

TESTIMONY OF THE DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT TO THE CITY COUNCIL HOUSING AND BUILDINGS
COMMITTEE – THURSDAY, APRIL 14TH, 2011 – 1pm

Good afternoon, Chairman Dilan and members of the Housing and Buildings Committee. I am RuthAnne Visnauskas, Deputy Commissioner of Development for the New York City Department of Housing Preservation and Development. Thank you for the opportunity to discuss the merits of Introduction 494 sponsored by Council Member Lander, and Introductions 500 and 501 sponsored by Chairman Dilan. All three pieces of legislation focus on the goal of minimizing the impact on local communities when a lender initiates a foreclosure action on a property in New York City.

As you know, the foreclosure crisis continues to have a significant impact on property owners across the nation. In New York City and other densely populated urban areas, the crisis has had a distinct impact on distressed single family homes versus that of multifamily residences. To address the specific issues in New York City, HPD has worked with all levels of government, including the banking industry and nonprofit partners, to evaluate the unique circumstances here in New York and find effective ways to prevent the distress that oftentimes accompanies foreclosure or the threat there of. As the local agency in charge of housing maintenance and code enforcement, we have strategically realigned our resources and programming to assist in mitigating the severe distress that often results in unsafe living conditions in at-risk properties. Although this effort provides assistance and guidance for all at-risk properties, the impact of our enforcement efforts is seen more on the multifamily level.

Unveiled in January of this year with Speaker Quinn and Chairman Dilan, HPD's Proactive Preservation Initiative has set out on a mission to evaluate at-risk multifamily residential buildings in an effort to prevent further physical and financial distress. Through a variety of statutory and programmatic means, Proactive Preservation provides the incentive and enforcement for landlords to keep their properties properly maintained, financially sound, and current on outstanding debt. Evaluation and maintenance of this at-risk portfolio of multifamily buildings is essential to protecting the families and communities that reside in them.

One of the bills before us today, Intro 501, would require any lender commencing a foreclosure action regarding a property located in New York City to register with the agency within 10 days of filing the action. This registration would include such information as the name and contact information of all parties of the action and the relevant block and lot number of the property in question. Furthermore, the agency would be required to post and update this information on our website within 10 days of any changes in the action. Failure to register with the agency would carry a maximum potential liability of \$1000 in civil penalties. The notice requirement in Intro 501 would allow HPD the opportunity to examine the circumstances surrounding the foreclosure action, and intervene where appropriate.

As a local housing agency, HPD has no oversight over the terms of a mortgage transaction. Although the notice proposed in Intro 501 would provide the agency with a basic opportunity to examine the circumstances of a particular foreclosure action, in order to conduct a thorough review of the transaction we suggest taking this registration requirement even further. In conjunction with the notice requirement, we suggest requesting from the lender information on the principal balance owing on the foreclosed mortgage, including interest and principal arrears, late fees, and other sums due and owing under the mortgage, interest rate and maturity date, and an amount, if any necessary to reinstate the mortgage. Other helpful information to include are: a copy of the note and mortgage being foreclosed, a copy of the summons and complaint filed in the action, a copy of any agreements encumbering the mortgage, a list with amount of all subordinate mortgages and liens of record, and a copy of any audited financial statement required under the loan agreement. We would also suggest focusing the notice requirement on multiple dwellings of ten units or more where HPD can have the most significant impact. This additional information would allow for a more comprehensive review of the circumstances that will only assist in finding the best solution possible – protecting the tenants of the troubled asset and allowing an opportunity to use the qualified purchaser list as a resource.

In 2010 HPD released a request for qualifications to preservation developers looking to purchase the at-risk properties at auction. Through this RFQ process we were able to review the holdings of those entities that showed interest and come up with a list of developers qualified to purchase distressed properties and rehabilitate them for the benefit of the existing and future tenants. Although not a requirement, we have offered this list as a resource to local banks looking to foreclose on trouble assets. The RFQ is rolling, so we continue to encourage developers to submit qualifications in hopes of compiling as broad a list as possible.

Both Introductions 494 and 500 present a similar concept in addressing the potential of magnified distress for properties when a foreclosure action has been commenced, although they are distinct in execution. Intro 494 would require any lender who commences a foreclosure action on a New York City property to post a compliance bond of a minimum of \$10,000 to reimburse HPD for the cost of any emergency repairs, fines or civil penalties imposed as a result of violations of the Housing Maintenance Code during the pendency of the foreclosure. Intro 500 proposes a similar requirement for lenders commencing a foreclosure action to assume all financial responsibility for building maintenance and code compliance, although it does not require the posting of the compliance bond. The obvious intention of both of these proposals is to ensure these buildings are maintained properly for the duration of the foreclosure action and tenants are protected from potential neglect and physical distress.

Although the intention of these bills fits well with HPD's mission to protect the quality of the housing stock in New York City, imposing financial requirement may deter lenders from foreclosing altogether. Many overleveraged properties begin to deteriorate because the owner, with no hope of recouping its investment, has neither the financial incentive to make necessary repairs nor the ability to obtain financing for such repairs. For such

properties, foreclosure is a necessary measure to put the building back on a firm financial footing, in the hands of a new owner who has both the incentive and the resources to maintain and upgrade the property. Policies which discourage banks from foreclosing have the potential to harm such properties and the tenants who live in them. If we erect barriers that cause lenders to postpone or forego foreclosure, the overleveraged property is left in an extended state of limbo in which deterioration becomes more and more likely. This scenario not only becomes a safety hazard for tenants in these overleveraged properties, but also forces HPD to make the make emergency repairs to maintain the habitability of property. The cost for these emergency repairs are converted to liens on the property, as are the real estate taxes, and water/sewer charges, that if left unpaid, lead to further financial distress of the property. Although foreclosure is an unfortunate outcome for any owner, in the case of multifamily buildings it can be the best outcome for the tenants in an uncertain financial climate.

In addition to potentially discouraging foreclosures, the obligations imposed by Intros 494 and 500 may even discourage lenders from providing mortgages in the first instance. The bills impose significant obligations on lenders who commence foreclosure actions, including obligations of questionable legality.

Intros 494 and 500 also raise several legal concerns. One concern is whether a lender or mortgagee has the legal authority to enter the building, let alone repair any housing maintenance conditions. Under existing law, the property owner has the obligation to maintain the property and the lender has no legal authority to enter the property or perform repairs unless the mortgage explicitly authorizes it to do so. The bills raise a doubt as to the owner's continued responsibility regarding the property if the maintenance obligation is imposed on the lender.

Second, both bills propose lender responsibility for civil penalties incurred as a result of Housing Maintenance Code violations which according to law can only be enforced against the owner of the property. Mortgagees do not have title to the property unless and until a foreclosure action is resolved in the mortgagee's favor. Prior to that point, it is questionable whether a mortgagee can be held responsible for the property or civil penalties relating to the property which would typically be enforced against the owner. Recent changes to state law have imposed on a plaintiff in a mortgage foreclosure action a duty to maintain the foreclosed property but this obligation exists only after the plaintiff obtains a judgment of foreclosure and sale; there is no obligation to maintain the property prior to the judgment. Even if a maintenance obligation could be imposed on a mortgagee prior to judgment as intended by Intro 500, it is questionable whether this obligation could be imposed by local law.

In addition, the City sometimes acts as lender and brings actions to foreclose, but insufficient distinctions are made in the bills between the City and private lenders.

The foreclosure crisis presents a challenge for all of us. It requires an approach that can only be successful with the cooperation and participation of all levels of government and

our partners in the private and non profit sectors. We look forward to working with the council to continue the efforts to address the crisis now and into the future. We thank you for your time and are happy to respond to any questions you might have.

The Center for New York City Neighborhoods

Testimony before the Committee on Housing and Buildings
of the New York City Council

April 14th, 2011

Good morning Chairman Dilan and members of the City Council Committee on Housing and Buildings. My name is Michael Hickey and I am here in my capacity as the Executive Director at the Center for New York City Neighborhoods (CNYCN). On behalf of CNYCN and our Network Partner grantees, I thank you for this opportunity to testify in support of three newly submitted pieces of legislation: Intros. 494, 500 and 501.

As many of you well know, CNYCN is a non profit organization whose mission is to support free housing counseling and legal services to New York City residents at risk of losing their homes to foreclosure. Since we opened our doors in June of 2008, and thanks in no small part to the support of you and your colleagues on the Council, over 12,000 New Yorkers have accessed our services, with many of them calling 311 to get connected to providers in their neighborhoods. Of these homeowners, our network has submitted over 6,000 requests to banks or their servicers for loan modifications, and over 1,700 of those homeowners are now in trial or permanent modification. On average, homeowners who receive modifications are lowering their mortgage payments by \$1,000 a month – which makes a huge difference in their ability to meet their monthly obligations and maintain their homes.

Our Network Partners have worked tremendously hard to achieve these gains, and while we applaud their efforts, we know that the foreclosure crisis is not abating in New York City neighborhoods. There are 30,000 pending foreclosure actions in the 5 boroughs and many more New Yorkers stand to lose their homes if the benefits of true, sustainable loan workouts are not extended to more families.

CNYCN supports the three proposed pieces of legislation for two important reasons:

1. We believe that if carefully crafted all three pieces of legislation will result in greater accountability when banks move to foreclose on a property in New York City by insuring adequate disclosure, greater transparency, higher levels of accountability for blighted or improperly maintained properties, and additional resources to support the care of properties suitable for existing tenants and affected neighbors;
2. We also believe that the proposed legislation will have the additional impact of making inappropriate foreclosure actions less palatable, and will encourage lenders and servicers to more carefully consider alternatives to keep the homeowner in place through loss mitigation or other supports.

From our own experience, CNYCN and its network have submitted over 6,000 modification applications for single and small multi-family homeowners. While nearly 1,300 of these homeowners have been awarded permanent modifications that provide much more sustainable monthly payments, the overwhelming majority of these requests are caught in the oft-discussed bottleneck of delays, lost documentation, contradictory requirements and recommendations, and a myriad of other difficulties – all the while proceeding to foreclosure along a parallel track.

Bringing lenders and servicers to the negotiating table requires a multiplicity of strategies that include both inducements to engage in settlements as well as obstacles to doing "business as

usual.” New York City has offered many inducements, chief among them being one of the best trained and coordinated housing counseling and legal service provider networks in the country. CNYCN and its partner organizations can pre-digest huge amounts of homeowner documentation and streamline communication with lenders and servicers at a remarkable scale. We are finding, however, that the ability to provide such encouragement is not enough, and that we must have the ability to invoke disincentives as well.

Taken as a whole, these three pieces of legislation will give homeowners and their advocates new tools to identify the entities bringing a foreclosure action, and to protect homes and neighborhoods made vulnerable by properties sitting vacant before title is formally conveyed to the bank through a foreclosure action.

We believe the bills could be strengthened and refined by adding the following concepts:

Int. 494 and 500 should be structured in such a way that costs, fees and fines cannot be passed on to the homeowner as a result of the law. In particular, we believe that owner-occupied single and small multi-family properties having less than five units should be exempted from both bills. In some instances, it may also be a suitable alternative that payments of fines and maintenance would only be made after the appropriate city housing or code enforcement agency had conducted repairs or assessed violations. This would limit the likelihood that lenders and servicers would take advantage of the period prior to foreclosure to harass existing owners with unnecessary costs, or assert standing claims based on the assessment of maintenance fees or fines in cases where standing may otherwise be questionable.

Int. 501 could be particularly powerful if it provided additional information that would be of value to advocates working on behalf of a distressed homeowner, including information about any amount of arrearages or the amount needed to cure a default, the originating value of the mortgage, the current outstanding principal balance due, the number of days in default, and contact information for the homeowner against home that action has been made. This information, coupled with data already available from the New York State Banking Department and made available to CNYCN, could facilitate outreach for engagement in foreclosure prevention and clarify important questions about potential issues of standing. We also believe that while public disclosure of this information in the name of transparency is healthy and important, there should be an application process for the ability to access this data subject to careful scrutiny by the controlling agency. This information is sensitive and in the wrong hands could be used to defraud or otherwise harm distressed homeowners.

We look forward to the ongoing conversation around the potential benefits of these pieces of proposed legislation, and welcome any comments or questions you may have.

FOR THE RECORD

April 5, 2011

Testimony by Dan Margulies

Executive Director, Associated Builders and Owners of Greater New York, Inc.

To the New York City Council Committee on Housing and Buildings, Public Hearing, April 14, 2011. Erik Martin Dilan, Chair

Re: Intros: 0494, 0500 and 0501 of 2011

I am unable to attend the April 14th hearing and would like my testimony to be included in the record.

Thank you for the opportunity to comment.

ABO is opposed to all three of these bills because they are duplicative, may violate certain lenders' legal rights, and may have the unintended effect of worsening housing conditions.

Intro 494 would require a lender to post a bond when commencing a foreclosure action on a residential property. The bond would "be used to reimburse the department with respect to repairs made in accordance with section 27-2125 of the administrative code and any fines or civil penalties imposed as a result of violations issued with respect to such property by the department or any other city agency during the pendency of the foreclosure."

The mere act of commencing a foreclosure action does not make a lender responsible for repairs on a property, or, in fact, grant a lender any right to enter the property to make repairs. In the case where the foreclosure action is settled or dropped, the property owner has maintained complete control of the property throughout the process and using a bond posted by the lender as opposed to funds of the owner to pay for repairs would be wholly inappropriate.

Intro 500 would attempt to make the lender responsible for housing conditions in a property that is being foreclosed. While making the lender "responsible" the bill does not give the lender any power to actually control the building during the process. How is it equitable to make someone responsible for the condition of a property they may not legally be allowed to enter? How is it fair to make someone responsible to pay for maintaining a property to which, eventually, they may not obtain title?

Together, Intro 494 and 500 will discourage lenders from filing timely foreclosure actions, leading borrowers into deeper default and prolonging the time that the subject housing is likely deteriorating from lack of capital. ABO recognizes the scourge of defaults in certain property classes, but the solution is to encourage lenders and borrowers to work together and not favor one party over the other in a failed business transaction.

Lastly, ABO opposes Intro 501, which would require lenders to register the commencement of a foreclosure action with the Department of Housing Preservation and Development. There is no need to create a new paperwork requirement to record actions that are already public record. If

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the desire is to populate a new website on foreclosures, I am sure that the City has the technology to do so automatically. Many private information services already pull this data from the courts daily.

Again, thank you for the opportunity to comment.



New York Bankers Association

STATEMENT OF

**MICHAEL P. SMITH
PRESIDENT & CEO,
NEW YORK BANKERS ASSOCIATION**

REGARDING INT. NO. 494, 500 and 501

**SUBMITTED TO THE NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING AND BUILDINGS**

Thank you for giving the New York Bankers Association (NYBA) the opportunity to comment on Int. Nos. 494, 500 and 501, all of which proposals seek to add new responsibilities to financial institutions and other entities who are commencing foreclosure actions in the City of New York. NYBA is comprised of the commercial banks and thrift institutions that do business in New York State. Our members employ more than 200,000 New Yorkers and have assets in excess of \$9 trillion.

We understand that the goals of these proposals are to ensure that properties are maintained during the foreclosure process (in the case of Ints. 494 and 500) and to ensure that the Housing Preservation and Development Department (the "Department") is aware of whether a property is in foreclosure (in the case of Intro. 501). We believe, however, that the duties and rights of mortgagors, mortgagees, homeowners and tenants, are already clearly and appropriately addressed in existing – and potentially conflicting - State law.

We further believe that – particularly during these very difficult economic times - any changes to foreclosure-related procedures, if warranted, should be consistent across the State and nation. Such action will avoid a patchwork of differing local rules and standards throughout the State and beyond, which can confuse consumers and make compliance unduly and unnecessarily burdensome for lenders and servicers. Therefore, we are concerned that each of these proposals could ultimately result in fewer mortgages being made by reputable financial institutions in New York City and further aggravate the recovery.

At the outset, I would like to commend the Council, as well as our State and federal leaders for their strong commitment to protect homeowners while maintaining access to appropriate credit through a vibrant banking system. Coupled with the long- standing commitment of our members to eradicate predatory lending practices, New Yorkers have fared better during the current economic and mortgage storm than citizens of many other states. In fact, while New York is the fourth most populous state in the nation, in the last quarter, (inclusive of New York City) we were ranked 43rd among all states in the rate of foreclosure filings and our statistics continue to compare extremely favorably to the rest of the nation. Indeed, recent statistics from RealtyTrac indicate that New York's foreclosure filings in the last quarter were more than 21% lower than a year ago.

Importantly, too, approximately 82% of the foreclosure filings in New York State in February 2011 were lis pendens, which is only the first filing in a foreclosure process that is the longest in the country, taking at least two years in many parts of New York City, and a minimum of three years in some areas of Brooklyn – providing ample time for borrowers and lenders to effect a meaningful work-out when possible. And, in fact, only one household out of every 75 that receives a

foreclosure filing results in a foreclosure (national statistic¹). This means that in the vast majority of cases homeowners keep their homes – the result most desired by homeowners and banks alike.

Since the issue of predatory lending first came into public view almost nine years ago, NYBA has played a leading role in developing solutions to the problem, even though most of our member banks do not make subprime loans. In this regard, our members have consistently supported strong legislation which would establish meaningful and workable uniform national standards in the subprime market designed to eradicate predatory practices, while not creating unnecessary impediments to the dream of home-ownership, particularly for moderate- and low-income Americans. We have also worked tirelessly with State legislators to craft high cost home loan, subprime lending and mortgage foreclosure laws which are among the most protective of homeowners and tenants in the nation.

Throughout the economic downturn of the last two years, NYBA has continued to work with State legislators on this important issue and New York homeowners and tenants now are afforded even further protections in the foreclosure process. For example, Chapter 507 of the Laws of 2009 (Chapter 507) requires that all defaulting homeowners receive a 90 day pre-foreclosure notice and participate in a mandatory settlement conference 60 days after proof of service has been filed with the County Clerk. The already existing right of mortgagors of owner-occupied one-to-four family dwellings to receive notice regarding the availability of help for homeowners in foreclosure, has also been extended to any tenant in a dwelling unit. Importantly, too, foreclosure proceeding plaintiffs are now subject to an array of maintenance obligations, once they have obtained a judgment of foreclosure and sale on property which is vacant, becomes vacant after the issuance of the judgment, or is abandoned by the mortgagor but is occupied by a tenant. Thus, New York State and City homeowners and tenants alike are afforded a comprehensive array of protections in excess of those in almost any other state in the union.

NYBA has also been at the forefront of financial literacy, bank access and mortgage workout initiatives. We believe that these initiatives, coupled with the strong legislative and regulatory actions already taken in New York State and in Washington, D.C. will ultimately have a meaningful and positive impact on reviving the State's mortgage market. We caution, however, that unnecessarily burdensome and duplicative new local ordinances, if enacted, could undermine, or diminish the resurgence of this important part of our economy.

In this regard, I would like to comment first on Int. No. 501 which would essentially require any mortgagee commencing a foreclosure action with respect to residential real property located in

¹ Source: www.foreclosuredeals.com

the City of New York to register with the Department within ten days of service of the pleadings that commence the action. Included within the information required in this proposal is the name, not only of the mortgagee bringing the action, but also "when applicable, the name of a principal or corporate officer of such mortgagee", along with his or her mailing address, telephone number and e-mail address. Also required is the name of the person or entity against whom the action is brought and the identification of the property in question by street address, block and lot number. The property list and contact information of the mortgagee would then be maintained by the Department on an official city website.

We have a number of concerns with this proposed ordinance, most notably the mandated violation of the privacy rights of affected homeowners, as well as the potential security risks this notification could impose on homeowners and lenders' corporate officers. We also believe this proposal imposes an unnecessary additional burdensome and in some respects, duplicative requirement on financial institutions, the cost of which will ultimately be borne by New York City mortgage customers.

We believe that the requirement to supply the identification of defaulting borrowers to the Department is completely contrary to the expectations of bank customers for confidentiality of their financial information. In fact this requirement raises a number of legal concerns, most notably that it may require lenders to breach their privacy obligations to their customers, as set forth in the Gramm Leach Bliley Act and other privacy statutes. These provisions would also compel national banks and federal thrift institutions to provide a city regulatory agency with data, which we believe is completely contrary to the preemption principles recently clarified and re-affirmed by the United States Supreme Court in *Cuomo v. Clearing House LLC*.

We are concerned as well that the requirement to supply detailed contact information for lender employees/private citizens which will then apparently be posted on a public website could actually endanger those employees, particularly given the current anti-bank climate that is prevalent today in the aftermath of the economic downturn. In this regard, we have been informed in discussions with the Office of Court Administration, that the courts generally do not require or seek this information, as they deem it to be both unnecessary to the process and violative of individual privacy rights. We believe, therefore, that any possible benefit of maintaining and posting such private information would be far outweighed by the potential damage to employees of lending institutions.

It is important to note, as well, that much of the information that would be required from mortgagees if this proposal were to be enacted, is already available today at County Clerk offices or

can be obtained from lis pendens filings. Moreover, this filing requirement would be in addition to the filing with the Superintendent of the Department of Financial Services now required of lenders statewide who are foreclosing on home loans. Chapter 507 requires mortgagees to provide to the Superintendent all relevant information about the borrower in order to facilitate a review as to whether the borrower "might benefit from counseling or other foreclosure prevention services." Requiring that City lenders re-create in yet a third format, information already available will just impose another costly and time consuming burden for banking institutions, which inevitably will lead to fewer mortgage loans being made in New York City and greater borrowing costs for those consumers who do get mortgages. We believe that a far more efficient and less intrusive way – both for lending institutions and borrowers - for the Department to get the information it is seeking, would be to get it directly from the Court system or the Superintendent of the Department of Financial Services both of which already collect this data as a matter of course. Finally, we would note that the timeframe in which the information would be required of mortgagees – within 10 days of service of the pleadings initiating such action on the owner of the property – is far too short, given that even the defendant might not have received notice of the foreclosure at that early date.

Introduction Nos. 494 and 500 raise even more serious concerns, as they seek - each in a different way - to re-assign the obligations of property ownership from home and building owners to lenders, even though the lenders neither own nor have possession of the properties. Financial institution mortgagees are, like the Council, concerned about the state of neglect of many properties in the foreclosure process, and we are very aware and troubled by the negative implications these deteriorating properties may have on the neighborhoods in which they exist. However, as I mentioned earlier, we believe that the maintenance obligations set forth in Chapter Law 507 are not only comprehensive, but take to the outer limits the legal authority and obligation of mortgagee lenders to maintain property which they do not own. The burden should fall on the owners.

~~Pursuant to Chapter Law 507, New York imposes substantial maintenance obligations on~~ mortgage foreclosure plaintiffs who have obtained a judgment of foreclosure and sale on property which is vacant, becomes vacant after the issuance of the judgment, or is abandoned by the mortgagor but is occupied by a tenant. In these circumstances, the lender has the duty to maintain that property until ownership has been officially transferred and the deed has been duly recorded. The maintenance obligations, quite appropriately, do not apply when a receiver is serving, or during the pendency of a bankruptcy proceeding commenced by the mortgagor.

The burden being placed on mortgagees by Int. 500 goes well beyond these legal parameters, however, imposing maintenance burdens on lenders, *apparently from the moment the*

foreclosure proceeding is filed until the conclusion of the proceeding (which as noted before, currently can be as much as three years in New York City), despite the fact that the mortgagee has no legal ownership to the property at that juncture in the proceeding and even where the property remains occupied by tenants. Needless to say, lenders who seek to enter occupied homes they do not own, to make repairs unauthorized by the owners themselves, are not only trespassers under the law but also place themselves at potential peril if challenged by fearful or irate homeowners or tenants. Moreover, they expose themselves to possibly huge financial liability.

Second, the extent of the maintenance requirements are arguably without end - ostensibly requiring mortgagees to maintain and perhaps even repair damages caused by irresponsible property owners, as if the lending institution was the actual homeowner or landlord. There appears to be no limit on the costs the mortgagee would be expected to incur; nor are there limits of any kind as to the mortgagee's maintenance duties. In essence, then, these proposals impose on the lender all the obligations of a full owner, at a time when the lender, at best, has limited rights of access and is not recognized as a lawful owner. Although we understand the desire of the City Council to see New York City properties maintained, this unfair and onerous proposal cannot achieve this goal without creating a conflict with the fundamental tenets of law. Surely, too, if enacted, this ordinance will discourage regulated financial institutions from extending mortgages in the City, as they will then face monetary obligations that have become completely unpredictable, and often, wildly disproportionate to their mortgage investment.

Int. 494 similarly seeks to impose inappropriate maintenance obligations on foreclosing mortgagees of any real property located within New York City, but does so by requiring them to procure and maintain compliance bonds which will be used to reimburse the Department "with respect to repairs made" in accordance with the administrative code and any fines or civil penalties imposed as a result of violations issued by the Department or other city agency during the pendency of the foreclosure. The bonds will be for amounts yet to be determined but which will be assessed using a formula based on a percentage of the assessed valuation of the property. In no event will the bond required be for less than \$10,000. Once again, the financial burden of maintaining properties not owned by the lenders will therefore, inappropriately and without legal authority, be shifted from the property owner to the lender, at unknown but potentially significant cost and administrative burden to the mortgagee. Clearly, these punitive measures will reduce the ability of New York City consumers to attain mortgages from credible financial institutions and will simply pile on costs for those who do receive such mortgages.

As I stated earlier, we oppose these proposals, not only for their content, but also because we do not believe that new foreclosure laws and regulations should be mandated at the local level.

We note, as well, that a significant amount of the mortgagees in New York City are national banks or thrift institutions, who quite possibly at least arguably, would not be covered by many, if not all, of the mandates in these proposals. Thus, it is possible that different New York City properties would have different maintenance obligations, causing confusion, and perhaps false expectations, for tenants, homeowners and government while potentially placing more stress on the State banking charter. Such an outcome would appear to be in direct conflict with Governor Cuomo's stated goal of enhancing the New York charter and revitalizing the financial services industry.

Despite our concerns about these proposals, we applaud the Council for seeking solutions to the current foreclosure crisis and pledge to collaborate on workable solutions. NYBA and its members have been working on this issue for many years, developing in 2001, "Best Practices for High Cost Home Lending" - even before New York State's comprehensive anti-predatory lending legislation was enacted. NYBA was deeply involved in the development of the original high cost home lending law, which is one of the toughest such laws in the nation and was equally involved in the development of 2008's Chapter Law 472 and 2009's Chapter Law 507, which together added significant new protections for virtually all homeowners and tenants alike. We have worked closely with and supported the Court System to help integrate the conferencing procedures mandated by the new laws, and testified before New York State Chief Judge Lippman in support of legal aid services for low-income New Yorkers. NYBA also played an integral role in 2006, when the New York State Legislature passed the Home Equity Theft Prevention Act, and also supported another recent State law, which requires mortgage loan originators working for bankers and brokers to register and attain continuing education credits.

New York's banking industry and the non-profit groups it supports have also had in place, already for many years, a strong and wide-ranging support system to assist troubled borrowers. Programs such as Operation Hope, Neighborhood Housing Services, NeighborWorks, the Community Preservation Corporation and the New York Mortgage Coalition have long worked, in coordination with local financial institutions, to offer foreclosure prevention counseling. In 2007, NYBA joined forces with New York's multi-agency Halt Abusive Lending Transactions (HALT) Task Force. All of this is in addition to the assistance and education that banks themselves provide prior to a home purchase and when a borrower is having difficulty meeting his or her obligations. Additionally, in response to the recent increase in foreclosures in New York and nationwide, many banks have been aggressively reaching out to help. Several of our largest member banks have established refinancing and grant programs in the billions of dollars to help keep troubled borrowers in their homes.

As a result of a pilot program we developed with Senator Charles Schumer, bank mortgage

specialists and neighborhood churches, almost nine years ago, we learned much about the tactics that drive borrowers away from legitimate lenders and toward abusive lenders. In response to what we learned, the industry stepped up its activity in two areas: education and access. Financial education, or financial literacy, is not only the best defense against the predators, it is the best offense for consumers who want a financially secure future. A borrower must have basic knowledge about the mortgage process to navigate such a complex transaction. Financial education resources are plentiful in our communities. Not only do banks and thrifts hold home-buying seminars in their communities, they also provide significant funding for consumer groups and community advocates to help educate borrowers, and many even help borrowers in distress to stave off disaster through loans and grants. In fact, lenders are holding counseling fairs throughout New York City neighborhoods.

The New York Bankers Association supports a number of financial education programs for all age levels. Notably, our national partner, Operation Hope, is operating a thriving Hope Center in Harlem, providing a comprehensive range of advisory services for distressed borrowers and potential homebuyers and even potential small business owners. The mission of Operation Hope, and organizations like it, is financial empowerment through in-school curricula for children and young adults, as well as workshops, budget and credit counseling, and mortgage and small business lending counseling for adult consumers. Resources like this are making a difference and will help loosen the grip of the predators who remain very much alive in our neighborhoods. In this regard, I would note that on July 21, 2011, NYBA will be co-chairing Operation Hope's Financial Literacy Forum at the New York Stock Exchange. The event is a day-long forum with speakers and panel discussions focused on making "the business case for financial literacy."

Regarding access, traditional banks in New York are expanding into more and more neighborhoods every day. This has been good for competition and ultimately good for consumers because it means more choices and better alternatives to what the predators continue to offer. We support the State's Banking Development District program, which has been instrumental in encouraging banks to set up shop in underserved neighborhoods. In just the past few years, the number of new districts designated by the Banking Department has nearly doubled.

In summary, the New York Bankers Association welcomes this opportunity to comment on New York's mortgage and foreclosure situation and we pledge to continue to work with you, and other public policy makers on additional efforts to resolve quickly this situation, while not discouraging the reputable lenders from providing mortgages to credit worthy borrowers, because of new onerous and unnecessary requirements and obligations. Thank you for the opportunity to appear before you today.



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MEMORANDUM

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Testimony of The Legal Aid Society Before a Hearing on

Proposed Legislation: Intro. 494, 500, 501

New York City Council

Committee on Housing and Buildings

April 14, 2011

We want to thank the Committee on Housing and Buildings and Chairperson Dilan for giving The Legal Aid Society the opportunity to testify today. The Legal Aid Society is generally in favor of Intros 494, 500 and 501, and we want to thank the sponsors for introducing this much needed legislation. Mortgage lenders have continually neglected their obligations as caretakers and owners of properties in foreclosure, leaving communities to suffer. Private equity lenders have walked away from their investment properties when the return no longer met their expectations. It is the right time to put some reasonable safeguards on this conduct so lenders cannot operate unchecked while properties fall into disrepair.

Our Experience

The Legal Aid Society is the oldest and largest not-for-profit organization providing free legal services to indigent New Yorkers in more than 300,000 legal matters annually. As part of its Civil practice, The Legal Aid Society represents both homeowners of 1-4 family dwellings who foreclosure and tenants who live in properties both large and small undergoing foreclosure. We also lead community based trainings and work together with community based organizations to strengthen our neighborhoods.

Nothing destabilizes a neighborhood like block upon block of “for sale” signs and obvious neglect. But even in places where the foreclosure crisis is not as evident, tenants suffer from hazardous conditions and lack of everyday maintenance. When no one appears to be in control of the property, vandalism can also occur.

That is why the requirement to register and provide contact information is so critical for tenant occupants and we think Intro 501 would be an important step to ensure that lenders take responsibility for their real estate portfolios.

We also believe that a bond requirement would allow the courts and the Department of Housing Preservation and Development (DHPD) to enforce habitability standards and reimburse DHPD for any emergency repairs or expenses advanced for these properties.

Proposed Changes

However, we suggest that the applicability of Intro 494 to five-unit buildings and up to avoid the imposition of the cost of the bond on struggling homeowners of 1- 4 family homes. Our experience is that every fee and cost the lender charges or expects to charge is passed on to the borrower in the foreclosure litigation. Thus, even if the homeowner is

maintaining the property, we fear that the bond cost will be built into the foreclosure, making it that more difficult for homeowners to preserve their homes. Intro 500 should likewise be limited to 5 unit buildings and up, to lessen the potential for the added cost and intrusion of the lender into the homeowner's jurisdiction unless the premises is abandoned.

The City Council can make a critical contribution toward curtailing lender neglect by enacting these bills, as amended. We also urge the City Council to continue its long record of support for providing more resources for legal representation and advocacy so we do not have to turn away so many clients, both homeowners and tenants, whose economic situation is threatened by a foreclosure. In addition, we urge that the City agencies along with City officials and the advocacy community coordinate resources so that together we may better serve distressed neighborhoods.

Respectfully submitted

The Legal Aid Society
By: Oda Friedheim, Esq.



**L E G A L
S E R V I C E S**

INCORPORATED

TESTIMONY

ON

**PROPOSED FORECLOSURE-RELATED
LEGISLATION:
INTRODUCTION NOS. 494, 500, 501**

PRESENTED BEFORE:

**THE NEW YORK CITY COUNCIL'S
COMMITTEE ON HOUSING AND BUILDINGS**

PRESENTED BY:

**ELIZABETH M. LYNCH
MFY LEGAL SERVICES, INC.**

April 14, 2011

Oral Testimony of MFY Legal Services, Inc.
by Elizabeth M. Lynch
before the
Committee on Housing and Buildings
Thursday, April 14, 2011

My name is Elizabeth Lynch, and I am staff attorney in the Foreclosure Prevention Project at MFY Legal Services, Inc. Thank you for inviting me to testify about Introduction Nos. 494, 500 and 501.

MFY Legal Services provides legal services to more than 7,500 low-income clients in New York City every year. We are the largest legal services provider for mental health services consumers, many of whom come to us with housing problems, and we have several other projects that help low-income New Yorkers with housing-related problems. In September 2008, as more of our clients began to face foreclosure issues, we launched our Foreclosure Prevention Project. To date, we have served nearly 200 homeowners in Brooklyn, Staten Island, Queens, and Manhattan.

Most of the foreclosure defense work in New York City focuses on homeowners – attending court-mandated settlement conferences, obtaining modifications and defending homeowners from unjust foreclosure. One frequently overlooked group in this foreclosure crisis has been tenants whose landlords are in foreclosure. Tenants have no defenses to the foreclosure action and have limited options to force an absentee landlord to maintain the safety of the building while the bank is trying to take it.

For this reason, MFY commends the Council for continuing to shine a spotlight on the issue and to provide better protection for tenants whose landlords are in foreclosure. While we have certain reservations about particular language in each of the foreclosure-related bills presented today, we continue to support, and very much appreciate, the Council's concerted efforts to stop unjust foreclosures in New York City and to keep hard-working families – be them homeowners or tenants – in their homes.

Oral Testimony of MFY Legal Services, Inc.
by Elizabeth M. Lynch
before the
Committee on Housing and Buildings
Thursday, April 14, 2011

Int. No. 494

It is a fact that some owners abandon their property once a foreclosure action is commenced. Without a landlord to maintain the building, the property falls into disrepair, depressing neighboring property values, hurting local business and eroding the state and local tax bases. More urgently, in the case of foreclosed properties that are occupied by tenants, failure to maintain the property may create serious risks to public health and safety. Int. No. 494 seeks to address the problems associated with the failure to maintain property during a foreclosure by requiring the mortgagee to post a compliance bond at commencement of a foreclosure action.

MFY agrees that it is important that tenants are not left in dilapidated housing, but we have several suggestions that we believe would strengthen and clarify the bill.

First, in order to achieve the stated goal, we believe the following issues should be addressed: (1) shouldn't there be an obligation on the part of HPD to maintain property that has been abandoned by an owner and by the foreclosing entity? (2) to that end, doesn't there need to be a mechanism by which tenants in such abandoned property obtain HPD's assistance? and (3) doesn't the scope of the term "maintenance" need to be defined in terms of what HPD services tenants might expect to receive?

Second, language must be added that prevents the bank from passing the cost of the compliance bond onto homeowners. In our experience, homeowners in one to four family homes rarely abandon their homes; these homeowners remain in their homes and properly maintain their property as they work diligently with their lenders to obtain mortgage loan modifications. This modification process can drag out for more than a year. Lenders invariably add to the cost of the loan all fees associated with the

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foreclosure action, including “attorney’s fees” and “foreclosure fees.” Without a provision prohibiting banks from passing on to homeowners the cost of posting the required bond, the cost would ultimately be borne by many responsible homeowners who remain in and maintain their homes.

Third, MFY is concerned that the proposed statute is limited to “[a]ny mortgagee that commences an action....” It is MFY’s experience in defending such actions that often the person or entity that commences the action is not the mortgagee but rather a mortgage loan servicer. Hence MFY proposes that the statutory language be modified to apply to “any entity or individual which initiates an action for foreclosure...” This language is also suggested for proposed Int. Nos. 500 and 501 which also use the narrow term “mortgagee.”

Fourth, if the action is not dismissed or discontinued, the bond requirement only applies until there is an “issuance of a judgment.” But lifting the bond at this point would leave tenants unprotected during the most vulnerable period of a foreclosure action – the time between the “judgment of foreclosure and sale” and the actual auction sale. This time lag can be as much of a year or more and is the time when landlords are most apt to abandon the property. Thus, MFY suggests that “issuance of a judgment” be replaced with “foreclosure auction sale.”

Finally, given the demonstrated propensity of foreclosing entities to flout many requirements relating to foreclosure actions, MFY suggest that some kind of compliance mechanism be included in the current bill. As it stands, there appears to be no penalty for failing to comply, and it is unclear how the Department will know what foreclosure actions have been brought and thus require a bond posting.

Oral Testimony of MFY Legal Services, Inc.
by Elizabeth M. Lynch
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Committee on Housing and Buildings
Thursday, April 14, 2011

Int. No. 500

MFY supports placing an affirmative duty on the foreclosing entity to maintain the property it has chosen to foreclose upon as set forth in Int. No. 500. However, in order to avoid the imposition of unnecessary fees upon already struggling homeowners, MFY recommends that the language in the bill be amended to exempt one to four family homes. As stated above, homeowners in one to four family buildings most often remain in the property and attempt to work with their lenders to secure loan modifications.

As the bill is currently written, foreclosing entities are required to make sure that the property is being properly maintained. Banks will use this requirement as an excuse for bank employees to make many – and in the case of one to four family homes unnecessary – trips to the property to “inspect” it. Unless there is an exception, these costs will ultimately be transferred to the homeowner.

Int. No. 501

Transparency and accountability have been largely lacking during this foreclosure crisis and, as a result, MFY supports Int. No. 501’s efforts to require foreclosing entities to submit a registration statement to the Department, identifying pertinent information pertaining to the foreclosure action. In addition to the reservation stated above regarding use of the narrow and frequently inaccurate term “mortgagee,” MFY has grave concerns regarding subsection ii, which makes the block and lot number of the properties in foreclosure publicly available on the internet. Most homeowners in foreclosure are already the target of various foreclosure “rescue scams” from fly-by night companies. Currently these companies must buy lists of homes in foreclosure. By freely providing this information, there is a risk that the bill could lead to an increase in the number of

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foreclosure scams preying upon already vulnerable homeowners. Thus, MFY suggests that subsection ii be revised to require that access to the list of properties being foreclosed upon be by application whereby the applicant must supply some form of state-issued I.D. and state his purpose for obtaining the information.

Additionally, as stated above, because the foreclosure action is not concluded until the auction sale, MFY does not see the purpose in requiring that the Department be notified when there is an “issuance of a judgment.” It is only necessary that the foreclosing entity inform the Department when the auction sale has been completed and the deed transferred.

Conclusion

MFY thanks the Council for addressing the very real problems encountered by residents of property in foreclosure and encourages the Council to continue to address problems arising out of and related to foreclosures in New York City. MFY is committed to working with the City Council to better protect both tenants and homeowners in New York City. Thank you for holding today’s hearing and for considering these important bills.

Elizabeth M. Lynch
Staff Attorney
Foreclosure Prevention Project
MFY Legal Services, Inc.
299 Broadway, 4th Floor
New York, New York 10002
(212) 417-3779
elynych@mfy.org
www.mfy.org

NYCommunities for Change

2-4 Nevins Street, Brooklyn, NY 11217 (347) 410-6919
www.nycommunities.org

April 14, 2011

Good afternoon, my name is "Skipp" Roseboro and I am a leader with "New York for Community Change". I would like to extend my gratitude to the committee for giving me the chance to speak on an issue that affects all New Yorkers. I would especially like to thank Chairman Dilan and Council member Lander.

The scourge of foreclosures can be seen in every borough and by every New York family – whether you are a homeowner or not. I reside in Bed-Stuy, and vacant buildings are becoming more of a problem each day.

Often, because banks like JP Morgan Chase make it so difficult to work with them, homeowners feel there is no hope, and simply abandon their homes to the bank when they are in foreclosure. One would think the banks would want to protect what will soon become their assets. But these financial institutions don't take care of their new properties. They don't seem to care what condition the buildings deteriorate into. Instead, they leave them to fester, to rot, and to become eye-sores and black holes in the community.

We all know how vacant homes lead to crime and infestation; the problem, however, is multiplied when the bank refuses to live up to its responsibility to care for the property. And it sure seems to me that many of the empty buildings in my community have been foreclosed on by banks that simply do not care what happens to their buildings or, subsequently, how that affects my neighborhood and our quality of life.

I don't want to live in a community where I and my neighbors fear walking home late at night, or have to worry that drug dealers are taking over in a house that my neighbor used to live in. I love my neighborhood; I've been there most of my life. I want to make sure that our community stakeholders care about and respect it the way I do.

That's why I applaud Brad Lander's effort to pass a bill that would hold banks accountable for how the properties they foreclose on are maintained. I thank the 30 other co-sponsors for taking a stand against these financial giants that care more about making record profits than about working with families to keep them in their homes.

I know I am sick and tired of abandoned buildings destroying my neighborhood, and we will continue to look to our elected officials to ensure that banks are responsible for their actions until they change their practices.

Finally, I feel that it's important to add the missing pieces as to how and why banks are able to sit on foreclosed properties for years, along with allowing them to deteriorate, yet still not lose money. The predatory and artificially inflated loan amounts **are guaranteed in full by the Federal Government**, so along with speculative greed, there is no timely incentive to return to normal and fair business practices. Even worse, these Federal guarantees and lax regulations, allow banks to sit on foreclosed, and sometimes legally stolen, properties with assumed plans to make a financial killing once the housing market recovers.

Councilmember Lander's bill is an important first step in removing these greed driven incentives that are destroying, home owners and communities while inhibiting both housing and economic recovery.

New York Communities for Change 2-4 Nevins Street, Brooklyn, NY 11217 (347)

410-www.nycommunities.org

TESTIMONY OF MOSES GATES, ANHD, INC.
THE NEW YORK CITY COUNCIL
HOUSING AND BUILDINGS COMMITTEE

April 14, 2011

Good Afternoon. Thank you Chairman Dilan and Committee Members for the opportunity to submit testimony related to three separate bills – Intro 494, Intro 500, and Intro 501.

My name is Moses Gates and I am testifying on the behalf of ANHD inc. As you know, ANHD is a not-for-profit membership organization of over 100 neighborhood-based housing groups across the five boroughs. Our members represent the full range of not-for-profit housing organizations - CDCs, affordable homeownership groups, supportive housing providers and community organizers. ANHD works with our members to advocate for comprehensive, progressive housing polices and programs to support affordable, flourishing neighborhoods for all New Yorkers, especially our lower income residents. We also advocate for responsible policies by banks and other institutions in regards to homeownership lending and foreclosing procedures.

These three bills would put in place a comprehensive and responsible standard that would allow a proper resolution of the foreclosure process, as well as preserve our neighborhoods. When vacant homes are allowed to deteriorate without anyone bearing the costs, it is not just a loss of value for the asset – it is a loss of value for the community, and ultimately, a loss of value for the city that's reflected in an increased strain on police, fire, sanitation, and other city services as well as a loss of property tax revenue. The taxpayers should not be the ones to bear the brunt of the costs – indeed, this scenario is best prevented in the first place, and we believe this trio of bills effectively addresses this.

It is important to note that these three proposals work together - intro 501 provides the city with access to information, intro 500 establishes the legal standard for maintenance, and intro 494 allows for security in the case of noncompliance. Each one alone, while admirable, is not sufficient to protect our neighborhoods effect a swift and responsible foreclosure process. However, together they allow for a solid, comprehensive policy with expectations of compliance, a mechanism for effective oversight, and most importantly, a proactive means of redress in the case of noncompliance through the bond proposal of intro 494. We view the bond proposal in intro 494 as much more effective in preventing neighborhood deterioration than the mechanism of fines in intro 500. Any responsible financial entity that is large enough to effect a foreclosure should also be comfortable posting a bond. After the fact fines simply, especially if they aren't able to be enforced as city liens - superior to the first mortgage - against the property, while a good compliment to the bond legislation are not in and of themselves sufficient to ensure responsible action by the foreclosing entity and preservation of our housing stock and neighborhoods.

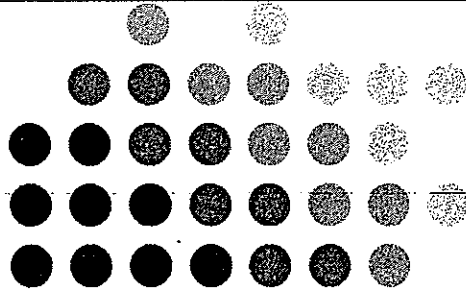
Thank you for the opportunity to testify

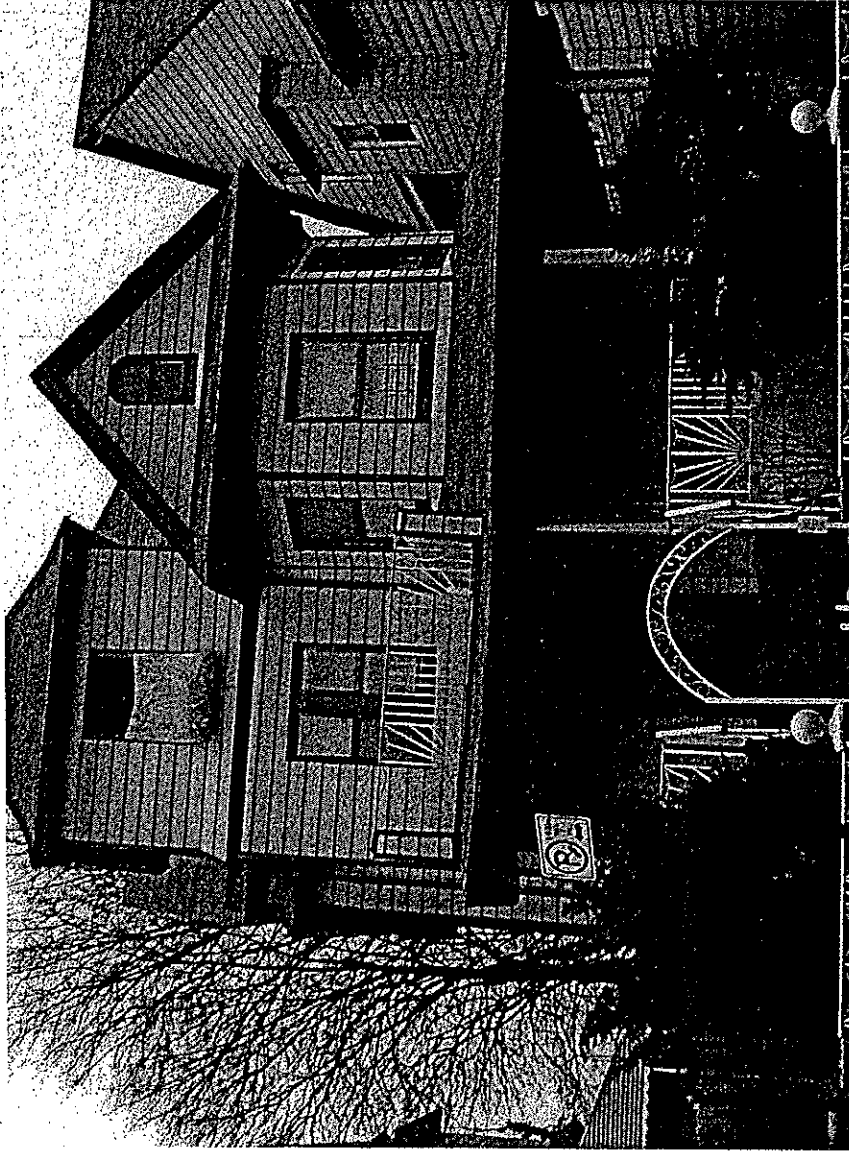
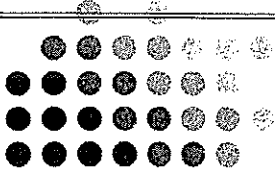
Moses Gates, ANHD

FOR THE RECORD

**F. E. R. N.
AND
BROOKLYN
CONGREGATIONS
UNITED**

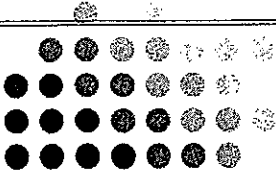
East 28th Street Struggle





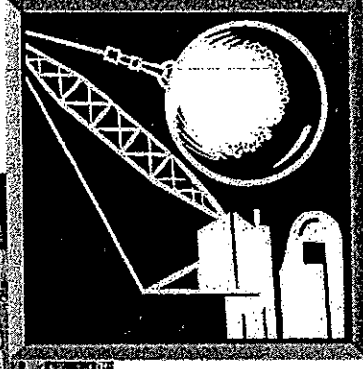
*

For almost 5 years we have dealt
with this eyesore on the block.



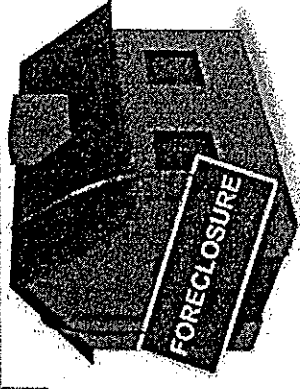
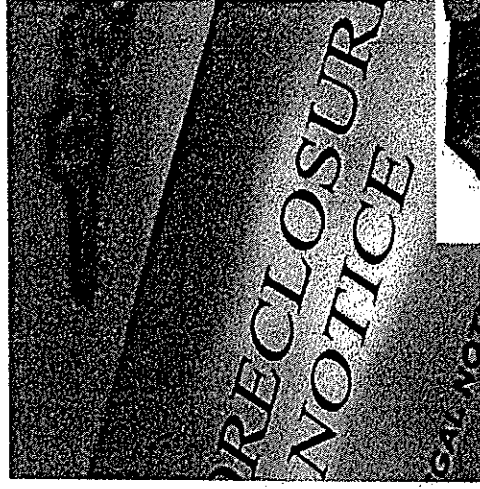
APRIL - JUNE 2007

- April 24th, 2007 Property was purchased by Rachel Landy
- There was a demolition notice in June 2007, to tear down this beautiful Victorian home and put up an 8-family building
- The Block Association appealed to elected officials and other public officials to prevent the demolition. The demolition did not proceed.

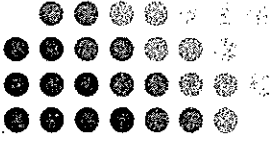


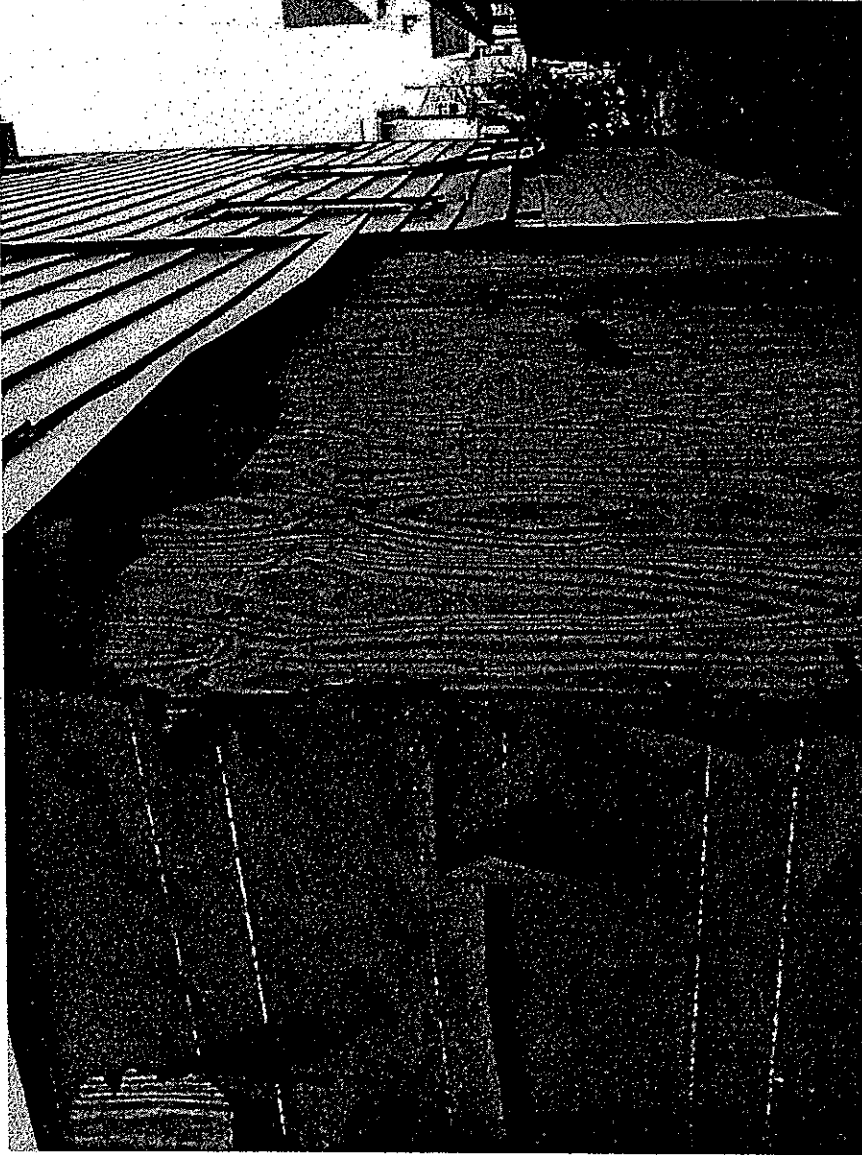
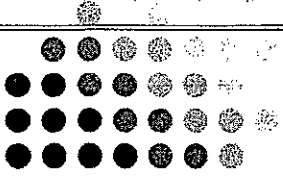
AUGUST 2008

- The property went into foreclosure on August of 2008. We've learned that foreclosure rates continue to rise in Brooklyn even as they've stabilized in other places.
- The property sat there and eventually squatters moved in. Day and night there were squatters there. One squatter caused a fire. We had to call 911.
- We learned that the owner is the wife of an attorney who was indicted by the Brooklyn DA in 2007 on charges of real estate fraud.



© www.12.11.com





PHOTOGRAPHIC EVIDENCE

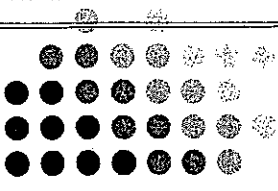
Thieves began removing the siding from the outside and pipes from inside the house. We called 911. The precinct responded.



INITIAL REACTIONS

- We tried to contact owner, Rachel Landy, on several occasions. There was no response.
- We called 311, to report dumping of garbage on the property.





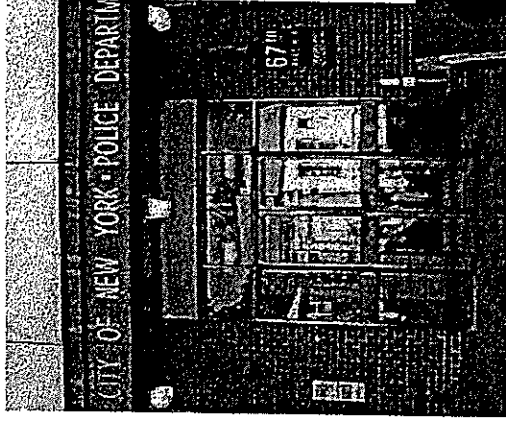
AUGUST - DECEMBER 2009

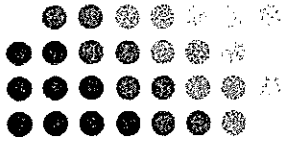
- August 2009 we went to Rhoda Jacobs's office and spoke with her. As a result she contacted the Department of Sanitation, the Health Department and Department of Buildings and they came out to inspect and clean up the property.
- December 15 we met with Councilman Williams: he later visited property



ADDING ALLIES

- January 5th we met with 67th Pct Det. Hutchinson.
- March 9th we met with Assemblyman Perry's staff.





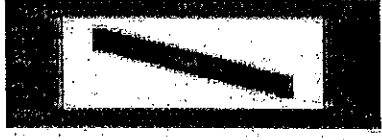
WALKING TOUR

March 14th we met with HPD and did a walking tour of the property.

2011-PRESENT

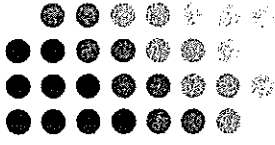
- We learned that the Department of Building seal-up process is much too long. City agencies need to work together and communicate with each other to get things done.
- January 2011: residents spoke with Community Board 17 on several occasions.
- Over the past year we made many attempts to speak with Deutsche Bank (the originator of the mortgage) and Bank of America (the servicer of the mortgage).

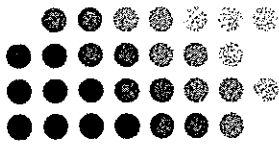
Deutsche Bank



Bank of America

Higher Standards





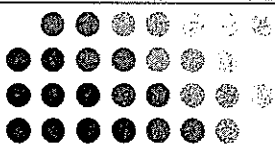
F.E.R.N. AND B.C.U. ACT

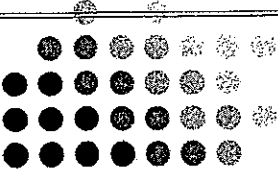
- November 23, 2010 and March 7, 2011 Pastor Wieber, Deacon Compton and residents of the block attended and testified at City Council Responsible Banking Act Hearings.
- Pastor Wieber and Sarah Daay joined our Councilmembers and spoke on the steps of City Hall on the need for bank accountability.



RESPONSIBLE BANKING ACT

- Legislation that will require banks to report on their activities to meet local credit needs.
- Responsible Banking Act is also consistent with the Federal Community Reinvestment Act.





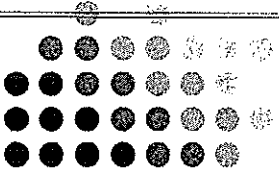
WINNING...

The Brooklyn Paper
Your Neighborhood - Your News

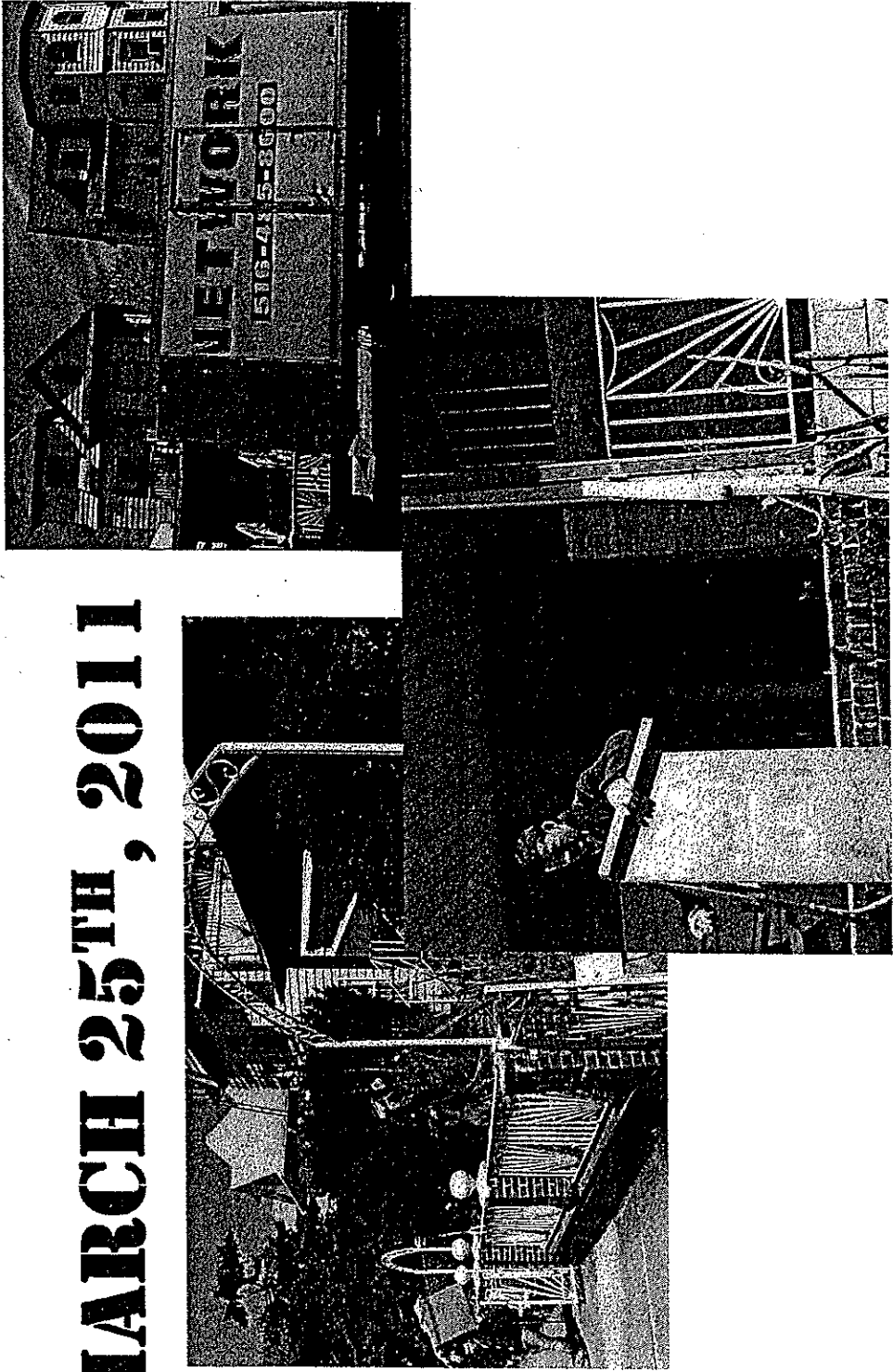
Brooklyn Daily Eagle

DAILY  NEWS

- After we brought the story to the press: Daily News; Brooklyn Paper, Brooklyn Eagle, Bank of America finally responded.

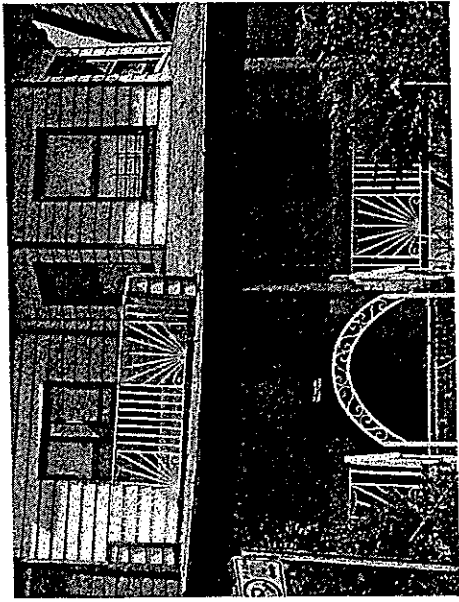


MARCH 25TH, 2011

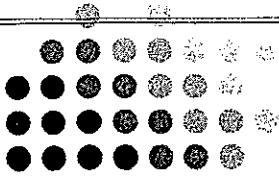
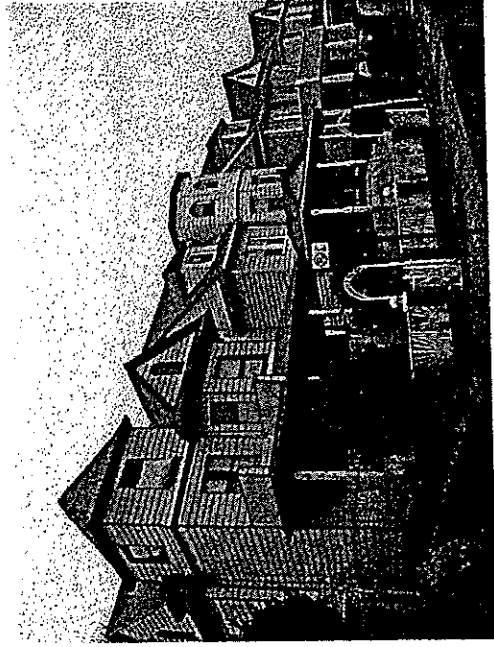


- Yesterday, March 25, 2011, Bank of America sent contractor, "Network," to do a thorough clean-up and sealing of the building.

Clean-up commitment



- Network company representative Aaron Patch told us they would remove all the garbage-- 2 truckloads-- seal up the windows, chain the doors and clean up the yard. But, he added, "the best way to secure a property is to sell it and have someone living in it."



**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: STEVEN A. LUDSIN

Address: 1360 YORK AVENUE NY 10021

I represent: SELF / EZSRW

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: MOSES GATES

Address: _____

I represent: ASSOCIATION FOR NEIGHBORHOOD

Address: HOUSING, INC.

**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: SKIPP ROSEBORO

Address: _____

I represent: NY COMMUNITIES FOR CHANGE

Address: 24 ADELS ST., BK

▶ 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: 4/14/11

(PLEASE PRINT)

Name: JEAN SASSINE

Address: 2-4 NEVINS ST.

I represent: NY COMMUNITIES FOR CHANGE

Address: 2-4 NEVINS ST. BK

**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: 4/14/11

(PLEASE PRINT)

Name: BETTY HARVILLE

Address: _____

I represent: NY COMMUNITIES FOR CHANGE

Address: 2-4 NEVINS ST., BK

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 494 500 501 Res. No. _____

in favor in opposition

Date: 4/14/11

(PLEASE PRINT)

Name: Michael Hickey

Address: 74 Trinity Pl Side 1302 NYC 10006

I represent: Center For NYC Neighborhoods

Address: same

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. 494, 500, 501 Res. No. _____

in favor in opposition

Date: 4-14-11

(PLEASE PRINT)

Name: ~~EST~~ Elizabeth Lynch

Address: _____

I represent: MFY Legal Services

Address: 299 Broadway 4th Floor NYC

**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: Oda Friedman

Address: _____

I represent: The Legal Aid Society

Address: 199 1st Ave St.

**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: 4/14/11

(PLEASE PRINT)

Name: BRUCE BERGMAN

Address: _____

I represent: NY BANKERS ASSOC.

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 4/14/11

(PLEASE PRINT)

Name: MICHAEL SMITH

Address: _____

I represent: NY BANKERS ASSOC.

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ruth Anne Viscnaukas

Address: 100 Gold Street

I represent: HPD

Address: 100 Gold St.

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