilized units were **off the market and not available for rent**, equivalent to just over 4% of all rent stabilized units. This figure is not included in the calculation of the net rental vacancy rate. This category includes units that are under renovation, those that are rented but not yet occupied, and a number of other reasons. This total category of units, those off the market for any reason, also represents less than 1.5% of our total housing stock.

- The “vacant and available” and “vacant and not available” data represent a snapshot in time. These do not necessarily represent long-term vacancies. Only a subset of the units that are vacant and not available could be described as “warehoused” units, which are not currently on the market and which the owner does not intend to put back on the market.

While the vacancy rate is incredibly important, both in terms of its legal implications and as an indicator of the health of our housing market, we shared a number of findings from the 2021 NYCHVS which reveal areas of significant concern about the state of low-cost housing available to low- and moderate-income New Yorkers here in the city that we should be taking very seriously.

- The median rent for all rental apartments was \$1,500. The median rent for all units available for rent was \$2,750. This distinction and the wide gap between these numbers means that most people currently living in a typical New York City apartment who end up needing to move could be looking at units that cost over \$1,000 more per month than they are currently paying.
- Digging into these numbers should raise more alarm bells. The net rental vacancy rate was less than one percent for units renting for less than \$1,500. That’s fewer than 10,000 units that were available to rent in this price range when our 2021 NYCHVS was in the field. This is the lowest vacancy rate among units in this price range that we’ve seen in more than 30 years of the NYCHVS.
- Looking at this another way, the median rent of all units that were available for rent was \$2,750. To be able to afford that typical unit that was available for rent, a New York City household would have to earn at least \$110,000 a year—more than double what most New York City renters earned in 2021.
- It’s important to remember that \$2,750 is the median of units available for rent in 2021—that means that half of all available units were renting for *more* than that.

Since the time we presented both the vacancy rate and these data about the state of low-cost housing in the city, these data have been misconstrued and compared incorrectly to other data sources. This debate is unfortunately not grounded in the data. We do not have a lot of vacant units. We do not have a lot of low-cost vacant units. The dearth of units available for rent on any given day in our city is one of the main problems in our housing market. This is why it is incredibly difficult, especially for low- and moderate-income New Yorkers, to find a new home they can afford if they have to move. That shortage puts further upward pressure on the rents of available apartments.

Some, however, have specifically argued that there are significant numbers of low-rent, poor-quality rent stabilized units that are being held off the market for long periods of time. This is incorrect. Of the 42,860 rent stabilized units that were not available for rent in 2021:ⁱ

- 12%, (5,060 units) had already been rented, but the new tenant had not yet moved in.
- 24%, (10,100 units) were awaiting or undergoing renovation at the time of the interview. Significantly, these units had not been vacant for a long time, we measured that too, — typically only for one month or less.
- Of these 10,100 units, the vast majority were being renovated at the time of the interview—8,810 units. These units had a median legal rent of \$2,036. Only 1,290 rent stabilized units were empty and awaiting renovation, which data show generally happens very quickly. Most of these 1,290 units had been vacant for less than a month at the time of our survey. These units had a median legal rent of \$2,676.
- 11% (4,740 units) had been vacant for 12 months or longer with no other reason given for why they were off the market. The median legal rent for these units was \$3,233—that's more than double the median rent of all rent stabilized units. It is also higher than the median cost of even the market rate rentals that were currently available for rent at the time of the survey. These are not homes that would be affordable to low-income New Yorkers. If these units were to come on-line, a New York City household would have to earn at least \$130,000 to afford that home.

When we drill down to rent stabilized units that had been vacant and off-the-market for 12 months or more, were in need of repairs, *and* had a low legal rent (<\$1,000), there were just 2,477 units. That's less than ¼ of 1% of all rent stabilized units in New York City. In the context of our entire housing supply, that's less than 1/10th of 1%.

We need more housing, especially low-cost and affordable housing, to help alleviate the pressure in our housing market. We need to reduce the obstacles so we can move New Yorkers into available housing more quickly. To do that, and to ensure that we have housing of all types in all neighborhoods across the city, we need continued partnership at both the local and state levels. With the State legislative session ending on Thursday, we urgently need action from our partners in Albany to enact a housing agenda to allow us to build and preserve more low-cost and affordable housing efficiently, effectively and equitably – we need to create a new construction tax incentive as well as a new, reformed J-51 program, to facilitate commercial and basement conversions and the Housing Affordability Resiliency Energy Efficiency Investment Act, and we are grateful for the Council's support in hearing Resolution 563 here today. The current housing crisis demands that together we achieve the goals set out in the Housing and Get Stuff Built blueprints and Where We Live NYC, our fair housing plan. We hope the Council will support our push for a housing agenda in Albany.

I'll turn now to the legislation being heard today. Introduction 195-A proposes to create a new enforcement process targeted to apartments that are not occupied. As we've discussed in depth today, we have very few vacant apartments in the city. The number of vacant and low-quality units represents a miniscule fraction of our housing market. In our experience, units that are vacant are generally not a hazard to neighboring tenants, and in many cases, are vacant because

an owner is in the process of renovating or correcting conditions prior to putting the unit back on the market. In cases where conditions in vacant units are affecting the quality of occupied units, HPD's existing process will result in violations being issued which often requires the remediation of underlying conditions (including pests and mold) which may necessitate addressing conditions in other apartments, vacant or occupied. Requiring HPD to create a process focused specifically on a small percentage of the 2,500 poor quality, low-cost units that have been vacant for 12 months or longer would divert critical resources away from HPD's enforcement while not creating any measurable increase in the supply of safe and affordable housing. HPD does not support Intro 195-A as written, but we are happy to have further conversations with the Council about the best way to achieve the goals of the bill.

In regards to Introduction 352-A, the administration is still reviewing the amended legislation. But on initial review, we have major concerns that this bill will confuse and potentially deter owners from submitting their registration, which is a system created with the specific purpose of obtaining basic contact information so we know who owners are, can cite violations to them directly and contact them in emergencies.

As the City's affordable housing agency, we believe deeply in our agency's mission and are committed to using all of the tools at our disposal to house New Yorkers safely, stably and affordably. Every potential home that could be brought online could house a New York City household and that's something we take incredibly seriously. But a strategy that is focused on 1/10th of 1 percent of our housing market is not an effective one for housing New Yorkers and risks distracting us collectively from the really important work at hand.

We are incredibly grateful for the productive work we as an agency have been able to do with this committee specifically and with this Council broadly to address the housing needs of New Yorkers. We look forward to that continued and productive partnership. Thank you for the opportunity to testify today, and we look forward to your questions.

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REBNY Testimony | June 6, 2023

The Real Estate Board of New York to The New York City Council Committee on Housing and Buildings Regarding Vacant and Neglected Properties

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. Thank you, Chair Sanchez and members of the committee, for the opportunity to testify today on the state of our housing stock, particularly vacant and neglected properties.

REBNY appreciates the Council's efforts to collect data on residential vacancies to further assess the needs of our housing stock. REBNY is supportive of the Council's aims of making informed policy decisions based on quality data. Improvements to the City's vacancy data availability will allow for robust, transparent discussion on our rental housing. However, REBNY encourages the Council to the greatest extent possible to use data already being collected by City agencies or from existing sources like the NYC Housing and Vacancy Survey prior to adopting new reporting requirements that may prove to be duplicative and burdensome. REBNY looks forward to working with the Council on these important issues.

BILL: Intro 195A-2022

TOPIC: The bill would require HPD to contact owners of multiple dwellings for which HPD has received complaints about potential hazardous or immediately hazardous conditions in vacant dwelling units. The owner would be required to schedule an HPD inspection of such dwelling unit within 21 days for the existence of any conditions constituting a violation of the New York State Multiple Dwelling Law, the New York City Housing Maintenance Code, or other applicable State or local laws. Failure to schedule the vacant unit inspection would constitute a non-hazardous violation.

SPONSORS: Councilmembers Rivera, Brewer, Caban, Nurse, Hanif, Farias, Aviles, Brooks-Powers, Ayala, Krishnan, Won, Richardson Jordan, Restler, Osse, Gutierrez, Hudson, Abreu, Bottcher, Williams, Louis, Schulman, Sanchez, Dinowitz, Joseph, De La Rosa, Feliz, Riley, Stevens, Barron, Powers, Narcisse, Marte and Speaker Adams.

REBNY understands and agrees with the need to address conditions detrimental to a tenant's health and well-being. However, the way this legislation is currently drafted, it places emphasis on rooting out conditions that may exist in any unit that is unoccupied and may already be under repair. The timelines mandated in this bill will have the practical impact of shifting HPD enforcement resources from occupied units where there is a clear nexus to have inspections occur timely. This would occur despite a woefully inadequate capacity to respond to complaints in occupied units and would divert resources to allow these new inspections to occur.

Placing the onus on the owner for a resource starved agency's inability to meet the inspection deadlines outlined here is not appropriate. REBNY hopes that the Council will revise this legislation to focus agency resources better.

BILL: Intro 352-2022

TOPIC: This bill would require the owner of any real property in the city to register the property as vacant upon it being vacant one year. Registrations would need to be renewed annually and failure to comply would result in a fine between \$100 - \$500 per week.

SPONSORS: Councilmembers Restler, Hanks, Moya, Farias, Louis, Joseph, Ayala, De La Rosa, Marte, Abreu, Richardson Jordan, Sanchez, Williams, Riley, and Nurse

Like Intro 195A, REBNY appreciates the Council's intention to identify and encourage opportunities to better understand the universe of vacant units. While this legislation would help do this, REBNY believes that further clarity is needed.

For example, it is important to identify opportunities to establish a comprehensive list of where vacancies are occurring and why those vacancies have occurred. This legislation does not address these matters. In addition, it does not consider what is a significant underlying issue of why a unit is not online – the fact that it is not financially viable to renovate units given the plethora of rent restrictions that make it difficult to recover the costs for renovations.

Finally, this legislation fails to consider other reporting requirements that already exist. For example, for units that have LIHTC (Low Income Housing Tax Credit) funding through HPD, HCR, or HDC, the agency already requires owners to demonstrate attempts to rent all vacant units. It would be good for the Council to use existing sources of data more effectively.

Most importantly, REBNY believes that what constitutes a vacancy must be defined. For example, would new construction waiting for a Certificate of Occupancy, or currently awaiting leasing via Housing Connect be required to register? Would a cooperative or condominium unit currently on the market? It would be important to define the universe of units needing to comply. REBNY looks forward to working with the sponsor to obtain the clarity needed for this legislation to be effective.

Thank you for your consideration of these points.

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MEMORANDUM IN OPPOSITION

Int. 195-A & Int. 352

The Rent Stabilization Association of New York City represents 25,000 diverse owners and managers who collectively manage more than one million apartments in every neighborhood and community throughout the city. We thank the Committee for giving us the opportunity to provide comments in opposition to Int. 195-A, which would require HPD to conduct inspections in vacant units and Int. 352, which would require owners to register vacant units.

Intro. 195-A

The city already has wide-ranging inspection and enforcement authority in residential buildings. DOB is charged with addressing conditions that might impact safety and HPD habitability. HPD's resources should be directed towards ensuring occupied units are habitable as is its mandate. **Int. 195-A**, which would create a new inspection requirement for HPD - to inspect vacant apartments - is a waste of limited staffing resources.

HPD already has the power to write violations when conditions impact habitability. If conditions in a vacant unit are impacting occupied units and causing the residents to suffer - for example, if leaks, mold, vermin, dust or debris, or any untold other number of conditions are discovered in an occupied unit and determined to be emanating from a vacant unit- a violation is issued and repairs are mandated. And since the owner is responsible for the conditions that affect tenant living conditions, HPD has the power to bring an owner to court for failure to cure these violations, no matter their origin, in order to ensure habitability. To create a second violation to be written against the vacant unit is a way to create additional violations for no real purpose other than to be punitive.

The inspection items contemplated by Int. 195-A fail to recognize that circumstances that may be driving the situation. For example, debris may be inside a vacant unit because it is undergoing renovation. To require upgrades in vacant units, such as weatherization, when it might never lead to occupancy is misdirected because the bill fails to consider why a unit may be vacant and not habitable. Owners may lack the resources to bring it to code given the limited Individual Apartment Improvement (IAI) recoupment amount. Leaving the unit vacant may be a financial necessity and to undertake these measures would squander resources that could be used to improve occupied units.

Intro. 352

Int. 352 would require owners to register vacant commercial and residential properties. For residential properties, owners would be required to provide an extensive recounting of the type,

nature, duration and condition of each vacancy as part of the annual multiple dwelling registration process. This onerous tracking requirement adds little value to the information gathered by the city. Tracking a one-month vacancy nearly a year earlier between tenancies is nothing more than bureaucratic busy-work prone to error. Even accounting months-long vacancies and the condition and reasons for vacancy serves as an intrusion into one's personal property rights, with no rational government interest in doing so. The definition of what is a vacant unit and why is not straightforward as shown by the Housing Vacancy Survey (HVS). The HVS, a comprehensive survey undertaken by the US Census Bureau and a needed step to justify the NYC housing emergency under the rent stabilization law, tracks vacancy information and provides in depth data on the number, rates, rents of vacant units, and clarity on the reasons for vacancy with vacant units assigned to one of 16 pre-listed categories that include such reasons as: not available for rent; vacant but held for occasional, seasonal, or recreational use; awaiting or undergoing repairs; rented but vacant; sold but vacant; dilapidated; otherwise, uninhabitable; in legal dispute, etc. As the city already has comprehensive vacancy information, this bill is unnecessary, onerous and performative.

For the above reasons RSA is opposed to Intros. 195-A and 352 and urges the council to table these proposals.

**New York City Council
Committee on Housing and Buildings
NYSFAH Testimony**

6 June 2023

NYSFAH is the trade association for New York's affordable housing industry statewide. Its 400 members include for-profit and nonprofit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSFAH's members are responsible for the vast majority of the affordable housing built across the City and State that uses federal, state and local subsidies and incentives. Founded in 1998, NYSFAH is the nation's largest affordable housing trade group.

Intro 195 – NYSFAH strongly opposes this legislation.

Intro 195 is an unfunded mandate that would divert scarce HPD inspection resources at a time when the agency is already understaffed.

- HPD inspection resources are needed for [HQS inspections](#).
 - It takes almost five months to house a homeless person or family, even with available units and vouchers, according to analysis by the Citizens Housing and Planning Council. One of the key steps in this process is HPD performing an inspection of the available unit.
 - The current vacancy rate in the HPD inspection unit is XX%
 - This legislation could require that HPD conduct thousands of inspections every year to comply with the 15% mandate
- Vacancy rates are in line with historic averages
 - [According to HCR](#), the current number of vacant rent-stabilized apartments (approximately 38,000, or 4% of the total rent-stabilized stock) is in line with historic averages
- This legislation will be bad for affordable housing and for homeless New Yorkers:
 - By diverting resources from HQS inspections, this will make it harder to house homeless New Yorkers
 - This will increase the amount of time that affordable units sit vacant, damaging building finances
 - This will also add yet more compliance costs onto buildings without any additional funding

Intro 352 – NYSFAH opposes this legislation

Intro 352 will add yet more compliance costs onto the operators of affordable housing.

- When affordable units are vacant for long periods, it is always due to situations outside the control of the owner.
 - Building finances were badly damaged by the unintended consequences of ERAP, which inadvertently caused a massive arrears crisis. Buildings may not have the reserves necessary to rehabilitate units for re-rental, particularly given that they are often badly damaged and require many tens of thousands of dollars in repairs.
 - Homeless set-aside units may be waiting for HQS inspections, for referrals of potential tenants, or for approval of vouchers
- Affordable housing is burdened by enormous compliance costs, which drive up the cost of housing and makes it harder for smaller firms, such as not-for-profits and MWBEs, to develop and manage affordable projects

Reso 563 – NYSFAH strongly supports this legislation

S.2985C, The Housing Affordability, Resiliency, and Energy Efficiency Investment Act of 2023 (formerly known as Affordability Plus), would update New York City’s affordable housing finance powers for today’s challenges.

- This proposal empowers the City to finance affordable housing in key ways:
 - HPD would be able to lend for lengths of time beyond 30 years, and to extend current financing. By decreasing carrying costs through longer loan terms, this will allow the City to stretch its subsidy dollars, achieve longer affordability terms, and serve lower AMIs.
 - HPD would be able to finance the development of non-residential uses on site, such as floor resilience, daycare centers, and open space amenities, which are often badly needed.
 - HPD would be empowered to help mission-driven organizations acquire and preserve naturally occurring affordable multifamily properties that otherwise might be repositioned as market rate rentals.
- The City’s affordable housing finance powers were created during a time period in which City-owned land and buildings were plentiful, and the primary challenge was rehabilitation.
- Today, however, the City faces a different set of challenges: preserving affordability during a time of rising interest rates; competing with the private sector to acquire and preserve naturally occurring affordable housing; and taking care of a community’s entire needs, such as day care. This legislation will update the City’s finance powers for such current challenges.
- For these critical reasons, we support Reso 563 and we urge the Senate and Assembly to pass this legislation.

Testimony Before the New York City Council Committees on Housing and Buildings and Governmental Operations Regarding Proposed Intro 352-A

June 6, 2023

The Association for Neighborhood and Housing Development (ANHD) thanks Chairs Pierina Sanchez and Sandra Ung and members of the Committee on Housing and Buildings and the Committee on Governmental Operations for the opportunity to testify on Intro 352-A regarding a commercial premises registry.

About the Association for Neighborhood and Housing Development

ANHD is one of the City's leading policy, advocacy, technical assistance, and capacity-building organizations. We maintain a membership of 80+ neighborhood-based and city-wide nonprofit organizations that have affordable housing and/or equitable economic development as a central component of their mission. We bridge the power and impact of our member groups to build community power and ensure the right to affordable housing and thriving, equitable neighborhoods for all New Yorkers. We value justice, equity and opportunity, and we believe in the importance of movement building that centers marginalized communities in our work. We believe housing justice is economic justice is racial justice.

ANHD is also a member of United for Small Business NYC. USBnyc is a coalition of community organizations fighting to protect New York City's small businesses and commercial tenants from the threat of displacement.

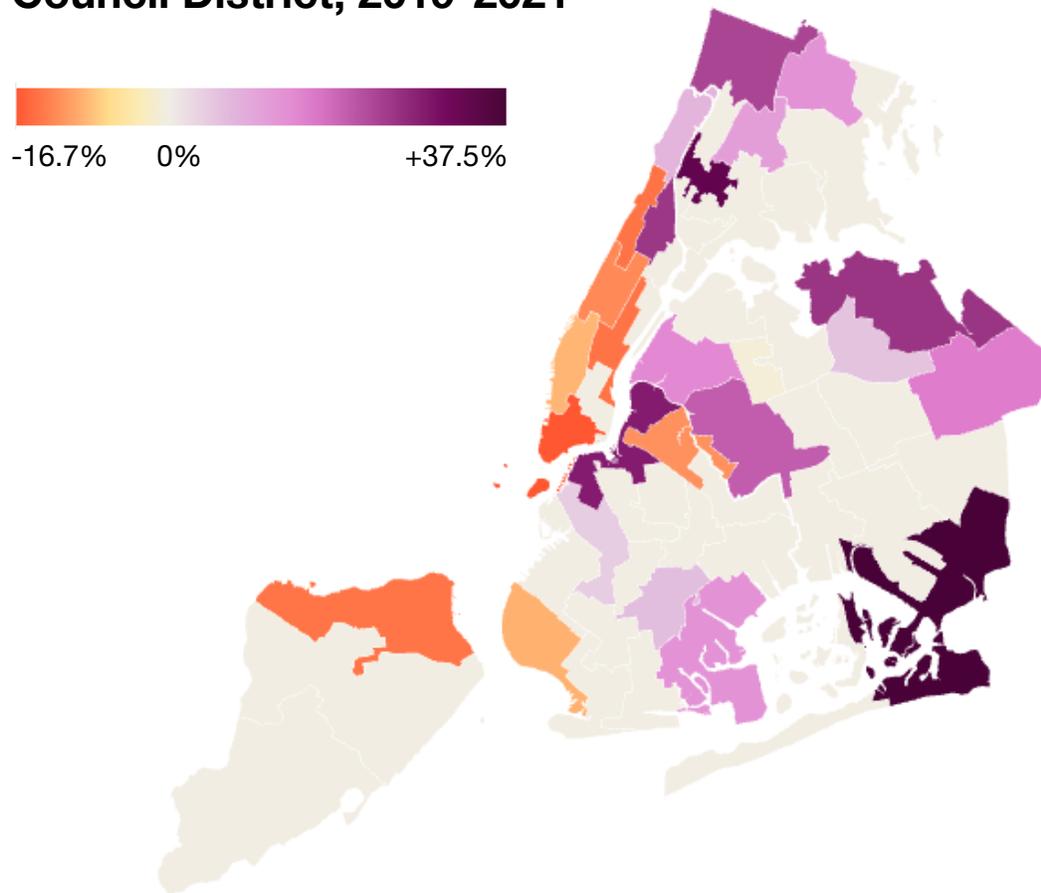
Intro 352-A

ANHD is pleased to see a proposed expansion of Local Law 157 of 2019, which ANHD and USBnyc worked with Council Member Helen Rosenthal to pass, requiring owners of ground floor and second floor commercial premises to report on vacancies, rents, leases, and other information that is critical for government, the public, and advocates to understand trends for storefront businesses over time. Because of this "storefront registry" and the accompanying aggregate statistics that Local Law 157 required, ANHD has been able to report on changes in storefront rents since before the pandemic began, showing disparate outcomes in Lower and Upper Manhattan, Brooklyn, and Queens.¹ Our most recent analysis, covered by the New York Times,² showed that from 2019 to 2021, the median storefront rents increased by 23% in Brooklyn, 14% in the Bronx, and 9% in Queens, while staying flat in Staten Island and decreasing by 11% in Manhattan overall, though rents in Harlem and Washington Heights/Inwood increased. **We want to make sure Intro 352-A's expansion of the law does not negate the ability to conduct the type of analysis that the original law was designed to enable.**

¹ <https://anhd.org/report/state-of-storefronts>,

² <https://www.nytimes.com/2023/05/08/nyregion/small-businesses-rent-hikes-nyc.html>

Percent change in storefronts' monthly median rent/sf by Council District, 2019-2021



Analysis by ANHD. Data source: NYC Open Data, DOF Storefront Registration Class 2 and 4 Statistics

Recommendations

While we support the expansion of Intro 352's expanded requirements of registration of all commercial premises rather than just ground floor and second floor commercial premises, **we want to emphasize that any changes to registration and publishing of related data must still designate commercial premises that qualified under the existing law's definition of ground floor and commercial premises.** If the law passes as written, we will no longer be able to analyze trends in storefront (technically ground floor and second floor commercial premises) rents, leases, and/or vacancies over time. It is useful to be able to analyze such patterns for all commercial premises, but we do not want to expand the law at the expense of continuing our longitudinal analysis that was enabled by Local Law 157 of 2019.

In order to retain data in a way that will allow for continuing longitudinal analysis of storefront trends over time, we request:

- The registration statement described in §11-3101(b) for commercial premises also require an indication of whether the premises is located on the ground floor or second floor
- The associated dataset described in in §11-3101(h)(1) contain a column designating whether the premises is located on the ground floor or second floor
- The data outlined in §11-3101(h)(2) be published for storefront properties as defined in the existing law, i.e. ground floor and second floor premises. These should be aggregated together, as is currently the case. This dataset that includes just ground floor and second floor premises could either be published separately from the dataset that aggregates all commercial premises, or together with the inclusion of additional rows or columns to designate the premises are located on the ground floor or second floor.

We also recommend the following improvements to the existing law be included in Intro 352:

- §11-3101(h)(2) should include an aggregation by community district in addition to council district and census tracts.
- The inclusion of citywide and borough aggregate data should be added explicitly to the law, although they have been included by DOF in data published to date.
- §11-3101(h)(1)(a) should explicitly include “primary business activity,” which has also been included by DOF in the published dataset to date.
- As soon as practicable, the aggregated data should be reported using 2020 census tracts instead of 2010. This should apply retroactively to all previously published data for comparisons.
- Once new council districts take effect, the same should take place for council districts.

Thank you for the opportunity to submit testimony. We would welcome the opportunity to discuss our specific recommendations to ensure the legislation expands the impact of Local Law 157 of 2019 while continuing to support ongoing analysis of longitudinal storefront rent and vacancy trends. Please do not hesitate to contact Lucy Block, Senior Research and Data Associate, at lucy.b@anhd.org with questions or to discuss further.



June 6, 2023

Community Housing Improvement Program Testimony on Int 1095-2022, Int 352-2022, Res 563-2023

Thank you for holding this hearing today. I am Adam Roberts, Policy Director for the Community Housing Improvement Program, also known as CHIP. We represent New York's housing providers, including apartment building workers and owners. We are here to express our thanks to the Council for recognizing the vacant rent-stabilized apartment crisis facing our city.

These vacant apartments were occupied for decades by tenants, long before modern laws around lead, asbestos, and sustainability were in place. Once tenants leave their apartments, lead and asbestos abatement, mold remediation, electrical rewiring, subfloor replacement, and kitchen and bathroom renovations must be completed. This work cannot not be safely performed in an occupied apartment but is legally required before a new tenant occupies an empty apartment.

Currently, there is no legal mechanism to recoup the cost of renovating vacant rent-stabilized apartments. Therefore, banks will not loan to owners to perform this work as they are not confident owners will be able to pay back those loans. The cost of this work is very high, often over \$100,000 per apartment. Without loans, owners do not have the financial means to pay for this work. As a result, these apartments have been left vacant en masse.

Due to a lack of publicly available data, it is challenging to determine how many rent-stabilized apartments are vacant for this reason. Using the data we have available, we believe that approximately 30,000 rent-stabilized apartments are facing long-term vacancies, with up to 5,000 more becoming vacant each year. An additional 100,000 or more apartments face the risk of becoming vacant over the coming years.

While these bills may help increase the quality of data on the vacancy crisis, it is urgent that the council focus on immediately addressing the cause of this proliferation of vacancies. We do not have the luxury of waiting for more data, we must act. Our city faces unprecedented demand, rising homelessness, and rapid migration to places with lower costs of living.

Fortunately, a bill was recently introduced in the state legislature from Assembly Member Kenny Burgos and Senator Leroy Comrie, A6772/S6352, which would alleviate this crisis by allowing the costs of renovations to be recouped. We hope the council will support this and other bills to preserve our city's rent-stabilized housing.

Our city and state governments can both find a solution for this urgent crisis and improve the quality of its data at the same time. We ask that the council take the lead in finding a solution, or pushing the state to do so, so that we can stop the loss of critical affordable housing. Thank you.



June 6th, 2023

Thank you to the New York City Council's Committee on Housing and Buildings for holding a hearing on property vacancy and neglect. Our names are Oksana Mironova and Samuel Stein, and we are senior policy analysts at the Community Service Society of New York (CSS), a leading nonprofit organization that promotes economic opportunity for New Yorkers. We use research, advocacy, and direct services to champion a more equitable city and state, including to urgently address the effects of the city's housing affordability crisis.

CSS is over 175 years old and has been at the forefront of advocacy for better housing conditions since the beginning, from the city's first tenement laws in the 1800s to contemporary organizing for stronger code enforcement.

Today, we would like to offer our support for Intros # 195 and 352, as well as Reso # 563. We are also here to underscore that rent regulation, as a housing policy, does not cause vacancy or housing neglect; actions by unscrupulous landlords and speculative investors do.

Landlords are fearmongering about housing neglect to gut rent regulation

In 2019, the New York State legislature passed the Housing Stability and Tenant Protection Act (HSTPA), which strengthened the state's rent regulation system by closing landlord-friendly loopholes. This law has acted as a stabilizing force during a pandemic-driven resurgence of speculation on multifamily properties. According to the latest data collected by New York City's housing agency, the median monthly rent in rent regulated units was \$1,400, \$425 lower than in unregulated rentals.

In order to undermine the HSTPA, landlord lobbyists have resurrected the mythical connection between rent regulation and housing abandonment and neglect, grounding their arguments in fuzzy math and false readings of New York City's history.

In fact, time and time again research has shown that rent regulation does not lead to property neglect. For example, New Jersey is a good place to test the impacts of rent control policies, because the state has a range of municipalities with and without rent regulation. Using a sample of 161 communities in New Jersey, a [2015 study published in the journal *Cities*](#) tested the impact of rent regulation (both its presence and its relative strictness) on housing quality and foreclosure rates (as a proxy for abandonment). It did not find any significant impact on the two variables when controlling for apartment size, income, race, and median rents.¹

Current data from New York City also does not show any relationship between stronger rent regulations and worsening building conditions. In 2021, the NYU Furman Center [analyzed HPD complaint data](#) through the beginning of the pandemic, and found that their seasonal pattern did not change after HSTPA's passage. Last summer, CSS polled New Yorkers about a wide range of issues, as part of our annual Unheard Third survey. We [asked respondents](#) if their rent went up in the past year, and, if so, whether the landlord had made any improvement to their apartment or building. We found that rent regulated tenants (44 percent) who experienced a rent increase were 12 percentage points more likely to see improvements in their buildings compared to unregulated tenants (32 percent).

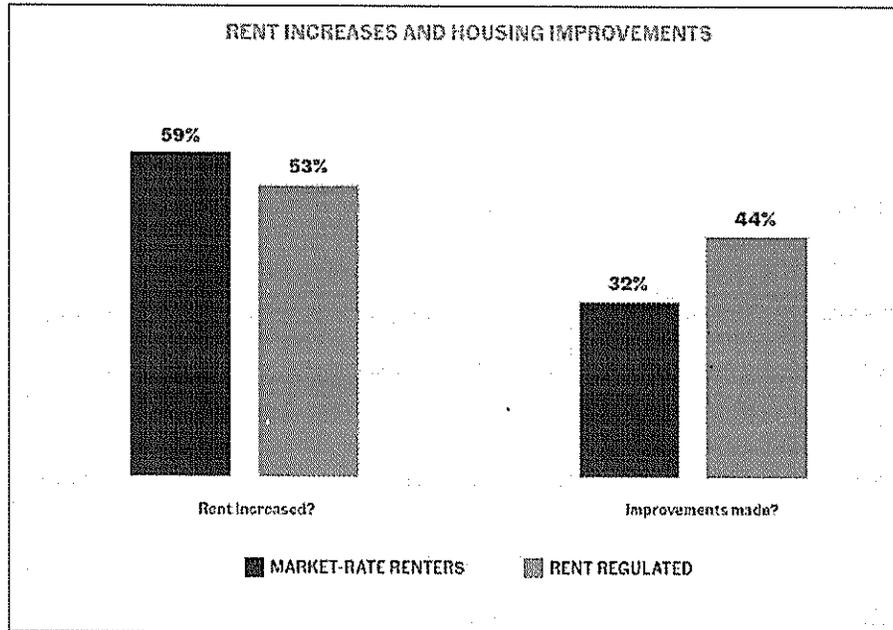


Figure 1. Rent Regulated tenants in New York were more likely to see increases in their rent connected to improvements in their homes.

While these numbers should be far higher for any tenants experiencing rent increases, they point to an important fact: rent stabilized landlords seem to be more likely to invest in improvements than market-rate landlords. Counter to anti-regulatory arguments, rent regulation does not inhibit building maintenance. Instead, it incentivizes it, by making a portion of the rent increase contingent on apartment or building improvements.

Given ample empirical evidence to the contrary, why are landlords dredging up tired myths about rent regulation and vacancy? To bully state and local officials to undermine rent stabilization.

Are landlords willfully admitting to withholding viable units off the market?

We know from tenant testimonies that landlords in some high-cost neighborhoods with large concentration of rent stabilized units, like the Lower East Side and the Upper West Side, are purposely holding units off the market, either to combine apartment and set high rents (“Frankensteining”) or to wait out the existing rent regulation regime in the hopes that by willfully worsening the housing crisis, the legislature will grow weary and relent to landlords’ calls to weaken tenants’ rights.

In New York City, vacancies are far more prevalent in high-rent than low-cost housing. On the one hand, an over-production of luxury housing has led to a supply glut; on the other hand, many buyers of luxury property have no intention of ever really living in them, using them instead as *pieds-à-terre* or as pure investment vehicles.

Some in the real estate industry have said explicitly that they are not renting vacant units because, under current regulations, it costs more than they are willing to pay to upgrade them. If they are, in fact, admitting to withholding otherwise affordable rentals from potential tenants, it reflects an act of

politically motivated sabotage to further worsen the housing emergency and undermine hard-fought tenants' rights in New York.

Landlords claiming that renovations of units held off market would cost an average of \$80,000 are significantly overstating the average costs of renovation at turnover. A two-minute conversation with a contractor, or elemental googling skills, will show this to be an astronomical figure. Responsible operators of rent-stabilized housing tend to average \$15,000 in renovations at turnover, which matches the way the post-HSTPA Individual Apartment Improvement (IAI) guidelines are written. In rare cases where the need for rehabilitation is immense, renovation costs can reach \$30,000. The only way that an \$80,000 renovation pencils out is if the goal is to turn a formerly affordable unit into a luxury one.

Meanwhile, the City of New York has several programs available to landlords who need money to bring apartments up to code. For years, HPD's Landlord Ambassador program has offered both capital and human resources to owners facing such a predicament. More recently, the city's Unlocking Doors program offers landlords \$25,000 for renovations in long-vacant low-cost apartments. In exchange, the landlords must agree to rent to a voucher-holding tenant. Because the city already offers a \$4,500 bonus to landlords who accept CityFHEPS vouchers, this payout is closer to \$30,000. This is a sensible way to approach the problem: landlords get the money they need to repair units; homeless households get a place to live; and the cost to the city for the voucher is lower than it would be if it were subsidizing a tenant living in a more expensive apartment. And yet landlord lobbyists have urged landlords to reject the payments and instead hold out for legislation that would deliver massive rent increases.

Close loopholes and strengthen enforcement

Rather than bending to landlords' will, city legislators should:

- Conduct an audit to develop an evidence-based picture of the vacancy problem market-wide.
- Create a commercial and residential vacant property registry, with publicly available data (Councilmember Restler's Intro #352).
- Use the city's existing code enforcement system to speed up inspections of vacant units and enforce habitability standards in those apartments (Councilmember Rivera's Intro # 195)
- Support the city's commitment to match landlords who are truly struggling to afford repairs with renovation grants and voucher-holding tenants.
- Support the State legislature in closing the Frankensteining loophole (NYS bill S2980/A6216)

If you have any questions, please contact Oksana Mironova and Samuel Stein at omironova@cssny.org and sstein@cssny.org.

¹ Ambrosius, Joshua D., John I. Gilderbloom, William J. Steele, Wesley L. Meares, and Dennis Keating. "Forty years of rent control: Reexamining New Jersey's moderate local policies after the great recession." *Cities* 49 (2015): 121-133. See also CSS's "[The Truth About Good Cause & Housing Supply](#)."



Making New York a better place to age

**New York City Council
Committee on Governmental Operations
Chair Ung
Committee on Housing and Buildings
Chair Sanchez
June 6th, 2023
Oversight – Vacant and Neglected Properties**

My name is Andrea Cianfrani and I am the Associate Executive Director at LiveOn NY. Thank you for the opportunity to testify.

LiveOn NY's members include more than 110 community-based nonprofits that provide core services which allow all New Yorkers to thrive in our communities as we age, such as older adult centers, home-delivered meals, affordable senior housing, NORCs, and home care. LiveOn NY is also home to the Reframing Aging NYC Initiative, part of the national Reframing Aging Initiative aimed to counteract ageism and improve the way policymakers, stakeholders, and the public think about aging and older people. With our members, we work to make New York a better place to age.

Background

Firstly, we invite the City to utilize our aging policy agenda, [*Aging is Everyone's Business*](#), released by LiveOn NY in partnership with Hunter College Brookdale Center for Healthy Aging, which is a bold policy agenda that provides actionable policy solutions, including housing, to make New York a better, more equitable place to age.

Housing accessibility and affordability are intersectional issues that affect many groups in our city that have an outstanding impact on older New Yorkers. A study we commissioned in 2016 showed that over 200,000 older adults were on waitlists for HUD 202 affordable senior housing, and we are in the process of another housing study to understand how that has changed over the past decade. We anticipate that needs have increased as rents have ballooned across the city and affordable housing stock has not been able to keep up with demand.

Over the last decade the number of New Yorkers grew by 31% and is on track to continue growing into the next decade. Additionally the older adult population is becoming rapidly more diverse and alarmingly more impoverished. Over that same time period the percent of older adults living in poverty increased by over 37%. We need to ensure that this population is a priority as we develop plans for equitable housing as they represent some of the most vulnerable communities impacted by the housing crisis.



Making New York a better place to age

Housing is an aging issue with roughly 2000 older adults living in shelters and more living on the streets. We have seen an increase of over 300 percent in older adult homelessness since 2004, and projections are predicting the number of older New Yorkers in shelters will triple in the coming decade.

To meet the housing needs of our city's older residents LiveON NY recommends the following:

Recommendations

Universal Accessibility must be a factor in the redevelopment of neglected properties.

70 percent of rental units in the city are accessible only by navigating at least one set of stairs, making them a challenge for older adults with mobility limitations. Being able to age in place in affordable, accessible housing is critical to ensuring that older New Yorkers can have a place to live in their communities and avoid institutionalization as their health needs change.

Invest in innovative affordable senior housing with services models for older adults.

Programs such as Selfhelp's Active Services for Aging Model create housing that allows residents to maintain their independence, improves their quality of life, and saves the city and state funding in the long term. As we look into the future of our city, programs like this one are key to creating a high quality and sustainable housing environment for older New Yorkers.

Further, this investment would build upon the clear success of the City's Senior Affordable Rental Assistance (SARA) program, which has created incredible community assets in every borough, including examples such as West Side Federation for Senior and Supportive Housing's (WSFSSH's) Tres Puentes in the Bronx and HANAC's Corona Senior Residences in Queens. These two buildings are clear examples of what is possible through housing, with Tres Puentes not only offering 175 new units of affordable senior housing, but providing space for a new Older Adult Center, health center and pharmacy on site, and the Corona Residences offering 67 affordable senior units that were built to the environmentally friendly Passive Housing standards, in addition to offering a new Pre-K on the ground floor.

We must reevaluate our current strategies to create programs that allow older New Yorkers to age in place and thrive in their communities.

LiveOn NY also recommends the City increase the per unit reimbursement rate for SARA services from \$5,000 per unit, to \$7,500 per unit, allowing for increased staff to more adequately address social isolation and significant case assistance needs. This increased reimbursement rate would make services better available to support an aging and formerly homeless tenant population, in turn enabling more older New Yorkers to age in place and avoid institutionalization.

Prioritize public and institutional land (e.g., hospitals, libraries, etc.) for affordable senior housing. By prioritizing institutional land such as hospitals in particular, the City will reflect an understanding of the connections between health and housing, and a commitment to treating housing as the social-determinant of health that it is.



Making New York a better place to age

Invest in the workforce of the Department of Housing Preservation and Development (HPD), by hiring new staff required to ensure that affordable housing goals can be met. While the pace of development has only quickened in recent years, hiring freezes and now PEGS have resulted in understaffing at HPD that puts the entirety of our City's affordable housing goals at risk.

Commit to a target of building or preserving 1000 units of deeply affordable senior housing with fully funded services per year.

LiveOn NY's own research has found that there are more than 200,000 older adults languishing on waiting lists for affordable housing through the HUD 202 program, each waiting for 7-10 years on average for a unit to become available. This challenge is mirrored by the thousands of applications that come flooding in each and every time a new affordable senior housing lottery opens on Housing Connect.

Furthermore, LiveOn NY supports the council in its efforts to explore all avenues to alleviating the housing crisis for all New Yorkers, and will continue to be a resource and partner to the council in these efforts. It's imperative that we keep older adults at the forefront of the conversation and ensure targets are set to meet their needs.

Thank you for the opportunity to testify.

Testimony provided by Andrea Cianfrani, Associate Executive Director at LiveOn NY For questions, please email acianfrani@liveon-ny.org

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY also administers a citywide outreach program and staffs a hotline that educates, screens and helps with benefit enrollment including SNAP, SCRIE and others, and also administers the Rights and Information for Senior Empowerment (RISE) program to bring critical information directly to seniors on important topics to help them age well in their communities.



**Testimony to the New York City Council
Committee on Housing and Buildings**

June 6, 2023

Good afternoon, Committee Chair Sanchez and members of the Housing Committee, and thank you for the opportunity to testify. My name is Elise Goldin, CLT Campaign Organizer at New Economy Project. New Economy Project is a citywide organization that works with community groups to build a just economy that works for all based on cooperation, equity, social and racial justice, and ecological sustainability. Among our activities, New Economy Project is a founding member and co-coordinator of the NYC Community Land Initiative, a citywide coalition working to promote community land trusts (CLTs) as a strategy to preserve permanently affordable housing and ensure equitable, community-led decision-making over land use in New York City.

With hundreds of groups across the city, we have been organizing in support of the Community Land Act, a bill package that includes Int. 196 (the Community Opportunity to Purchase Act), Int. 637 (Public Land for Public Good), permanently abolishing the Tax Lien Sale, and other measures to address our city's affordability crisis, by combating speculation and bringing land and housing into community ownership.

I am pleased to testify today in support of Intros 195 and 352, which would give the city, tenants and community groups new tools to combat the warehousing of residential and commercial units. We also support Resolution 563 calling on New York State to expand financing for permanently affordable and climate-resilient housing, including for homes on CLT land.

As this committee knows, landlords are holding tens of thousands of apartments hostage as they hedge their bets on the Supreme Court [overturning the 2019 rent laws](#). Unscrupulous landlords have used apartment warehousing as a tool to harass tenants, attract higher offers from potential buyers, and “frankenstein” apartments by combining multiple units, allowing landlords to circumvent rent regulation. An investigation of rent stabilized vacancies last year found that there were [89,000](#) units vacant in December of 2022. In that same month, there were just over [68,000](#)



homeless New Yorkers. We had enough apartments available to house everyone sleeping on the streets or in a shelter.

Intros 195 and 352 will help shed light on this growing problem by requiring property owners to register vacant units and requiring HPD to inspect vacant dwellings when tenants report hazardous conditions. Tenants deserve information about – and remediation of – potentially hazardous conditions in their buildings, including whether they are living next to a mold-infested unit or above an apartment without fire safety protections. The proposed legislation will help tenants organize for safe living conditions and against neglect and speculation by bad landlords.

The anti-warehousing bills proposed today would also complement the Community Land Act, by giving tenants, community groups and the City vital information about properties that could be developed or preserved for deeply and permanently affordable housing and commercial space. We urge the City to use all the tools at its disposal to bring vacant property into productive and accountable use, and address root causes of our affordability crisis.

Thank you again for allowing me to testify today.

Testimony of Brendan Cheney, New York Housing Conference

New York City Council Committee on Housing and Buildings and Committee on Governmental Operations

June 6, 2023

Good afternoon. My name is Brendan Cheney. I am Director of Policy and Operations at the New York Housing Conference (NYHC). I would like to thank Committee Chairs Sanchez and Ung as well as the other members of the City Council Committees on Housing and Buildings and Governmental Operations for the opportunity to testify.

NYHC is a nonprofit affordable housing policy and advocacy organization. As a broad-based coalition, our mission is to advance City, State and Federal policies and funding to support the development and preservation of decent and affordable housing for all New Yorkers.

We are testifying today in support of Reso. 563, which calls upon the State Legislature to pass, and the Governor to sign, [S.2985](#) - the "Housing Affordability, Resiliency, and Energy Efficiency Investment Act of 2023 (HAREEIA). This state legislation will update HPD's loan authority in important ways. While this sounds technical, it will have a large impact on HPD's ability to support affordable housing and without it we will lose out on the opportunity to produce thousands of affordable units each year and hinder HPD's goals around preservation, homeownership, and climate change.

HPD's current loan authority has not been updated for 50 years, leaving the agency struggling to use outdated strategies and insufficient loan caps to produce affordable housing. Existing loan authority is placing significant limitations on HPD's ability to support a wide range of housing needs and limiting its ability to make programs more economically efficient.

For example, HPD may only offer 30-year loans under their current lending authority. This legislation would allow HPD to offer a 40-year term, which would lengthen affordability and lower costs for borrowers. This is especially important as rising interest rates have made projects more expensive requiring more city capital. Capital needs can be reduced by lengthening amortization schedules from 30 to 40 years, which also match state and federal loan terms.

HPD estimates that 40-year loan terms could allow them to preserve an additional 500-1,000 units per year (5,000-10,000 units over a decade) and save between \$47- \$110 million depending on interest rates.

Existing state caps on loan amounts also prevent HPD from helping many nonprofit and for-profit building owners invest in needed repairs and building system upgrades. Currently HPD cannot loan more than \$35,000 per unit for moderate rehabilitation, and \$60,000 per unit for 1-4 unit homes.

This is inadequate and not in line with construction costs, which have increased 25% over the past 2 years. Increasing loan caps would especially benefit low- and moderate-income homeowners in lower-density neighborhoods, where homeownership rates are significantly higher than the rest of the city at 54 percent, and almost half of Black homeowners reside.

In addition, current loan authority prevents HPD from making loans for downpayment assistance to help homeowners acquire 1-4 family homes, condos or coops. HPD can currently only use limited federal dollars for this purpose. This prevents opportunities for first-time homebuyers and denies an important wealth-building strategy.

HPD is also limited in the ownership structures it can lend to. For example, there are almost 20 Community Land Trust (CLT) initiatives throughout the city - nonprofit organizations that maintain ownership of land in perpetuity and ensure it serves a community purpose like providing affordable housing. However, the City does not have authority to lend to owners on a ground lease, which is fundamental to the structure of CLTs and necessary for any tax advantages, making this innovative affordable homeownership option difficult to implement in New York City.

Finally, many of HPD's authorities only permit the agency to lend for housing improvements. They cannot, for example, address the needs of a nonresidential facility such as an existing Mitchell Lama garage that is part of a redevelopment plan or finance improvements that are solely for climate resilience, which are necessary to reach the City's sustainability goals.

State bill S. 2985 (HAREEIA) would address all of these issues. It would allow HPD to make loans for 40 years, increase loan caps to meet growing costs, make loans for downpayment assistance for 1-4 family homes, coops and condos, lend to owners on a ground lease and loan for nonresidential and climate improvements. It would mean HPD can better preserve existing affordable housing through refinancing, expand homeownership and community land trusts and meet climate goals.

It is long overdue for the state to update HPD's loan authority. We encourage all Councilmembers to support S. 2985 by supporting Reso. 563. Thank you for your time and we are available to answer any questions.



Testimony from the Safety Net Project of the Urban Justice Center

Good afternoon everyone. My name is Karim Walker and I work at the Safety Net Project at the Urban Justice Center.

Housing is a human right. That is a mantra that many like me have shouted for decades. We know that stable housing, not just shelter, is only way out of homelessness. And just in New York City alone, we have enough housing to end homelessness. Recent reports from City Limits newspaper show that we have about 6600 vacancies in the New York City Housing Authority system (with an overall vacancy rate at about 4%), another 2600 supportive housing units specifically for homeless New Yorkers, at least 39,000 empty rent-stabilized apartments (with data suggesting that there are potentially as many as 88,830 of such units), and tens of thousands of market-rate apartments sitting vacant and collecting dust thanks to landlords sitting on them. Yet, we have a mayor whose heavy-handed, hard-hearted tactics when it comes to addressing street and shelter homelessness include warehousing people in congregate shelters and using sweeps that can be actively violent fools' errands where no one accepts offers for services because housing is not offered to homeless folks.

Meanwhile, as migrants are making their way into the city, Mayor Adams has said that we have no place to put them, so he's resorting to jails and prisons, to the consternation and horror of people across the political spectrum. This is not true. As the *New York Times* reported last week, we have about 20,000 vacant hotel rooms that we can use right now. In addition, given that we have tens of thousands of vacant apartments and

hotel rooms, why is he proposing policies that would severely undermine “Right to Shelter”, a critical protection that has prevented hundreds of thousands of people from severe harm and death and that is an imperfect, but indispensable part to ending homelessness in NYC?

The administration has the direct ability to house tens of thousands of people in empty supportive housing, NYCHA, and HPD apartments now. They must do so.

The City also could be taking emergency action to get people into the tens of thousands of rent-stabilized apartments that are sitting empty. While the administration has tried to assert emergency power to end the right to shelter, they’ve said nothing about using their emergency powers to HOUSE people. This is inexcusable.

In addition to its failure to use vacant units, the Administration has also engaged in an all-out campaign to undermine the Council’s critical CityFHEPS housing voucher package to help homeless NYers get out of shelter more quickly and prevent those facing eviction from entering the shelter system. We thank the Council for their leadership on this issue and urge the Mayor to quickly sign these bills into law.

Housing is not something that should be seen as “optional.” It is a vital part to people’s ability to live, to survive and to ensuring that people can be productive members of society. We know that shelters and safe havens don’t provide the flexibility and freedom people need to contribute to society – which is why we must act to house people now. We owe it to the 100,000 homeless New Yorkers in the city to help them get out of shelters and off the streets and into permanent housing. Thank you.

TAKEROOT JUSTICE

Testimony Before the New York City Council Committees on Housing and Buildings and Governmental Operations Oversight – Vacant and Neglected Properties & Proposed Intro 352-A

June 6, 2023

[Updated June 7, 2023](#)

Good afternoon. My name is Paula Segal. I am speaking today as Senior Staff Attorney in the Equitable Neighborhoods practice of TakeRoot Justice. TakeRoot works with grassroots groups, neighborhood organizations and community coalitions to help make sure that people of color, immigrants, and other low-income residents who have built our city are not pushed out in the name of “progress.”

Thank you so much for holding this oversight hearing on the crucial topic of vacant and neglected properties, and inviting testimony on legislation designed to address residential and commercial vacancies. My testimony today will be focused on (1) the interplay between the Giuliani-era tax lien sale and vacancy in our neighborhoods and on (2) Intro 352-A, which will improve registration requirements for commercial spaces.

These comments derive from our work as members of two coalitions: the **Abolish the Tax Lien Sale Coalition**, which is working to replace the City’s recent predatory debt collection practices with solutions that stabilize homeowners and tenants, preserve affordable housing, and bring land into community ownership; and **United for Small Business NYC (USBnyc)**, which is a coalition of community organizations fighting to protect New York City’s small businesses and commercial tenants from the threat of displacement.

The Lien Sale Facilitates Warehousing and Vacancy

In 1996, then-Mayor Rudy Giuliani created the Lien Sale program. For the next quarter century, New York City’s Department of Finance (DOF) sold overdue property tax and water debts to a privately-administered, hedge fund-backed lien trust at a discounted rate of roughly 72 cents on the dollar. The trust tacked on high interest and fees, rapidly ballooning the debt, and can foreclose on the properties of owners unable to repay.

The lien sale has effectively privatized a core public function, removed accountability on the part of the City when it comes to multifamily rental buildings and vacant lots, and served to push low-income homeowners into further distress. As a direct consequence, vacant lots and

unoccupied buildings that have been languishing in private, speculative hands; some for decades. The program continued until February 2022, when City Council's authorizing legislation thankfully sunset.

In the last sale authorized by this Council and held in 2021, which we hope will be the last one the City ever holds, the City sold debt on 373 vacant lots disproportionately concentrated in the outer boroughs¹ instead of pursuing opportunities for new housing construction or open space preservation on those properties. Liens were sold on nearly as many vacant lots in 2018 and 2019, the two sales preceding the 2021 sale.

By allowing a privately managed trust designed to protect the interests of investors to determine the future of these properties instead of a public entity accountable to the political process, the City allowed hundreds of opportunities to slip through its hands.

Worse, the lien trust system is based on the existence of a "graveyard" trust (established in 1998 and called "1998-2") which accepts liens on properties that would pose a risk to bond offering.² Unlike the trusts created in each sale year, this one does not expire when investors have been paid and bonds satisfied; it continues to this day and currently holds nearly 6,000 liens that have not been redeemed or defected, accumulated during the quarter century of lien sales and assignments from trusts that were closed down after investors were paid. Of those, foreclosure has not been initiated at all on 631 liens properties and 275 of those are on vacant land. The 1998-2 graveyard trust owns a shocking 5,904 unredeemed liens. Of those the majority are liens placed on the following building classes: Condominiums (2,624), Vacant Land (1,297), One or Two Family Dwellings (689), Elevator and Walk-Up Apartments (393). They are concentrated in the following zip codes: Staten Island 10301 (1715), 10302 (229), 10306 (116) and 10305 (102); Queens 11355 (162); Brooklyn 11203 (141), 11236 (140) and 11233 (101).

While there is little information about the methods that the private managers of the graveyard trust use to determine which liens it will acquire,³ it appears to facilitate keeping properties with

¹ See List of Vacant Land sold parcels (as of 01/04/22), available at <https://www.nyc.gov/site/finance/taxes/property-lien-sales.page> (Manhattan: 12 vacant lots; Queens: 116; Brooklyn: 88 Bronx: 50; Staten Island: 107).

² When originally established, the 1998-2 bond offering was rated A2, which Moody's justified as follows:
The pool consists of "leftover" properties not included in the previous securitizations. The higher LTVs in this pool (weighted average LTV of 138% versus less than 30% for the previous pools) suggest that most of the underlying properties will not redeem, but instead will go through foreclosure and REO liquidation. Because fewer liens are expected to voluntarily redeem, cash flows off of the liens will be significantly impaired during the first two years after closing while the servicer files foreclosure proceedings. The larger proportion of commercial and industrial properties (70% in this pool versus 50% in the previous deals), and a long history of delinquencies, also suggest higher loss frequency and severity than in the City's previous tax lien deals

Moody's Investor Service, "Rating Action: MOODY'S RATES NEW YORK CITY'S NYCTL 1998-2 TAX LIEN DEAL A2," (Dec. 9, 1998).

³ In response to our efforts, some quarterly reports mandated by legislation this Council passed as Local Law 4 of 2017 and went into effect later that same year, NYC Admin. Code § 11-320, were finally posted

less financial viability in limbo; this appears to include hundreds of vacant lots and a significant number of unoccupied multi-family buildings.⁴

In the future, this Council should not authorize a return to the expired practice. Should debt accumulate on vacant lots, the City should keep the debt, streamline foreclosure proceedings, then either partner with local community land trust (CLTs), community development corporations (CDCs) or nonprofits to help preserve the property as permanently affordable, community-controlled housing or with the Parks Department or its open space land trust partners to create crucial community spaces.⁵ The Council should also examine the possibility of legislating the re-acquisition of all liens still held by the graveyard trust by the City for enforcement through municipal foreclosure.

Intro 352-A

TakeRoot is pleased to see a proposed expansion of Local Law 157 of 2019, which USBnyc worked with the former Council to pass, requiring owners of ground floor and second floor commercial premises to report on vacancies, rents, leases, and other information that is critical for government, the public, and advocates to understand trends for storefront businesses over time. There are some adjustments that must be made to the bill as drafted in order to ensure that the data gains of the last several years are not lost: in order to enable analysis of trends over time, DOF must be required to continue reporting on first and second floor commercial spaces as a set of aggregate data distinct from the full data set collected regarding commercial spaces no matter where they are located in buildings.⁶ We are likewise pleased to see additional reporting requirements for vacant dwelling units. Our partners in Stabilizing NYC and the housing movement will provide further insight on that aspect of the bill.

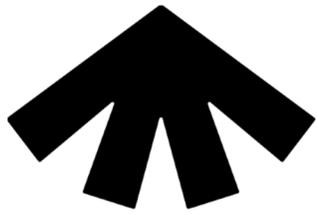
on the DOF website yesterday, see “Quarterly Status Reports,” available at <https://www.nyc.gov/site/finance/taxes/property-lien-sales.page> (reports posted thorough first quarter of 2021; we are continuing to ask for the remaining reports to be posted). Other records about the mechanics of the trust are not readily available, though the SEC has posted a set of 2010 disclosure documents here: <https://www.sec.gov/comments/s7-08-10/s70810-167.pdf> (note that some of the players have changed since 2010; e.g. the 2021 servicers are MTAG Services and Tower Capital Management).

~~⁴ The newly available quarterly reports will allow an analysis to be done to show the geographic impact of this practice, and to determine specific quantities of unoccupied buildings warehoused by the graveyard trust. The Abolish the Tax Lien Sale Coalition will be submitting a supplemental data analysis to this testimony in the coming days.~~

⁵ See Abolish the Tax Lien Sale Coalition, *Policy Framework: Leaving the Speculators in the RearView Mirror*, Feb. 2, 2023, available at https://www.eastnewyorkclt.org/wp-content/uploads/2023/02/Leaving-the-Speculators-in-the-Rear-View-Mirror_Feb-2-2023-2.pdf.

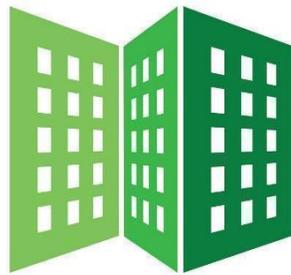
⁶ As our USBnyc partner ANHD submitted in their testimony, in order to retain data in a way that will allow for continuing longitudinal analysis of storefront trends over time, we request:

- The registration statement described in §11-3101(b) for commercial premises also require an indication of whether the premises is located on the ground floor or second floor
- The associated dataset described in in §11-3101(h)(1) contain a column designating whether the premises is located on the ground floor or second floor
- The data outlined in §11-3101(h)(2) be published for storefront properties as defined in the existing law, i.e. ground floor and second floor premises. These should be aggregated together, as is currently the case. This dataset that includes just ground floor and second floor premises could either be published separately from the dataset that aggregates all commercial premises, or together with the inclusion of additional rows or columns to designate the premises are located on the ground floor or second floor.



TAKEROOT JUSTICE

TakeRoot Justice provides legal, participatory research and policy support to strengthen the work of grassroots and community-based groups in New York City to dismantle racial, economic and social oppression.



STABILIZING NYC

*fighting predatory equity and tenant harassment
organizing nyc tenants for the right to stay in our homes and communities*

Testimony Concerning:
Proposed Int. No. 195-A

Presented Before:
**City Council Hearing on Vacant & Neglected
Apartments & Properties**

"Joint Committee on Housing & Buildings and Government Operations"

June 6, 2023 01:00 PM

NYC Council Speaker Adrienne Adams
NYC Council Housing & Buildings Chair Peirina Sanchez

Presented By:
Jackie Del Valle, Stabilizing NYC Coordinator
TakeRoot Justice

jdelvalle@takerootjustice.org

123 William Street 16th Floor New York, NY 10038

• Fax: (212) 533-4598

Good afternoon and hello to Council Member and Housing & Buildings Chair Pierina Sanchez and esteemed colleagues.

My name is Jackie Del Valle from TakeRoot Justice and the Stabilizing NYC Coalition. I am testifying in support of the Stand for Tenant Safety/End Apartment Warehousing coalition who has been working closely with Council Members to pass Intro 195 A (aka the Vacant Unit Safety Bill) and the other pro-tenant bills being heard today.

TakeRoot Justice fights with tenants and community groups to demand better living conditions, affordable rents, and a voice in the policies that shape their neighborhoods. We help hundreds of tenants and dozens of tenants associations file lawsuits for repairs in housing, including buildings damaged by fire.

Stabilizing NYC is a Council funded coalition to organize tenants against predatory equity, harassment and displacement. We hold speculative landlords accountable for unsafe building conditions and neglect.

Our coalition meets monthly to discuss the trends we are seeing and soon after the passage of the rent laws in 2019, groups began reporting a rise in vacant apartments, mostly as an attempt to get them out of rent stabilization by trying to combine the vacant apartments. The resulting chaos from the construction from combining these apartments would further drive the rent stabilized tenants out of the building. Later as we entered into the pandemic, groups were finding that the vacant apartments were so poorly maintained that they created unsafe and uninhabitable conditions for the surrounding units.

The **Problems Created by Warehoused Apartments** are well known to this committee:

- Endangers remaining tenants and often drives them out of their homes through hazardous conditions and construction as harassment
- Facilitates evasion of State rent laws
- Reduces the number of affordable homes available to those who need them. There are close to 90,000 homeless people in New York City, some 76,000 of them living in shelters.
- Skews the rental market by creating false scarcity
- **Warehousing endangers neighbors.**
 - Warehoused apartments are often vectors for vermin, mold, garbage, fire, and other hazards, creating unsanitary, unsafe conditions for neighboring tenants. **There is no mechanism for tenants to trigger an inspection of a vacant unit.** Currently, the landlord would have to grant HPD access. Thus warehousing can be used as a harassment tactic against tenants by creating terrible conditions.
 - When landlords “Frankenstein” units to create a new apartment shape, the resulting construction noise and dust can drive neighbors out.

Landlords Can Afford to Make Most Vacant Units Habitable

- Landlords make an average of \$545 per apartment per month above expenses (\$366 in the Bronx, \$822 in Manhattan; see RGB report p.9). Some of that surplus should have been reinvested to maintain the apartments over the years.
- Many of the landlords involved are well-financed, backed by private equity. This is another tactic that used by financialized housing to make a profit at all costs, driving up prices and neglecting repairs.

The number of vacant apartments is in fact unknown. By landlord estimates, it ranges from about 40,000 to almost 90,000. Any of those numbers are significant and unacceptable. Warehousing of apartments must end and they absolutely must be maintained and kept habitable.

The Stabilizing NYC Coalition, who has many groups active in the Stand for Tenant Safety/End Apartment Warehousing coalition supports Proposed Int. No. 195-A. The bill would require HPD to reach out to owners of multiple dwellings for which HPD has received complaints about potential hazardous or immediately hazardous conditions in vacant dwelling units. The owner would be required to schedule an HPD inspection of such dwelling unit within 21 days for the existence of any conditions constituting a violation of the New York State Multiple Dwelling Law, the New York City Housing Maintenance Code, or other applicable State or local laws. Failure to schedule the vacant unit inspection would constitute a non-hazardous violation.

We also support Proposed Int. No. 352-A so the number of vacant apartments can be tracked and landlords held accountable for unnecessarily keeping them off the market. This bill would expand the registration statement requirement for residential properties to require the disclosure of the number of dwelling units and their vacancy status, including the date the dwelling unit became vacant, how long they have been vacant, and whether currently vacant units are habitable, or the reason that they are uninhabitable.

We further support Int 0743-2022. This bill would require that City employees who can issue summons or notices of violation, when questioning people, provide a business card with identifying information upon request. If a business card is not available, employees could instead provide a hand-written card or provide the identifying information verbally.

Resolution 0563-2023 by Council Members Sanchez, Restler, Hudson and Louis, calling on the New York State Legislature to pass, and the Governor to sign, S.2985 in relation to affordable housing in cities having a population of one million or more.

TESTIMONY OF SUE SUSMAN TO THE CITY COUNCIL COMMITTEE ON HOUSING
AND BUILDINGS

June 6, 2023

I head the Central Park Gardens Tenants' Association at West 97th Street in Manhattan. We are part of the Stand for Tenant Safety / End Apartment Warehousing Coalition. I thank Council Members Carlina Rivera and Gale Brewer for sponsoring Intro. 195-A and the 31 other members, including my own Council Member Shaun Abreu and the Speaker, who have co-sponsored it.

The former Mitchell-Lama building where I live is now primarily rent stabilized. Its 246 apartment have been "Frankensteined" down to 244. And there are now 13 empty rent-stabilized apartments that Stellar Management is refusing to rent out. Three of those vacant apartments are on the floor where I live.

During the winter, tenants in the remaining seven apartments on my floor were freezing. We learned after a long, cold while that the air conditioner had been removed from the wall sleeve in one of the warehoused apartments. The hole had been left unsealed so the cold wind was just rushing in – and the heat out.

An empty stabilized apartment on another floor was used as a storage area for painting and building supplies to renovate market-rate apartments, and tenants living next door have been concerned about that being a fire hazard.

Fortunately, the building staff ultimately sealed the air conditioner hole on my floor. But that is not the case in many buildings where such issues may occur on purpose – to help harass tenants out – rather than by accident.

In New York City, there are between 38,000 (according to the landlords' Community Housing Improvement Program, CHIP) and 64,000 (according to NYS HCR) empty rent-stabilized apartments that owners are refusing to rent out.

Neighbors of those tens of thousands of apartments face cold, dust, mold, and other hazards, and need the protection that Intro. 195-A will provide. Thank you.

Sue Susman, president, Central Park Gardens Tenants' Association
West 97th Street, New York, NY 10025-6081

Member, Stand for Tenant Safety/End Apartment Warehousing Coalition



Remarks delivered by: Guy Yedwab, President, Board of Directors

On behalf of: League of Independent Theater

June 6, 2023

Committee on Housing and Buildings and Governmental Affairs

Testimony on Intro 352-A

Thank you Chair, and to the committee for the opportunity to speak to you today.

The League of Independent Theater is an all-volunteer advocacy organization for workers and owners of small, 99-seat-or-less theaters across all five boroughs. Small theaters, as well as other arts businesses like dance studios, theater rehearsal rooms, costume shops, and equipment rentals, are just like any other small business – they employ workers, spend money with other businesses, and attract tourists and foot traffic. And, like any other small business, our arts small businesses' biggest budget item is the rent.

Every survey sent to small businesses isolate rent as the highest or close to the highest concern for small businesses.¹ Yet, despite the massive role that rents play in our small business economy, it is shocking how little data exists. While the lived experience of our communities sees rising rents for tenants and small businesses while visible storefronts lie empty,² there has simply been no way to say – how much is vacant? How long has it been? What is being charged for tenants in the areas where there is high vacancy? Some incomplete studies have been taken – finding, for example, 40% vacancy of storefronts along Broadway,³ or the Department of City

¹ See, e.g., LENA AFRIDI & DIANA DROGARIS, ASS'N FOR NEIGHBORHOOD & HOUS. DEV., *THE FORGOTTEN TENANTS: NEW YORK CITY'S IMMIGRANT SMALL BUSINESS OWNERS 5* (2019); Alexandre Tanzi, *More Than a Third of U.S. Small Businesses Couldn't Pay All Their Rent in October*, Bloomberg, Oct. 31, 2022, <https://www.bloomberg.com/news/articles/2022-10-31/us-small-business-rent-delinquency-rates-rise-sharply-in-october#xi4y7vzkg>.

² *Hearing on Int. 0568-2018, Int. 1796-2019, Int. 2000-2020, Int. 2299-2021 Before the Committee on Small Business*, (NYC 2021).

³ OFF. OF THE N.Y.C. COMPTROLLER SCOTT M. STRINGER, *RETAIL VACANCY IN NEW YORK CITY: TRENDS AND CAUSES, 2007-2017* 8 (2019) [hereinafter "STRINGER VACANCY REPORT"], https://comptroller.nyc.gov/wp-content/uploads/documents/Retail_Vacancy_in_NYC_2007-17.pdf.



Planning finding a link between high rents and vacant storefronts,⁴ but comprehensive data has been out of everyone's grasp.

City Council created a model for filling this gap when it passed the storefront registry.⁵ Already, the New York Times has been able to analyze the released data to identify that storefronts in black and brown neighborhoods are seeing disproportionate rises in rents.⁶ Even this minimal insight is already revealing abuses and racial disparity. But this data set is still incomplete, because it only captures storefronts. Independent theaters, for example, are businesses that typically operate in basements or upper floors, to avoid the noise of street-level. And housing – critical to the lives of so many New Yorkers – is absent as well.

As City Council examines solutions to housing and small business displacement, don't make decisions in the dark. Get the full picture. Pass Intro 352-A today.

⁴ N.Y.C. DEP'T OF CITY PLAN., ASSESSING STOREFRONT VACANCY IN NYC: 24 NEIGHBORHOOD CASE STUDIES 6 (2019), <https://www1.nyc.gov/assets/planning/download/pdf/planning-level/housing-economy/assessing-storefront-vacancy-nyc.pdf>.

⁵ Local Law 157; see Oscar Perry Abello, *Can NYC's Storefront Registry Help Level the Playing Field for Embattled Commercial Tenants?*, Next City, Jul. 20, 2021.

⁶ Stefanos Chen, *They Helped New York Bounce Back. Now Their Rents Are Surging.*, New York Times, May 8, 2023, <https://www.nytimes.com/2023/05/08/nyregion/small-businesses-rent-hikes-nyc.html>.

Park West Village Tenants Association Testimony
Committee on Housing and Buildings
Hearing on Vacant & Neglected Apartments & Properties
Pierina Ana Sanchez, Chair
June 6th, 2023

Greetings,

My name is Patricia Loftman. I am a tenant at 788 Columbus Avenue, Apartment 10025, New York, NY 10025, have lived in this apartment for 50 years and I am President of The Park West Village Tenants Association (PWVTA) located on the UWS. I would like to thank Councilmember Pierina Sanchez, Councilmember Carlina Rivera and the members of the City Council Committee on Housing and Buildings for affording the tenant community an opportunity to provide testimony in support of Intro 195.

Park West Village (PWV) is comprised of seven buildings. However, most of the rent stabilized apartments are concentrated in three buildings located at 784 Columbus Avenue, 788 Columbus Avenue and 792 Columbus Avenue. Park West Village was built in the 1950's to provide affordable, regulated housing for middle-class working people. It was a multi racial, multiethnic community composed of teachers, nurses, social workers, lawyers, midwives – middle class people - that spanned generations. It was a community, a microcosm of society that allowed parents to comfortably raise their children without the rent burden experienced by over fifty (50%) percent of working- and middle-class people today.

Although PWVTA first noticed warehousing of apartments around 2017, it accelerated following HSTPA in 2019 ostensibly due to the loop hold in HSTPA that owners have maximized. A group of approximately ten (10) market rate tenants, supported by PWVTA, had successfully challenged the illegal deregulation of their market rate apartment in 2017. The result was that their apartments were returned to rent stabilization. In one apartment, a review of the tenants' rent history documented that the last legally registered rent stabilized rent was **\$1281.49**. Yet, the apartment, after renovation, was rented for **\$5889.00**. A determination was made that the **\$5889.00** rent was not supported and justified based upon a review of the evidence. There was also evidence that similar data had been used to justify the rent in one of the other cases. That tenant was offered a substantial buyout, which the tenant accepted. However, after the tenant's departure, that apartment has remained warehoused since 2018. It is currently in the process of being "frankensteined" with two empty adjoining apartments.

Subsequent to the success of the market rate tenants group who successfully challenged their market rate status, PWVTA speculated that warehousing began as a means for the owner to circumvent the four year look back period. PWVTA noted that more and more vacant apartments were not being rented. Today, however, only approximately three hundred seventy-four (374), forty five percent (45%) of the original 864 Columbus Avenue apartments still have affordable rents.

Warehousing manipulates the housing market because those apartments are not registered as available. Intro 195 would mandate registration of warehoused apartments. Intro 195 provides for a multitude of

health and safety protections caused by vacant apartments left unmaintained by landlords resulting in adverse consequences for the remaining tenants. Some of those problems include:

- Mold in the vacant apartments spreading through the building.
- Smells from garbage left in vacant apartments.
- Vermin from vacant apartment spreading to other apartments
- Fire hazard from dangerous materials left in vacant apartments (such as painting supplies)

However, I would like to introduce for your consideration additional adverse consequences to warehousing of apartments not considered in Intro 195 that further strengthens, supports and justifies the need for Intro 195:

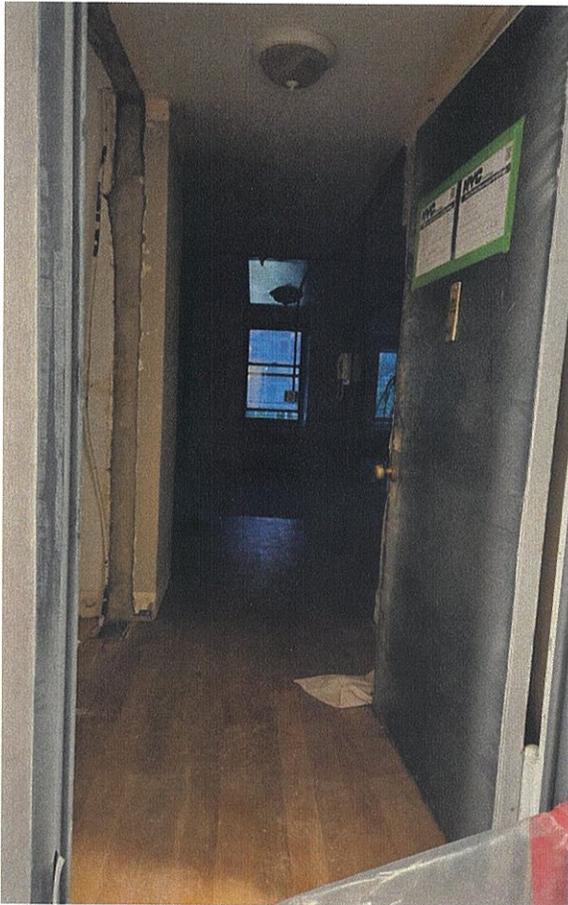
Constant frankensteining of warehoused apartments in housing that was built during the era when lead and asbestos were the building standards. The remaining tenants are being chronically exposed to environmental toxins present in these apartments through failure of contractors to adhere to basic construction standards to protect the tenants that remain.



788 Columbus Avenue Apt 5MN Being Frankensteined. 05152023. Apt Door left Wide Open in Violation of Construction Regulations. Protective Plastic Cover That Is Supposed to Cover The Entire Front Door On The Hallway Floor Permitting Dust With lead and Asbestos to Be Tracked and Filtered Throughout The Fifth Floor Hallway and Building.



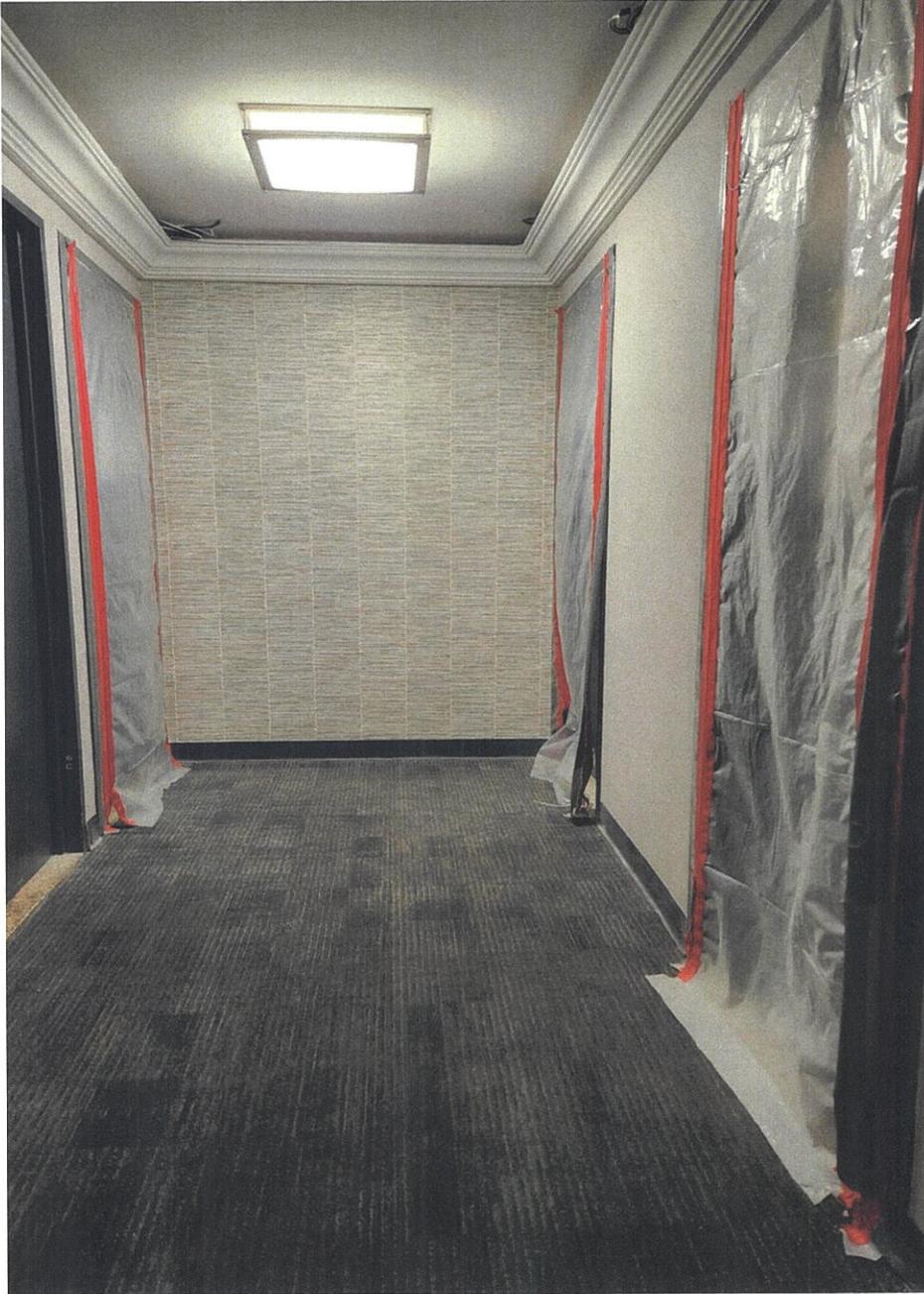
792 Columbus Avenue, Apartment 12E, 05052023. Dust and Debris Ground Into Carpeted Area Outside Work Area.



788 Columbus Avenue Apt 5MN. Being Frankensteined. 05152023. Dust Visible On The Entire Door And On The Floor As It Is Transferred To The Hallway Carpeting

Exposure to short term rentals during a time when working- and middle-class people are rent burdened spending more than forty percent (40%) of their income on rent.

I would like to draw your attention specifically to three apartments in 788 Columbus Avenue and one in 792 Columbus Avenue. There are three contiguous apartments, 6D, 6E and 6F in 788 Columbus Avenue that are being frankensteined. Apartment 6D is on the left. Apartment 6E is in the middle and Apartment 6F is on the far right. Apartment 6E was one of the deregulated apartments that was successfully challenged and returned to rent stabilization. That tenant was offered and accepted a buyout as that apartment was contiguous to a long term rent regulated tenant, 6F on the right, who had returned to their country of origin in 2016 and contiguous to a deregulated apartment on the left 6D. Apartment 6E has been warehoused since 2018. Apartment 11R, is now being frankensteined with Apartment 11S. Apartment 15R, a previously rent regulated apartment has been warehoused since 2017 due to the death of the tenant from illness. It is now being frankensteined with **Apartment 15S, a previously rent regulated apartment, Intro 195 would eliminate the motivation to warehouse an empty apartment as warehousing is the precursor to frankensteining.**



788 Columbus Avenue Apartments 6D, 6E, 6F Being Frankensteined. 05152023.

A similar pattern emerges in 792 Columbus Avenue. Apartment 70P was frankensteined from two previously rent regulated apartments in 2022. The previous rents on each apartment was speculated to not exceed \$1500.00. **The first rent on the newly frankensteined apartment was \$13,500.00. Intro 195, would prevent such an unaffordable rent in apartments in which working and middle class families could afford to live thereby alleviating the affordable housing crisis.**

Similarly, there appears to be violations of housing regulations occurring in Park West Village. Warehoused apartments are being rented by subcontract “baby AirBnB rental agencies” such as Corporate Habitat and Leasebreak for periods that exceed the 31 day limit on Airbnb rentals but are under the one year minimum lease requirement of renting an apartment. I attached examples of those apartment rentals as examples for your review. These apartments are also apartments that could be made available to **working and middle class families.**

Apartment Listings on “baby AirBnB rental agencies.”

788 Columbus Avenue apartment listed – fully furnished with guest towels



\$9,000per month **1 MONTH MIN**

EARLIEST MOVE-IN

Jun 21, 2023

EARLIEST MOVE-OUT

Jul 20, 2023

LATEST MOVE-OUT:

Open Ended

The Basics

BEDROOMS:

2

BATHROOMS:

1.5

DECOR:

Furnished Only

Top of Form

Bottom of Form

LISTING TYPE:

Short Term Rental

POSTED BY:

Corporate Habitat

Professional Landlord

User since December 2017

792 Columbus Avenue rental available – short term one month minimum.



\$8,000 per month **1 MONTH MIN**

EARLIEST MOVE-IN

Apr 29, 2023

EARLIEST MOVE-OUT

May 28, 2023

LATEST MOVE-OUT:

Open Ended

The Basics

BEDROOMS:

2

BATHROOMS:

1

DECOR:

Furnished Only

Top of Form

Bottom of Form

LISTING TYPE:

Sublease

POSTED BY:

Corporate Habitat

Professional Landlord

User since December 2017

[More info from this landlord](#)

Verified User

KIND OF BUILDING:

Rental building

OPPORTUNITY TO RENEW:

Yes

Features

Renovated

Superb Views

Exceptional Light

Doorman

Elevator

Pet Friendly

Gym

Property Details

The advertised rate is the reduced winter rate valid through March 31 2023. If you need to lease the apartment for a longer period, please inquire about the rate starting April 1.

- ** Elevator and 24/7 Doorman building
- ** Washer/Dryer in the unit
- ** 2 Bedrooms 1 Bathroom
- ** Standard kitchen with all utensils needed
- ** Flat screen TV with basic cable package channels in Living Room
- ** Flat screen TV with basic cable package channels in Master Bedroom and Living Room
- ** Wireless Internet available
- ** Dining table
- ** Hardwood floors
- ** Air conditioned and heated
- ** Linens and Towels provided

The space

Gorgeous Upper West Side getaway! Welcome to the Parc West Village located in one of the best spots of the Upper West Side. Stay in this lovely 2 bedrooms unit that comfortably sleeps 4. Features wireless internet, cable TV, standard kitchen appliances, and hardwood floors provide all the comforts of home.

Building Amenities:

** 24/7 Doorman building

** Street Parking around the building (following street parking rules) or garages around the building (to inquire about rates directly with garages)

ADDITIONAL FEE

Move-in Fee: \$150

Utilities: \$350/month (Gas / Electric / Internet Wifi /Cable TV/LiveTV)

Exit cleaning fee: \$250

Refundable Security Deposit: Required

Reduction of basic maintenance and repairs because the focus is on frankensteining of warehoused apartments.



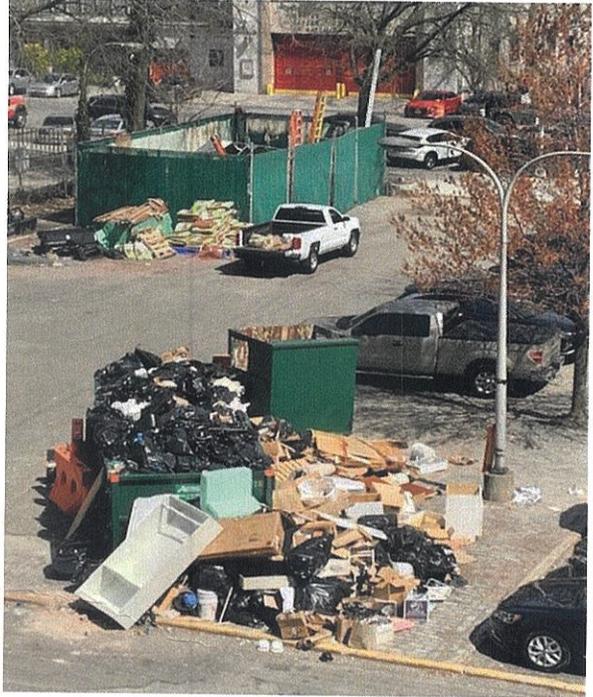
788 Columbus Avenue, 6thth Floor, Compactor Room 05102023



788 Columbus Avenue, 15th Floor, Compactor Room 05102023



788 Columbus Avenue, 17th Floor, Compactor Room 05102023



792 Columbus Avenue Parking Lot With Garbage From Frankensteined Apartments Left Uncollected For Weeks At A Time Attracting Rats 05102023

Tenants need habitable apartments not luxury housing.

In conclusion, there is widespread consensus and unanimity regarding the lack of affordable housing throughout New York City. There are three solutions to this crisis. First, and the most important, is to preserve the regulated housing that exists. Second is to curtail the approval of unaffordable, luxury housing permits. Third is to build affordable housing. Most new housing being built in NYC today is out of the reach of every day working and middle class people. To do anything else would be socially and morally incongruous with those welcoming words emblazoned on the Statue of Liberty:

Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore." Well, where exactly are these tired, poor, huddled masses supposed to live?

Thank You.

Patricia Loftman, President
Park West Village Tenants Association
788 Columbus Avenue, Apartment 17-0, New York, NY 10025
cnm788@gmail.com

Concerns: 915 Arnow Avenue, Bronx, NY (Block: 4552, Lots 1 & 2)

I have been contacting NYC 311 and Community Board 11 for years about the situation at 915 Arnow Avenue, Bronx NY (Block: 4552, Lots 1 & 2) a home that is attached to my house (913 Arnow). The house on that property is in dis-repair. The roof is collapsing. The top floor and garage doors have collapsed, exposing festering garbage. The yard is full of garbage and the fence has fallen down. Currently, at nyc.gov/bis, there is a "Full Vacate Exists On This Property" order, as per Complaint # 2366429.

Nyc.gov/bis lists Sylvia Striplin as the owner, but she passed away over 10 years ago. Some company/bank, according to NYS tax records, has been paying the property taxes. I have tried to identify who might actually own the building, but have not been successful.

Sylvia's son, Oji Striplin, has been living on the property. The house has no gas/electricity and the water has been shut off. I have known Oji for over thirty years, and have nothing but compassion for him as he has mental health issues. This complaint is about the state of the property, not him.

My house has been adversely impacted by the deterioration of 915 Arnow. I have had flooding from burst pipes on this property before the water was turned off. His roof collapse has impacted the integrity of my roof. In addition, raccoons have entered his roof and destroyed parts of my roof. Last year, a raccoon actually fell through my ceiling into my house! There are two large trees on his property hanging over on my property and I fear they might fall and significantly damage my house.

915 Arnow needs to be vacated and condemned. However, I will add a caveat. There has been an increase in predatory builders constructing substandard multi-family houses in our neighborhood. Since 915 Arnow is on a double lot, I fear a builder will put multiple 3-family homes on both those lots, further congesting our neighborhood and eroding the quality of life of residents. So, there needs to be a balance between remediating the issues with that home and developing responsible plans in rejuvenating that property.

Alfred Ward
913 Arnow Avenue, Bronx NY 10469

award@pace.edu

Bleys LaPierre
Tenant Organizer
Goddard Riverside Law Project
W 109th Street
New York, NY 10025
Blapierre@goddard.org

6/6/2023

Subject: Testimonial in Support of Vacant Unit Safety Bill (Intro. 0195)

Dear Members of the City Council,

I am here today to express my support for the passage of the Vacant Unit Safety Bill (Intro. 0195). As a tenant organizer working with the Goddard Riverside Law Project, I have witnessed firsthand the consequences that vacant and warehoused apartments have on the safety and well-being of tenants in our city. I believe that the Vacant Unit Safety Bill presents a vital opportunity to address this critical issue and protect the rights and lives of tenants.

Throughout my work as a tenant organizer, I have encountered numerous clients who have suffered health issues directly resulting from vacant apartments in their buildings. During winter months, when a building is partially or entirely vacant, the lack of heating in these empty units often leads to inadequate heat distribution, leaving the remaining tenants to endure frigid temperatures that threaten their health and well-being. I have witnessed clients struggling with extreme cold, which exacerbates respiratory conditions, and negatively impacts their overall quality of life. I am here today on behalf of those tenants.

Additionally, the presence of vacant units attracts pests and vermin, which pose significant health hazards to tenants. I have assisted clients addressing infestations of rats, mice, and insects that have infiltrated their apartments from adjacent vacant units. These infestations not only cause distress and anxiety but also contribute to the spread of diseases and allergies, further compromising the health and safety of tenants.

The Vacant Unit Safety Bill (Intro. 0195) comprehensively addresses these issues by introducing stricter regulations and enforcement mechanisms for property owners to maintain their vacant units. By mandating regular inspections and imposing penalties for non-compliance, the bill ensures that vacant units are properly secured, maintained, and do not pose health and safety risks to neighboring tenants. This proactive approach will help protect tenants from the adverse effects of vacant apartments.

Furthermore, the Vacant Unit Safety Bill aligns with our city's commitment to providing safe and healthy housing for all residents. By holding property owners accountable for the condition of their vacant units, we can create a safer and more equitable housing environment. This bill will also encourage property owners to address issues promptly, preventing further health complications for tenants and promoting overall well-being.

In conclusion, I urge you to consider the experiences I have shared as a tenant organizer, witnessing the detrimental impact of vacant apartments on tenants' health and well-being. By supporting and passing the Vacant Unit Safety Bill (Intro. 0195), you have the opportunity to address these urgent issues and protect the rights of tenants across our city.

Thank you for your attention to this matter. I trust that you will recognize the importance of passing the Vacant Unit Safety Bill (Intro. 0195) and taking decisive action to ensure the safety, well-being, and equitable access to housing for all New Yorkers.

Sincerely,

Bleys LaPierre

Tenants throughout the 5 boroughs have needed Intro-195-A for many years. I wish we had had this amendment in 2015, when Rafael Toledano bought buildings in the East Village—including mine. The majority of apartments in these buildings were rent-regulated. With the help of GOLES, Cooper Square Committee and Urban Justice Center, tenants formed the Toledano Tenants Coalition (TTC). Five years later, Attorney General Tisch James said, “ With the financial backing of Madison Realty Capital, Toledano harassed tenants through coercive buyouts; executed illegal construction practices; and failed to provide tenants with utilities, repairs, and other necessary services.” TTC believes Toledano displaced about half of the tenants in 15 buildings with a total of 279 apartments. Toledano gutted some apartments as soon as they were vacated. Others were left to deteriorate.

At 325 East 12th Street—my building—Toledano’s workers stripped 7 apartments of fire insulation down to the studs. Black dust sifted through floorboards on occupied apartments. All 15 buildings are at least 100 or more years old, so it’s assumed dust and debris are full of lead paint. Toledano’s workers used one gutted apartment as a dumpster for debris and another for spoiled food from recently vacated apartments. When tenants opened their windows, the smell of rotted food permeated the air shafts. Cockroaches, water bugs and mice moved in throughout the buildings but Toledano did not provide exterminator services. I could hear mice mating behind my sink. Vermin followed me as I entered my apartment. Nothing we tenants did could stop the onslaught of vermin throughout the building. Calls to 311 were of no avail because DOB could not get access to the source of the problem. All the gutted apartments were fire hazards because mice can chew through electrical wiring, causing shorts. Tenants in the other 14 buildings suffered through the same problems.

Alarmed by TTC tenants’ reports, elected officials finally got DOB to make a surprise inspection of the buildings. Toledano’s crews fled, leaving a few vacant units unlocked. I remember one DOB inspector calling his boss for permission to open the door of a dumpster apartment. When he did, he took one look and exclaimed, “There’s liability issues in here!” and shut the door. DOB found a large number of violations in occupied apartments and common areas of the 15 buildings that day. But DOB could not access the locked vacant units. Tenants lived with hazardous conditions for two years until Toledano went into bankruptcy. Madison Realty Capital had to cure all violations and was ultimately given total ownership of the buildings in 2020 as part of Assurance # 20#-067.

As TTC —now Tenants Taking Control —worked with End Apartment Warehousing/Stand for Tenant Safety Coalitions, we learned of many buildings throughout the 5 boroughs where tenants are living under hazardous conditions even longer than we did. Intro 195-A will allow tenants to report dangerous situations in nearby apartments and make landlords give DOB access to inspect. We hope that this will result in faster cures of unsafe conditions in partially-occupied buildings. Please pass Intro 195-A pronto. Thank you.

Testimony for June 6th, 2023

Housing and Buildings Committee Hearing on Vacant & Neglected Properties

When INK Properties purchased my building in January 2017, they immediately started emptying both my building and the one next door (296 N 8th St), and about half of the neighbors in both buildings left amidst harassment, illegal buyout offers, and construction designed to make our homes unlivable. Many of us stayed and interrupted their plans, while the roughly 15 empty rent-stabilized apartments have been abandoned for 5 years and have become home to rat infestations, leaks, and broken ceilings. Some of us go to bed each night listening to rats scratching the floors of the empty unit upstairs. We complain to management about the issues in the vacant apartments, but they never bother to address the root of the problem.

- Maria de la Rosa, 298 N 8th St (quote translated from Spanish)

June 6th, 2023 – Committee on Housing and Buildings
Hearing on Vacant and Neglected Apartments and Properties

My Name is Peter Griffin and I live at 331 East 14th street

We need Intro. 195 to pass -and we need it NOW.

In my building there are 25 apartments and 19 of them are vacant.

The vacant apartments here at 331 East 14th St. are causing problems.

1. The vacant apartments became a target for squatters.
2. These unpredictable potentially dangerous “bad actors” have stolen packages and a tenant’s bicycle.
3. Bedding and other debris have been strewn throughout many units.
4. These units pose a fire hazard.
5. There are large portions of ceiling that have fallen in many of the units.
6. Rats and other vermin have overridden the building as they navigate through these unsound apartments.
7. Water leaks have occurred in the Vacant apartments causing ceiling collapses in occupied rental units.

This has been going on for over FIVE years, so we have needed Intro. 195 for a long time.

Thank you,

Peter Griffin

Suzie Baer
May 24th 2023

Testimony

Fiscal Year 2024 Executive Budget Hearing

We have many people who are food insecure. Money is being cut from programs to provide meals to seniors when we have a large senior citizen population. We also have a lot of children and families who are hungry.

We have doctors and nurses striking because of wages and hours. We have a problem with teacher retention and having registered school nurses in every public school.

We are using more than a billion dollars from our public school budget to pay for charter school rent. The city is getting more funding from the state for schools and less money from the city. The money the state is sending is not going to classrooms. We want to know where are those funds going.

We need a lower class size now. It is the law. We want all money from the state allocated for public schools to go to public schools. We need all our libraries fully funded. We want cultural mental health providers in every school. We want social-emotional learning in our schools permanently.

People who want to be teachers can't afford school. People who are teachers aren't getting paid enough. We have many people unhoused and many people facing eviction.

Our early childhood providers are not getting paid a living wage and our parents can't afford childcare.

We also have to provide resources to our ALL asylum-seeking community who come from many different countries including Africa.

The Eric Adams Administration has been horrible for our city. We must stand up and fight for each other.

We live in one of the richest cities in the world and can certainly do better for all New Yorkers.

June 6th, 2023 - Committee on Housing and Buildings
Hearing on Vacant & Neglected Apartments & Properties

My name is Denisse and I live at ### Huron Street.

We need Intro. 195 to pass - and we need it now.

In my building there are 6 apartments, and 3 of them are vacant. But the vacant apartments are causing problems for those of us living there.

The empty units in my building have caused issues, such as:

- There was a leak coming from an empty unit right above my apartment. The empty apartment's radiator caused excessive water damage to the floor of the empty unit. This then caused a leak onto my kitchen ceiling.
- The empty unit contained garbage which included spoiled food through the open window flies accumulated in the unit and maggots started to find their way into the public halls.
- The empty unit's had a pipe break right above my bathroom that caused my bathroom ceiling to collapse.

This has been going on for 3 months, so we have needed Intro.195 for a long time. Please pass it now.

**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: M. Smith-Mallory

Address: Bedford Ave

I represent: Bedford Stuyvesant

Address: Same

**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: Jackie DelValle

Address: Stabilizing NYC

I represent: Support Intro 195A

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 195/352 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Okrona Mirro-0-9

Address: Hillside Ave, NY NY 1004

I represent: CSSNY

Address: 633 3rd Ave, NY NY, 10017

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. 195 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: SUE SUSMAN

Address: W. 97TH ST.

I represent: CENTRAL PARK GARDENS TEN. ASSOC

Address: same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 195 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Maribel Lopez

Address: 434 South 5th st

I represent: Los Sures

Address: 434 South 5th st

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 195 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Anna Baker-Hans

Address: 31st Ave, Astoria, NY 11106

I represent: Met Council on Housing

Address: 470 Vanderbilt Ave, Brooklyn, NY.

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. 195-A Res. No. _____

in favor in opposition

Date: June 6, 2023

(PLEASE PRINT)

Name: Elizabeth HAAK

Address: E. 12th

I represent: End Apt Warehousing / Stand for Tenants

Address: Safe & Safety

**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: Roberto GARRIGUZZO

Address: Metropolitan Ave Bklyn

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 195

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rolando GUZMAN

Address: 306 UNION AVE

I represent: ST NICKS ALLIANCE

Address: 306 UNION, BK, NY 11211

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: _____

(PLEASE PRINT)

Name: Karim Walker

Address: 123 William St.

I represent: SNP

Address: 123 William St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 195 Res. No. _____

in favor in opposition

Date: 6/6/23

(PLEASE PRINT)

Name: Colin Kent-Daggett

Address: 306 Union Ave, corner Office, BK NY

I represent: St Nicks Alliance

Address: same as above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 25Aa Res. No. _____

in favor in opposition

Date: 6/6/2023

(PLEASE PRINT)

Name: Paula Segel

Address: 123 William St. 16th fl.

I represent: Take Root Justice

Address: Abolish the Tax Free Sale Coalition

USBNYC

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. 195 Res. No. _____

in favor in opposition

Date: 6-6-2023

(PLEASE PRINT)

Name: Patricia Loftman

Address: 788 Columbus Ave, NYC, NY 10025

I represent: Park West Village Tenants Assn

Address: S/A

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. 0195 Res. No. _____

in favor in opposition

Date: 6/6/2023

(PLEASE PRINT)

Name: Bleys LaPierre

Address: Hazen St 11370

I represent: End Warehousing Coalition

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. 195A/352 Res. No. _____

in favor in opposition

Date: 6/6/23

Name: RYAN MONELL (PLEASE PRINT)

Address: _____

I represent: REBNY

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. 195 Res. No. _____

in favor in opposition

Date: June 7 2023

Name: James Lloyd (PLEASE PRINT)

Address: 253 W. 50th St

I represent: NYSFAH

Address: _____

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