



**Testimony of the
New York City Department of Housing Preservation and Development
to the New York City Council Committee on Consumer and Worker Protection
on Introduction 360**

June 12, 2024

Good morning, Chair Menin, and members of the Committee on Consumer Protection and City Council. My name is Ahmed Tigani, and I am the First Deputy Commissioner at the New York City Department of Housing Preservation and Development (HPD). Thank you for the opportunity to testify on the proposed legislation on today's agenda.

Our priority at HPD, above all else, is to confront New York City's housing crisis with urgency, dedication and—when needed—creativity. We are always open to new solutions and are excited by any opportunity to discuss new legislation.

All New Yorkers should be able to choose homes in the neighborhoods they love, the communities they want to build their lives in next. Some prioritize proximity to local schools, while others prioritize being within arm's reach of a playground or their place of employment, and weigh numerous considerations about how to make the right choice. As a father to a young child, we've been faced numerous times with the question of whether where we live provides us the best situation for connecting him to the life we want to give him. I also think about my single mother's efforts to secure housing for our family and the questions that must have come up for her as a renter with limited resources about how to prepare if we had to make the decision to look for a different home. Those conversations are felt by New Yorkers of all backgrounds and incomes, in many ways most acutely for our more vulnerable neighbors, and the decisions become tougher as the situation gets compounded by other external factors.

I say this because, with an alarmingly low rental vacancy rate, finding an apartment that meets your needs can feel like an impossible task, and at HPD we want to do everything we can to improve access to affordable housing. Currently, New York City's vacancy rate sits at a mere 1.41% – the lowest it's been since 1968. To put that into perspective, during our recent New York City Housing and Vacancy Survey, out of over 2.3 million renter households, there were only about 33,000 homes available for rent. For lower-income New Yorkers seeking affordable housing, these options are essentially non-existent. That's why we're deeply committed to

improving the process of finding and renting a home in New York City. I firmly believe that the solution to our housing crisis lies in constructing more housing, safeguarding our existing stock of affordable housing, and ensuring that New Yorkers have meaningful options in our housing market.

The City needs to ensure that there is enough housing of all types, especially low-cost and affordable housing, in every neighborhood. This requires affordable housing development but also changes that allow the private market to build the additional housing we need. That's why we are working with our partners at the Department of City Planning and across the Administration to implement policies to support a little more housing in every neighborhood which, taken together, will have a big impact on New Yorkers' housing needs.

Another part of ensuring that New Yorkers have meaningful housing choice is through our tenant protection work. This includes inspections to enforce the Housing Maintenance Code, enforcement programs focused on distressed buildings through the Emergency Repair Program, Alternative Enforcement Program, 7A Program, and Underlying Conditions Program. HPD represented the City in 7,800 tenant-initiated actions in Housing Court and initiated 240 comprehensive litigation cases seeking civil penalties and Orders to Correct in 2023. Our Anti-Harassment Unit works to proactively identify bad actor owners and, when necessary, initiate litigation to address disruptions of essential services, false certifications, and failure to address hazardous violations.

It also includes ongoing outreach and education through classes and events, often in partnership with elected officials and community-based organizations, to bring housing information, resources, services, and one-on-one assistance directly to tenants. We deploy our outreach vans to ensure we can access New Yorkers wherever they are across the five boroughs.

It is clear that the proposed broker fee legislation strikes a chord with New Yorkers. And we understand why – for New Yorkers, moving costs can be prohibitively expensive and a financial barrier to securing housing amongst a limited number of options. The process leading up to a housing search, either by choice or due to unforeseen circumstances, for many households can result in an impossible scenario where you have to choose between paying rent, covering basic expenses, or saving for the future. At the same time, there is tremendous value in housing search support and the operational knowledge that brokers can provide both tenants looking to find a home, especially in communities where listings are harder to find, and property owners navigating the process of making their units available.

The Administration is therefore actively evaluating this legislation—carefully considering the potential impacts, both intended and unintended, on tenants, brokers, and landlords. We take these steps to do our due diligence because with any legislation, it may have consequences that are difficult to identify and quantify, including potentially passing fees to tenants through other charges or increased rents, particularly for units that are not rent stabilized.

We look forward to hearing the public feedback on this legislation today, diving deeper into the policy with the bill sponsors and stakeholders weighing in on this bill so that there is a robust conversation about ways to ensure New Yorkers have transparency in the rental process. On behalf of the Administration, we want to thank the City Council for their leadership on this issue.



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BRAD LANDER

**Testimony of New York City Comptroller Brad Lander
New York City Council Committee on Consumer and Worker Protection
In support of Intro 360, the Fairness in Apartment Rental Expenses (FARE) Act**

June 12, 2024

Thank you, Chair Menin and Members of the New York City Council's Committee on Consumer and Worker Protection for convening this hearing and providing the opportunity to testify on critical legislation impacting tenants across the city.

I strongly support Intro 360, the Fairness in Apartment Rental Expenses (FARE) Act, sponsored by Council Member Chi Osse. Intro 360 requires that whoever hires a broker in a real estate transaction pays the broker fee. **The FARE Act is a commonsense bill that I urge the City Council to pass for two core reasons: transparency and fairness.**

The FARE Act would ensure that fair, transparent contracts are negotiated between parties involved in renting apartments in New York City. Over two-thirds of New York households are renters. These New Yorkers, disproportionately lower income compared to homeowners, deserve to know exactly how much it will cost to rent a new apartment. This bill would simply provide renters with the same fair treatment and transparency that are already provided to buyers in the homeowner market: making sure all fees and costs are known to the renter at the outset of the transaction.

It is also a commonsense element of fairness that the party that chooses the broker should pay the fee. Where tenants hire a broker to help them find an appropriate unit, of course they should foot the bill. But where landlords are the ones to identify and hire, they should pay for the broker they have chosen.

New York City has the lowest rental vacancy rate in decades, with a historic low of 1.4%. That number falls below 1% for affordable units rented below \$1,650. At the same time, rents across the city have skyrocketed. Median asking rent for publicly listed apartments rose to record levels in 2023 and stands at \$3,500 citywide. As we found in our [January 2024 analysis of the rental market](#), a family would need to earn \$140,000 or more to not be considered rent burdened – double the median household income in 2022.

Families are leaving the city at alarming rates, often citing the cost of housing as a key factor. The Fiscal Policy Institute recently found that [90% of the state's population loss is driven by residents leaving New York City](#) – especially amongst lower- and middle-income families. The report also alarmingly found that Black and Hispanic New Yorkers are disproportionately leaving at higher rates than white residents.

Reducing the burden of broker's fees on families trying to find a new home could potentially counter these concerning trends. With record high rents, an unexpected and often last-minute request for a broker's fee can be the difference in a tenants' ability to afford a prospective apartment. With an increasingly competitive housing market, this is an inefficiency that can and must be avoided.

I urge the Council to pass the FARE Act. Thank you for your consideration and the opportunity to testify.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON
CONSUMER AND WORKER PROTECTION
JUNE 12, 2024**

Good Afternoon,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. I would like to thank Chair Menin and members of the Committee on Consumer and Worker Protection for holding this hearing.

As a co-sponsor of Int. 0360-2024 introduced by Councilmember Osse, I am in support of the bill as it would help shift a significant housing cost to whomever contracts the broker instead of always falling on the prospective tenant. To rent an apartment today, prospective tenants usually have to pay a brokerage fee - on top of costs to move their belongings, the traditional first month of rent, as well as a security deposit for a month or two. Additionally, while illegal, some brokers and property owners ask for a key fee to transfer the key to the new tenant. According to StreetEasy, it costs an average \$10,500 to move into an apartment, with the largest portion going to broker fees¹. This system contributes to the city's housing affordability crisis.

As of February 2024, NYC's Department of Housing and Preservation Development (HPD) reported the initial findings of the latest NYC Housing and Vacancy Survey (HVS) to City Council and shared that the vacancy rate reached a historic low of 1.4 percent. Additionally "among units renting for under \$2,400, the net rental vacancy rate is below 1%"². The vacancy rate dropped over the last two years, even as the city has added 60,000 new homes, and findings also communicated that 86% of households who earn less than \$50,000 without rental assistance are rent burdened. At the recent 2024 preliminary vote meeting, the Rent Guidelines Board (RGB) proposed further rent increases on rent stabilized tenants, both for 1 year and 2 year leases³. By removing broker fees, this legislation would help the NYC Housing market become more elastic, giving tenants more access to housing by allowing them to move more easily and affordably.

¹ <https://streeteasy.com/blog/new-yorkers-spend-over-10k-in-upfront-rental-costs/>

²

<https://www.nyc.gov/site/hpd/news/007-24/new-york-city-s-vacancy-rate-reaches-historic-low-1-4-percent-demanding-urgent-action-new#/0>

³ <https://citylimits.org/2024/05/01/nyc-stabilized-tenants-on-track-for-another-round-of-rent-hikes/>



JUMAANE D. WILLIAMS

No other city in the U.S., besides Boston, has this unique practice of requiring tenants to pay brokers. It is time for us to ease the burdens of these upfront costs.⁴ There are plentiful stories of someone paying a broker fee and not being connected to housing or being forced to pay these fees when they've gone through the process of finding housing without the assistance of broker agents.

This bill ensures whoever hired a broker pays, regardless of whether it's a landlord or potential tenant. Tenants need to know that they can compensate a broker only when they hire one to represent them, which will provide them with increased transparency and financial relief on upfront rental costs.

We are in the midst of trying to build more affordable housing, while fixing our public housing and other housing systems. We are trying to help New Yorkers and assist asylum seekers with connecting to homes from shelter residences. All of this can be done with less financial burden on tenants, who should not have to pay additional costs to obtain a residence to begin with.

Thank You.

Testimony Before the New York City Council Committee on Consumer and Worker Protection and Regarding Proposed Intro 0360-2024

June 12, 2024

The Association for Neighborhood and Housing Development (ANHD) thanks Chair Julie Menin, Lead Sponsor Council Member Osse, and members of the Committee on Consumer and Worker Protection for the opportunity to testify on Intro 360 regarding residential real estate transaction broker fees.

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.

Intro 360

There is a prohibitive upfront cost to moving in New York City. Apart from the cost of moving and down payments, tenants often have to pay a fee for a broker service they did not contract. These costs have an outsized impact on lower income New Yorkers, and in reality can be a fundamental barrier to mobility for tenants who want or need to rent new apartments. Intro 360, would help to address this problem by requiring whoever hires a broker in a residential rental transaction to be responsible for paying their fee - thus eliminating one specific and commonplace fee that is often unfairly placed on tenants seeking to rent new apartments.

We must ensure, however, that the passage of this bill will not encourage landlords or property owners to get around its intent by imposing new fees on prospective tenants, or simply increasing rents in the case of unregulated housing, to make up for the cost of paying their brokers. One approach to close that loophole would be to edit the bill to additionally prohibit property owners or their agents from collecting fees from prospective tenants outside of background checks and credit checks.

We also note that enforcement of this legislation will be both challenging and critical. New York City's rental housing market is extremely tight, especially at the more affordable end of the spectrum, which gives landlords outsized power not only over their existing tenants but in relation to prospective tenants. If the burden of enforcing this law falls to individual tenants experiencing violations, its impact will be limited. We therefore recommend adding a clear fine

structure for violations, with escalating fines for actors with multiple violations, and accompanying this legislation with a budget allocation for additional agency staffing to enable appropriate enforcement.

Thank you again for advancing this legislation to remove an important barrier to tenant mobility and housing affordability in New York City. Please do not hesitate to contact Israel Sanchez, Campaign Coordinator, at israel.s@anhd.org with any questions regarding our testimony.



Sarah Saltzberg, Intro 360 Testimony

As New York City grapples with a housing crisis, our legislators must focus on solutions that address the root cause of this complex problem instead of taking aim at the process by which residential rental brokers are compensated. Intro 360 would have myriad unintended negative outcomes for tenants that will raise housing costs and further limit housing access.

We have been down this road before. The 2019 passing of the state's disastrous Housing Stability and Tenant Protection Act serves as a troubling reminder of another legislative attempt to keep housing affordable by restricting landlords and brokers, which spectacularly backfired. Since 2019, rent in NYC has raised over 26%, far outpacing inflation. From 2022 - 2023 alone, wages increased 1.2% while rents increased 8.6%, the highest of any market IN THE COUNTRY. One of the many unintended consequences of HSTPA is the tens of thousands of RS units that sit offline, due to a mandate that allows for almost no rent increase regardless of the funds needed for renovation. City officials would better serve their constituents by immediately advocating for reforms to HSTPA which would bring tens of thousands of RS units back to market.

But once a law is passed, it's hard to roll it back - and that's why those of us in the industry are raising the alarm bell once again. Like 70% of those in the city, many rental agents are renters too, and are aware of the many unintended consequences this bill could have.

1. Renters will pay more in rent and in fees. If all exclusive relationships now mandate that the broker fee is paid by the owner, the owner will pass that cost to the tenant. Should that tenant stay longer than a year, they end up paying the fee over and over again, each year, while also paying a higher rent as the increase is taken from the inflated base.

2. Renters will have less choice. There are 14,036 units listed on SE in the 5 boroughs, 7,563 of which are listed as no fee. Were Intro 360 to pass, we would see a drastic and confusing change. Any exclusive listing would automatically convert to a No Fee listing, and any open listing would result in a fee to the tenant. There are many open listings that currently pay a fee to an agent which would no longer be legal; similarly, there are many exclusives where owners may prefer to keep rents lower for faster absorption and do not build the fee into the rent. The rigid rules of Intro 360 fail to consider the flexibility that the NYC market demands, and that has historically benefitted renters by giving them a choice.

3. Some owners struggling since HSTPA may not be able to pay a fee to the broker and may kill their exclusives, resulting in less exposure for rent stabilized units. A perfect example of this scenario would be thousands of rent stabilized units that may already be at their legal threshold. These owners may choose to simply have their supers list the units, or not - and rentals will happen via word of mouth.

We cannot afford additional legislation that exacerbates the crisis we find ourselves in. Like Intro 360, HSTPA was advanced as a knee jerk reaction to rising housing costs that sought to penalize the industry rather than work with it to address the problem, resulting in dire, unintended consequences for renters. **Let's learn from history. We must** prioritize solutions that tackle the root cause of the crisis and ensure that every New Yorker has access to safe, affordable housing for years to come.



If passed, Intro 360 will set the market back by three decades by creating the least amount of advertising transparency and the greatest amount of Shadow Inventory since the days of classified newspaper advertising.

Landlords who make the business decision NOT to pay broker fees will simply offer their available apartments to the brokers they do business with on an "Open Listings" basis.

To avoid the perception any broker represents them, landlords will take back the *Permission to Advertise* which so many of them currently give their successful brokers, and invite them to bring any qualified tenants they represent to view and apply for the apartments.

This is what happened in 2019, when the NYS DOS issued guidance around HSTPA, preventing a landlord's agent from charging a broker fee to a tenant. Although the guidance was immediately challenged by the industry and was finally overturned by the Court, landlords temporarily restated their relationships with brokers as a way to avoid paying broker fees while the dispute was pending.

We received many vacancy lists with huge disclaimers prohibiting advertising and warning us that brokers with whom the list was shared did not represent the landlord. We were encouraged to show listed apartments to, and bring applications from, tenants we represented – and who would pay our commission.

The number of online apartment ads would likely decrease by up to 85% when brokers are no longer allowed to advertise non-exclusive listings. Renters don't care whether a listing is exclusive or non-exclusive – they just want to find out what apartments are available! We could go from 17,500 transparent apartment ads to about 2,500 in a week, removing consumers' choice to search between "No Fee" and "Fee" based listings, and effectively forcing anyone unable to find satisfactory apartments within the remaining inventory to hire a real estate broker and pay them a fee.

Most brokers would continue to receive vacancy lists from the landlords with whom they've been working. The information won't go away, it will just be significantly reduced from the internet, sort of like the 1990s when consumers had only a few pages of classified ads in a newspaper to comb through searching for apartments before they had to hire a broker to find out everything else that might be available for rent.

Why would the City Council permit what is now a widely transparent online rental marketplace showing accurate apartment listings with photos, floor plans, and detailed property descriptions to effectively disappear behind a paywall that few New Yorkers will be able to afford? When landlords no longer



allow permission to advertise as a way to prevent anyone from thinking brokers represent them because they posted an ad online, most renters will be pressed to hire brokers to represent THEM and pay their commissions. The bill that proposes to reduce tenant-paid broker fees would actually create more of them than have ever existed in our rental market!

Thank you.

Douglas Wagner
Director of Brokerage Services
Bond New York Properties

The last time I sat in this chamber to give testimony regarding a housing policy bill that was under consideration, I spoke on behalf and in defense of the many hardworking real estate professionals who pride themselves on providing their clients with quality service and informed counsel, while also proposing a series of reforms that would raise the bar of ethics in the industry and improve transparency for all. This time, I feel compelled to speak out on behalf of New York City renters and the public in general, who would be irreparably harmed if this bill should pass. Intro 360 is the quintessential wolf in sheep's clothing – it sounds perfectly reasonable to anyone who doesn't understand the fundamentals of our market and provides a cheap, quick, and entirely misleading media headline for slick politicians who'd like to be seen as populists to their constituents.

However, the irony of this bill is that it will, in the ways many other experts will share specifically today, raise costs, raise rents, actively cause the deterioration of transparency, promote unethical bait & switch techniques among unscrupulous brokers, and, again ironically (in "1984" fashion), increase the prevalence of tenant-paid broker fees as a percentage of overall closed transactions. Just as one particularly salient data point, my firm overwhelmingly represents tenants (that is, we're "Tenants' Agents", not agents of a landlord or management company) and in Q1 2024, over 60% of our business was comprised of transactions wherein we were "hired" to represent a tenants' interests, but we were paid only by a landlord or management company whom we did not represent via an "OP" – not by the tenant client.

Under the proposed legislation, that structure would become illegal and all those tenant clients for whom we worked would have had to pay for our services – services paid for by the landlords under the current structure. Unfortunately, I don't have time today to detail the numerous other unintended negative consequences of this legislation, and I hope other industry experts can go more into depth about how this could cause the most precipitous rent increase our city has ever seen, the ways consumer choice will be obliterated, and why this bill could accurately become known, as some industry executives have already titled it, "The Discriminators' Delight Act", as it works against the interests of our most vulnerable New Yorkers, who are of course public assistance voucher holders.

I think it's fair to say that every one of us in this room agrees that our city has a serious and worsening affordability crisis which needs to be addressed in thoughtful and meaningful ways. The rent is too damned high, the inventory is too damned low, and middle class New Yorkers are caught in the crosshairs. To the tenants' rights advocates in this room who are concerned about affordability and equitable access to housing, I assure you that you & I are on the same team, and the meaningful common-sense solutions that we know to be at hand MUST be considered and adopted by our City & State representatives.



The people need & deserve more affordable housing to be built RIGHT NOW. The people need & deserve our rent stabilized inventory that's available but being warehoused or otherwise held off the market by landlords to be brought online RIGHT NOW. The people need & deserve our Council representatives to do their sworn duty in protecting the most socioeconomically vulnerable New Yorkers by reforming and improving our archaic, bureaucratic, broken public assistance voucher system RIGHT NOW (and there's already a blueprint published of what's needed to do it – they just need to take it up).

And equally importantly, New York renters need & deserve the most well-trained, ethical, transparent, and professional real estate representatives in any market anywhere, and that's NOT what they have access to as we sit here today. Let's address that by resolving to immediately introduce and adopt a sweeping Tenants' Bill of Rights which elucidates precisely what choices renters have when they enter the marketplace and empowers them to make informed decisions, while finally holding accountable any brokers, agents, landlords, or management companies who act in bad faith or break their fiduciary obligations.

I vow to be a partner and advocate for anyone on this Council or indeed in this Chamber who wants to meaningfully address the costs of renting & tackle the many serious challenges facing our housing market, including holding unscrupulous or predatory brokers accountable. However, I can say with certitude that not only is the bill under consideration an unserious attempt at inspiring some cheap media headlines, it will have the direct effect of undermining ethical and transparent transactions at the expense of the public interest – so to those who would vote for it out of a short-term political calculation, I implore you to put the good of middle class New York tenants ahead of your own political ambitions.

Thank you.

Brian P. Hourigan

Senior Managing Director

Director of Professional Development

Bond New York Properties

Intro

My name is Bruno Ricciotti, and I am the owner and co-founder of BOND NEW YORK. We are a full-service real estate marketing & brokerage firm based in Manhattan and Brooklyn, which specializes in apartment leasing. We have spent the last 24 years working to help thousands of tenants & hundreds of owners and management companies every year, to connect New York City's tenants with their homes.

Legislative Track Record

I'll start off by sharing my grave concern regarding Intro 360 by first contextualizing the topic at hand by referencing two other pieces of recently passed State legislation that were supposed to be designed to protect tenants and those laws' aftereffects. First was the capping of security deposits to 1 month's rent in the 2019 Housing Stability & Tenant Protection Act (HSTPA). This legislation has had severely damaging consequences to tenants, property owners, and brokers over the course of the last 5 years, which continues to inflict damage to the public on a daily basis, and I believe runs parallel to the type of effect we can anticipate from Intro 360, if it were to pass.

So let's take a closer look at this first. Offering additional months of deposit to secure an apartment lease was a practice that would usually be initiated by a tenant to bolster the strength of their application to help them qualify for a lease that they may otherwise not qualify for. In what I have to assume was a well meaning effort, this practice was prohibited and at the time, touted in the press as a victory which would prevent tenants from being 'exploited with exorbitant upfront costs' which were barriers for New Yorkers to find housing.

The resultant reality couldn't be more diametrically opposed to the stated intention. All that has changed since, as a result of this law, is that now, otherwise unqualified or borderline qualified prospective tenants, who may be shy on income, have a new job, a low credit score, no credit history, and/or do NOT have a qualified guarantor in or close enough to New York to support their application, have been effectively stripped of the last remaining remedy to mitigate that risk for a landlord as a manner to secure an apartment for them, altogether.

These vulnerable housing hunters represent a substantial swath of New York. Ever since, not a single day has gone by where one of our agents has not borne the burden of delivering the heartbreaking news to one of their tenant clients that their application was rejected by a landlord or management company. They will not be allowed to live in the apartment they applied for and are just realizing that they probably have no method whatsoever to qualify for any apartment, any longer.

Please bear in mind, we are talking about situations where all parties have consented to lease terms that the State now bars. Most often, the prospective tenant would initiate an offering, either by requesting to pay rent in advance or provide extra security deposit (which is refundable), and are oftentimes shocked when they are told that this is not allowed. Sometimes these applicants beg, but to no avail. The tenant, the landlord, and the broker all wish for the deal to be able to happen, yet it can not happen, because it is now illegal due to careless and misinformed political meddling on behalf of the State.

To add insult and humiliation to this injury, as a result of these new HSTPA restrictions, a new cottage industry has cropped up, which *is* legal, called “Third Party Guarantors”. I’m sure many of you are probably familiar with these companies. These are insurance companies who offer insurance products which tenants can and sometimes **MUST** pay for, as an additional upfront fee of roughly one month's rent, which unlike security deposits, do **NOT** get returned to them at the end of their lease terms. This policy has to be renewed each year. These tenants are essentially purchasing a security deposit from an insurance company which then gives that deposit to the landlord. As ridiculous as this may sound, this is actually the reality which has now been in effect for 5 years, unnecessarily wreaking havoc on the rental market by costing additional fees to or flat out denying housing to tens of thousands of vulnerable New Yorkers. No one on the state or local lever has shown any concern or made any noise about this or taken any steps to roll this egregious error back.

I reference this story in particular because one does not need to be schooled in the real estate business to understand it.

In the same book of bills, there was another piece of legislation which restricted capital contributions for upgrades to rent stabilized apartments. As many of you have probably learned, this directly resulted in many landlords being unable to afford to make their apartments habitable and there are now tens of thousands of rent stabilized apartments being warehoused, held off the market and no longer available to the public. This also has also gone on for 5 years, lockstep with what may fairly be called a “homelessness crisis” with tens of thousands of homeless New Yorkers. This irony is both sad and painful. The political establishment is now taking steps to roll back this legislation and attempt to correct this blunder, but not nearly fast enough.

Lastly, on this topic of recent legislative track record, if we want to just ponder in general, I invite everyone who reads this to ask yourselves: do you think any of the legislation passed in the last 5 years has made New York more affordable? Are rents lower than they were in 2019, or housing easier to find since the last time any major legislation was passed? I will take the liberty to answer that for you: Since

the HSTPA, rents have surged upward, on average by almost 30%. This is the sharpest increase I am aware of in that short of a time period. In some neighborhoods rents have nearly doubled. Are we to believe this is coincidence or causal connection? No one can say for sure, but I know that most industry experts believe what I believe is obvious and explains why we are all here, frightened for not just what will massively disrupt our livelihoods as agents but the potential of another huge and irreparable step backwards in solving the affordability problem which we all agree exists in New York.

I share all 3 of these stories because they have all been written. They are no longer a theory or a debate to be heard at a hearing like the one we had 3 days ago. It is just another few in a long list of regulations which have yielded an awful reality of unintended consequences.

Intro 360

Now let's move on to the topic at hand, the proposed Intro 360. To Councilman Chi, this is simple, as he has stated in his TikTok videos on numerous occasions. If you don't hire the broker, you shouldn't have to pay the broker. I would argue that this is already the case now and he is just unaware that in most cases, the broker hasn't been hired by a landlord. But let's explore a bit and see if we can figure out what the problem to solve here actually is.

Currently, we are in one of the tightest New York rental markets in decades, I keep hearing in 50 years. And even now, on this very day, in the most competitive, low vacancy months of the seasonal cycle, 54% of all NYC apartments and 49% of all apartments in Manhattan, are offered on StreetEasy as "No Fee" apartments to the consumer. In the cooler, lower demand months in the seasonal cycle this percentage of No Fee listings trends much higher. Softer, more normal economic conditions often present far more No Fee options in all seasons, as well, and this is also constantly fluctuating. For example, during the pandemic in 2020, as well as the year after, No Fee apartments were provided by market conditions to make up well over 90% of what was available online. What we currently have is a diverse and free market with many choices for consumers, which suit both landlords and tenants with varying needs.

Market Diversity & Choice

"No Fee" listings, simply put, are where the expenses that go towards the roles necessary to lease an apartment are included in the rent and paid for by the owners. This is the case whether or not ownership pays their own in-house leasing staff, if they have one, or a 3rd party broker. The reason these owners prefer and choose to pay the brokerage commission without any mandate is because they need or desire to get the highest rent possible for their banks and their investors and they usually

state so in any case where I have been hired under that payment arrangement. In my experience, these owners tend to be institutional investors who are in the real estate business for gentrification and profit. Most have bought their buildings in more recent years, have high mortgages and overhead expenses, and need to maximize every dollar possible to make a profit. They don't need to be regulated or forced to pay their leasing teams. They do so already because this benefits their business model.

However, this is not the case for approximately 45% of the owners in NYC and a large swath of consumers as well, whether they realize it or not.

Owners who prefer NOT to pay rental broker commissions, but who allow brokers to collect their commissions from tenants to help rent their apartments, do so for very specific needs or benefits and just like some tenants, are simply not liquid enough to afford it. The typical profile of these types of owners are usually mom and pops who have one or two buildings that they may have invested in over their lifetimes or inherited from their families over decades or generations and are not necessarily in the business of real estate. Often times these owners prefer incoming tenants to pay commissions for several reasons. First let's make it clear that regardless of how you define who hires a broker to help lease an apartment, a tenant who pays a broker commission is purchasing a cheaper lease term. If this wasn't the case, no one would EVER pay a fee whether they hired the broker or not. Calling this a 'forced fee' is either a great misunderstanding or disingenuous and designed to make sensational headlines. A tenant who thinks they have been 'forced' whether they realize it or not is simply saying they want their cake and eat it too by wanting the lower rent offered but not having to pay the fee for it and is not acknowledging the economics of the offering. A tenant who pays a broker fee for cheaper rent terms over time demonstrates an interest in staying in the apartment for a longer period of time. As the fee/rent gets cheaper as it can be amortized over more and more years. This is attractive not just to smart tenants but to many mom and pop types of owners who prioritize easy, happy, tenants who commit to being part of their community over maximizing their assets' bottom line in a transient building. Less moving in and out also saves money in the long term with less costs of vacancy over the years, and those savings for the landlord ultimately get passed on and benefit the renter. There is a broad spectrum of landlords with varying needs and a broad spectrum of tenants with varying needs and the current market provides choice and accommodates for all of these situations that sit on this continuum. The notion that all landlords are wealthy and swimming in money and all tenants are struggling is ridiculous. I can attest through experience there are just as many wealthy tenants as there are struggling tenants and as many wealthy landlords as there are struggling landlords. Anyone that believes otherwise is mistaken or just cherry picking information from a small and deliberately chosen sample that suits their agenda.

This current, unregulated, organic market expression may require the deeper digging I have just articulated for someone who doesn't study the industry to understand, but it is a choice that exists in the market that is beneficial to owners, renters and brokers.

In summation, today's unregulated rental market is split roughly down the middle with more expensive apartments that are no fee to the consumer, with leasing expenses baked in, amortized over the first year lease term, AND less expensive apartments where the tenant can purchase a lower rent with an upfront commission that they can negotiate with a broker. If someone can't afford an upfront fee, they can go rent a no fee apartment. Right now, over half of the market, which is over 7,000 apartments, are no fee. No fees are ever 'forced' on anyone. Neither option should be eliminated by a mandate, as it restricts consumer choice, and will result in unintended consequences which I will get into more specifically on a moment.

Roles in Leasing Efforts

But before I conclude. I'd like to address something important, that is very much underestimated and often misunderstood. Since Councilman Che told me – and I'll try my best to quote – “most brokers don't do shit”, I'd like to enumerate specifically some of the professional services that a broker performs, regardless of who they represent in order to effectuate a rental transaction. All of these actions take time, effort, expertise and money.

- Site visit of an upcoming vacancy to assess conditions.
- Creating comparable pricing analytics to assess market value.
- Providing feedback to determine the scope of preparation of the unit.
- Arranging for a professional photographer
- Photographing the unit
- Editing the photographs
- Videoring the unit
- Creating a 3D Tour
- Creating a floor plan
- Digitally staging the photos
- Crafting accurate written descriptions of the unit, the building, and the neighborhood.
- Proofreading all advertising content
- Posting available units online
- Syndicating online
- Arranging for pick up, copying, and distribution of keys.
- Coordinating to access the apartment through existing tenant schedules

Answering and vetting often times hundreds of emails, texts, and phone calls.

Answering questions for prospective applicants to help them further understand the listing details and desired building amenities or pet policies or move in dates, etc

Setting up appointments often times between the conflicting schedules of prospective tenants and existing vacating tenants.

Negotiation and aligning terms for rent, move in dates, concessions, etc.

Conducting showings and open houses which can take weeks or months

Compiling paperwork in a very specific manner to help leasing representatives and owners who are many times overburdened with impossible workloads with limited bandwidth to process an application to maximize the chance that the client will be fortunate enough to win the apartment.

Doing all of the above from A - Z, over and over and over to often times only to be ghosted by prospective applicants after 99% of the job is performed and executed, only to be paid absolutely nothing.

And remember, when successful, fees for these duties don't go to the agent you may only see open the door. The commission is paid to the firm which is the team behind and supporting the agent. The firm, which pays office rent and staff and marketing and other expenses, shares with the agent and/or agents when there are often more than one assisting each other to share in the deal. Many of those expenses pass through and an individual agent that you see open the door may walk away with only several hundred dollars from what amounted in the end to several weeks of hard work

What Happens Next

Many owners I know have explicitly told me that if this law passes, they they do not intend to pay brokerage commissions, and rather than raise the rents to pay brokerage commissions, their plan is to take measures necessary to make it clear to the public and regulators that the brokers who bring them tenants have not been hired by them and do not represent them. As part of this effort, many have asked that all advertisements of their properties be pulled from the online public marketplace.

Much in the way that the HSTPA created tens of thousands of warehoused rent stabilized apartments which exist but the public cannot find on their own, I fear that by removing thousands of the current tenant fee offered apartments that the new reality would become a massive shadow inventory which will all but disappear from the public view. These apartments would still be rented by tenants hiring the brokers that know about these apartments, but it would be much the way that they were rented over the last several decades of the print and Craigslist era – by needing to “hire” a broker and saying “what do

you have available? There would be far less transparency for the consumer, bad actors will be unnecessarily empowered, far more bait and switch and agents who have earned the privilege of having the public facing ad rights to these listings on popular aggregator sites, by best understanding the process, having the highest level of customer service, and most detailed knowledge of the inventory will be punished by being forced to share listings with those agents who do not possess those attributes – and we will all be back in the open listing business again. This would undo so much of the progress that the industry has made, on its own, for the benefit of the consumer. This would essentially set the New York City rental market back 20 years.

Conclusion

This is a complex topic, and while it may not be popular to those who do not understand the nuances, I argue that it is simply misunderstood and does not warrant this misguided bill. If passed, this legislation will create more lose-lose situations, which the industry and the public have already experienced in the past and that continue to fester today.

I'd like for everyone and anyone reading this to know that I will gladly make myself available and I invite and welcome anyone on the City Council to meet with me directly to address any of your questions or discuss any concerns that you may have in more detail about any topics that I have shared today. I am also open to discuss alternatives that could satisfy the city council's goals without harming the public or interfering with the hard work brokers do.

Thank you for your time.

Bruno Ricciotti

Co-Founder and Principal Partner

Bond New York Properties



OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committee on Consumer and Worker Protection
Hearing on Intro 360/FARE Act
June 12, 2024**

Good morning Chair Menin and thank you for holding this hearing today, and thank you to Council Member Ossé for introducing this important and common-sense bill.

No one here, not even the landlords, needs me to tell you that we are experiencing a housing crisis. New York City's vacancy rate is the lowest it's been since 1968. Fewer apartments are available across all rent levels, meaning it's especially difficult right now for low- and moderate-income New Yorkers to find and secure housing.

Meanwhile, market rents have increased about 17% since 2020 and are continuing to go up. According to Apartments.com, the average rent for a one-bedroom apartment in Brooklyn is \$2,693 per month. By Federal affordability standards, someone would need to make over \$100,000 per year to afford that apartment. It is also becoming more difficult to qualify for affordable housing. The Area Median Income for New York City – the metric used to decide who qualifies – has increased 30% since 2021, yet I think we would be hard pressed to find any renter whose wages have increased 30% in that same amount of time. It is no surprise that the families leaving the city at the fastest rate are people of color who make between \$32,000-\$65,000 per year, according to the *New York Times*.

With more people looking for market-rate housing and fewer units available, it is critical for us to address the barrier to entry that broker fees create. You've all heard the horror stories: a \$15,000 or \$20,000 fee to secure a rent-regulated unit, an exorbitant fee paid to a broker that the tenant never even met. These stories are unacceptable, but even the average broker fee can mean the difference between a family being able to secure housing in this city and not.

Back to that "average" \$2,693 per month apartment in Brooklyn. With first month's rent, last month's rent, and an "average" security deposit of 15% of the yearly rent, a single person or couple would have to pay more than \$10,000 up front just to secure that apartment. That's a huge amount, even if the monthly rent would be affordable to them. And because White households are more likely than Black and Latino households to have liquid assets such as savings accounts, broker fees aren't just a barrier, they are a fair housing issue.

Again, this bill is just common sense. While some may claim that this will negatively impact the job market for brokers, the truth is that many no-fee apartments already operate this way, with landlords employing brokers. And prospective tenants will still be able to enlist the fees of a broker if they choose to do so. In every other industry, if you want a service, you pay for that service. There's no reason real estate should be any different. Making this simple change will increase housing access and choice for tenants at all income levels and help keep our city vibrant and diverse.

Thank you again for holding this hearing. I urge the Council to move quickly to pass Intro 360.



Chinese-American Planning Council, Inc.
Testimony Before the New York City Council Committee on Consumer & Worker
Protections
Chair, Council Member Julie Menin
June 12th, 2024

Thank you Chair Menin and members of the City Council for the opportunity to testify. The mission of the Chinese-American Planning Council, Inc. (CPC) is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities. CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965. Our services have expanded to include three key program areas: education, family support, and community and economic empowerment.

CPC is the largest Asian American social service organization in the U.S., providing vital resources to more than 80,000 people per year in all five boroughs through more than 50 programs at over 30 sites. CPC employs over 700 staff whose comprehensive services are linguistically accessible, culturally sensitive, and highly effective in reaching low-income and immigrant individuals and families. With the firm belief that social service can incite social change, CPC strives to empower our constituents as agents of social justice, with the overarching goal of advancing and transforming communities.

CPC strongly supports the Fairness in Apartment Rentals (FARE) Act, which would require the party who hired the broker to pay the broker fee. CPC serves a large immigrant population and it is crucial that we acknowledge that immigrant New Yorkers face disproportionate housing barriers. During the COVID-19 pandemic, [we surveyed over 1,000 AAPI New Yorkers](#) and we found that more than 3 out of 4 individuals needed assistance during this time, with 26% of respondents needing help with housing and 26% needing help with utility bills. However, this was an issue even before the COVID-19 pandemic with immigrants more likely to be increasingly rent-burdened, live in overcrowded spaces, and live in substandard conditions that don't receive regular maintenance. First generation immigrants are more likely to be low income and significantly rent-burdened (more than 50% of income for rent) than second generation immigrants, at 19-35%. AAPI immigrants are also more likely to live in multi-generational households, which are more prone to crowding. In fact, according to 2021 data from the [Asian American Federation Data Center](#), they found that 49.5% of Asian households in New York are rent-burdened and 12.2% of Asian households are overcrowded. Additionally, AAPI immigrants face significant language barriers and access to public housing and assisted living. In combination with the long waiting lists of NYCHA and Section-8 Housing, AAPI immigrants are left with fewer opportunities to find truly affordable housing.

However, even when our community members find housing that is suitable for them, they are subjected to astronomical and unfair hidden and broker's fees. It is unconscionable in one of the wealthiest cities in the world that we are continuing to prey on low-income and working class families. And the affordability crisis is driving New Yorkers out of the city. The Fiscal Policy Institute recently reported that households with young children are [40% more likely to leave our state, and 2x as likely to move out of NYC](#). This is due to the high cost of living especially with the administration's cuts to child care and increasing housing costs. [Studies](#) have continuously

shown that housing shortages cause rent and homelessness to rise. In fact, rent growth is higher in areas that add less housing.

In order to address the housing affordability crisis and empower our working class New Yorkers, we need to pass the FARE Act immediately.

We thank you for the opportunity to testify and for Council Member Osse's leadership and we look forward to working with the Council to ensure the passage of this bill.

If there are any questions, please reach out to Ashley Chen, Policy Analyst at achen9@cpc-nyc.org.



June 12, 2024

CHIP Testimony on Int 360-2024 Broker Fees Bill

Thank you for holding this hearing today. I am Adam Roberts, Policy Director for the Community Housing Improvement Program (CHIP). We represent New York's housing providers, including apartment building owners and managers. Our members operate rent-stabilized housing, which contains 1 million units of housing in New York City, making up 40% of its rental housing and the vast majority of its affordable housing.

We have serious concerns about the repercussions Int. 360-2024 would have for current and prospective tenants in rent-stabilized housing. This bill will significantly add to the cost of apartment turnover. There are already tens of thousands of vacant rent-stabilized units, since operating and turnover costs far exceed legal rents.

Rather than address the core issues behind high housing costs and a tight rental market, this bill would exacerbate those conditions. Int. 360 would be another in a long list of laws that adds more cost to provide rent-stabilized housing, despite those buildings having no means of recouping these additional expenses.

This is particularly troubling because rent-stabilized housing finds itself in a major financial crisis. Net operating income for older rent-stabilized buildings has fallen consistently across the city for three years in a row. In 2022 alone, there was a 20% drop for Bronx buildings. Meanwhile, the lenders who fund capital expenditures have either collapsed or are near collapse, like Signature Bank and New York Community Bank, or have severely restricted lending like HPD. This council cannot add further expenses to this already distressed housing stock.

Furthermore, this bill removes one of the primary financial advantages voucher holders have over other prospective renters, which is that vouchers cover brokers fees. With thousands of voucher holders waiting to be housed, this council cannot reduce incentives to help those households find permanent housing.

We share the council's desire to reduce housing costs on tenants, but this bill would further defund rent-stabilized housing while also reducing the incentive to house voucher holders. Rather than passing this bill, the council should be pursuing other measures that will actually decrease rents, particularly increasing the supply of housing available and ensuring existing housing can be maintained and re-rented after a vacancy.

Again, thank you for holding this hearing today.



**NEW YORK CITY
CENTRAL LABOR COUNCIL, AFL-CIO**

President
VINCENT ALVAREZ
Secretary-Treasurer
JANELLA T. HINDS

**Testimony of Brendan Griffith
Chief of Staff, New York City Central Labor Council, AFL-CIO
before the
NYC Council Committee on Consumer and Worker Protection
regarding
Support for the Fairness in Apartment Rental Expenses Act
June 12, 2024**

Good morning, Chair Menin and members of the Council's Committee on Consumer and Worker Protection. My name is Brendan Griffith, and I am the Chief of Staff at the New York City Central Labor Council, AFL-CIO. Over 300 unions are part of the CLC and those unions represent over 1 million workers across all five boroughs of our City. We strongly support Intro. 360 which requires the party retaining the services of a broker to pay the broker.

Today, New York City is still a city where a majority of households, 69 percent, rent their homes. Currently, the median asking rent for an apartment is \$3,500, a staggering \$42,000 per year. In addition to meeting that high monthly rent, most tenants who want to move into a new apartment are forced to pay broker fees even when they did not retain the services of that broker and/or were able to find the apartment on their own. The resulting upfront costs of moving have made it even more difficult for working New Yorkers to find affordable housing within New York City.

With rental costs already accounting for more than 30 percent of New Yorkers' income, many of our members are already rent burdened or, at 50 percent of their income, *severely* rent burdened. That's before even accounting for substantial payments to third parties they had no choice in retaining. The current state of affairs has contributed to making NYC unaffordable for working families. Intro. 360 eases some of that burden by ensuring that, like in almost every other city in the U.S., the person who decides to hire a broker is the one who will pay for their services. By shifting the burden of some of these upfront costs back to the party who hires these brokers, the FARE Act brings us one step closer to ensuring that everyday working families are able to live and thrive in New York.

I would like to end by stating that the CLC and our affiliates appreciate the opportunity to testify in support of this much-needed legislation. We look forward to continuing to work with this committee as well as the Department of Consumer and Worker Protection in developing policies that will improve the lives of working people in New York City.



Testimony in support of the FARE Act (Intro 360)

Communications Workers of America, District 1

June 12th, 2024

Thank you, Chair Julie Menin and Council Member Chi Ossé, and the members of the Committee for holding this hearing. My name is Mia McDonald and I am the Deputy Legislative Director of Communications Workers of America, District 1.

CWA District 1 represents nearly 145,000 workers belonging to almost 200 CWA local unions in New York, New Jersey, New England, and eastern Canada. Our members work in telecommunications, healthcare, the public sector, higher education, social work, printing, publishing, newspapers, broadcasting, and many other fields.

Nearly 80,000 CWA members and their family members live in New York City, many of whom are feeling the impact of the City's housing and affordability crisis. According to a report by the New York State Comptroller, over 48% of renters in New York City are cost-burdened, paying over 30% of their gross income in rent. Wages have not kept up with rising rents and inflation, making it no surprise that lower and middle-income New Yorkers are far more likely to move out of New York City, while the millionaire class grows.

Rising rents and costs of living, along with many other factors, force New Yorkers to consider moving, an already daunting process made even more challenging by exorbitant forced brokers' fees, which are often 15% of the annual rent. We want working class New Yorkers, already faced with many barriers in their search for housing, to have the option to stay in New York City. Addressing the upfront costs of moving is a crucial step in ensuring working families can thrive here.

We urge the City Council to pass the FARE Act, which will require the party who hires the broker to pay the broker fee. This will alleviate a major burden on renters and create a more fair system in rental housing. In addition, it will bring New York City in line with the vast majority of other cities.

Thank you again for holding this hearing, and we're looking forward to the swift passage of the FARE Act!

Testimony on the FARE Act

June 12th, 2024

TESTIMONY: Pass the FARE Act and Combat Unfair Brokers' Fees

Thank you, Council Member Menin and the Committee on Consumer and Worker Protection for holding this hearing on an important piece of legislation. My name is Samuel Stein, and I am a senior policy analyst at the Community Service Society of New York (CSS). For over 175 years, the Community Service Society has directly aided and advocated for low-income New Yorkers. Throughout that time, we have maintained a focus on housing affordability, housing quality, and housing stability, particularly for the city's majority of renters.

We are here today to testify in strong support of Intro 360, better known as the Fairness in Apartment Rental Expenses (or FARE) Act. The bill is remarkably simple and reasonable; in fact, it should be shocking and embarrassing that this is not already the practice – let alone the law – in New York City.

The FARE Act simply says that the party who hires a broker should pay that broker's fee. That's it.

Today tenants have to pay high fees for brokers that their future landlord hired. Often, these brokers have no interaction whatsoever with the future tenant. Broker fees can cost thousands of dollars and make apartments that might otherwise be attainable out of reach to low- and moderate-income tenants – which is to say most tenants, given that the median renter household in New York City earns just 59% of the Area Median Income. In an already tight housing market, this makes moving even less possible for most households, leaving them vulnerable to unfair treatment by the landlord they have today.

A City of Movers

The [select initial findings](#) from the most recent New York City (2023) Housing and Vacancy Survey (HVS) – the survey designed by the Department of Housing Preservation and Development and conducted every three to four years by the US Census Bureau – contained remarkable new data about household mobility. According to the survey, 761,200 households – or more than one and five New York City households – moved into their home in either the year 2021 or 2022. This is a 44 percent increase in movement relative to 2021, and it runs counter to national data from the same time.

Most (57 percent) of those who moved ended up in market-rate apartments. This was not because of any preference or love for the “free market,” but rather because that was the subset of the market. where most available apartments could be found. Market rate apartments, however, very likely to come with broker fees, and, given the rents in many of these apartments, those fees are quite high.

No Money to Move

Tenants, however, often do not have the money necessary to pay a broker fee, on top of a security deposit and first month's rent. Every year, CSS conducts an annual survey of New Yorkers' experiences and opinions called the "Unheard Third." In the most recent survey, conducted in July 2023, we found that most tenants have very little to fall back on, and therefore would have little ability to pay an expensive broker's fee on a new apartment.

A majority of our tenant respondents said they could not cover a \$400 expense. Instead, tenants told us they would have to take on debt, borrow from friends or family, or sell something in their possession. When we asked about how much money New Yorkers have in savings, we found that while half of homeowners answered "\$10,000 or more," while the most common response for public, subsidized housing and rent regulated tenants was between zero and \$99. The percentage with nothing at all in savings ranged from 39 percent of market-rate renters to 63 percent of public housing residents.

Meanwhile, while 40 percent of homeowners reported that they "never" have to worry about family expenses, fewer than 20 percent of renters could say the same. For public and subsidized housing residents, the most common answer to that question was "all of the time," while for market-rate and rent stabilized tenants it was "some of the time."

The findings of the HVS and the Unheard Third Survey show that tenants in a tightening bind: more and more of them are having to move, but few have the money to afford the costs associated with moving. There is much more that needs to be done to unwind this bind, from increased wages to more social housing, but the simplest thing the City can do *right now* is to pass the FARE Act.

The Wrong Kind of New York Exceptionalism

In many ways, New York is ahead of the United States when it comes to housing. We built the first public rental housing in the nation. Our rent stabilization system features some of the country's strongest tenant protections. But when it comes to broker fees, our city is a strange and regressive outlier: New York is the only city in the United States where the tenant is expected to pay their would-be landlord's broker fee. The solution to this problem is so simple and straightforward that it boggles the mind as to why it is not already law.

Passing the FARE act will not mean that brokers are not paid; it will simply mean that the party who hires them pays them. It will not raise rents, since for-profit landlords already charge the maximum price the market can bear or the relevant regulations allow. This bill will hurt no one, while helping hundreds of thousands of New Yorkers every year. We call on the City Council to pass the FARE Act immediately and bring New York City in line with every other city in this country.

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June 12, 2024
10:00 AM



**NYC Council Committee on Consumer and Worker Protection
Public Hearing - The Fairness in Apartment Rental Expenses (FARE) Act**

**Testimony of Esteban Girón
Member, Crown Heights Tenant Union (CHTU)
Member, Tenants PAC Board of Directors**

Good morning. My name is Esteban Girón and I am a member of the Crown Heights Tenant Union (CHTU) and serve on the Tenants PAC board. Thank you, Chair Menin, members of the Committee and Council Member Ossé, for this opportunity to testify today.

The General Membership of the CHTU is proud to support this legislation. Council Member Ossé's district includes areas where we organize, and he and his staff sought our input in the drafting and development of this bill. Today you will hear a lot of horror stories from tenants who went through hell to secure a home, so instead, I want to direct my remarks to the brokers who oppose the bill.

I've reviewed REBNY's explainer video and talking points. Do they really expect any reasonable person to accept that they, the organization that has done everything in its power to raise rents, strip tenants of basic protections and destroy rent stabilization - THAT REBNY - wants to protect renters from rent increases? This is the same organization that spent MILLIONS of dollars on lobbyists and a misinformation campaign to stop Good Cause Eviction from becoming law and is still attempting to roll back the 2019 HSTPA. They've used our rent money to hire attorneys to help them undo rent stabilization at the Supreme Court. Let's be clear: REBNY does not want your rent to be affordable!

Brokers, don't let yourselves be gaslit. REBNY's talking points affirm that your yearly income starts at around \$52,000; this is unconscionable coming directly from the wealthiest landlords and developers in the world who sustain their profits on your backs. The fact that this is your starting salary only proves that REBNY doesn't give a sh*t about you and is not acting in your best interests. All of you are workers, and a large number of you are renters who are being exploited at your jobs and forced to spend way too much of your income on your housing. The fact of the matter is that you have more in common with me than you do with James Whelan or Daniel Brodsky or Stephen Ross. We should be on the same side.

Tenants may not have millions of dollars to blow on lobbyists and consultants, but we do believe and fight for tenant and worker power. And considering we won the passage of the Right to Counsel, the 2019 HSTPA, new Good Cause protections and the rejection of every case brought against rent stabilization to the Supreme Court, I would encourage brokers to join our ranks and stop playing for the losing team.

The CHTU urges the New York City Council to stand up for the rights of workers and tenants and brokers by passing this bill without delay. Thank you.

Testimony to City Council Committee on Consumer and Worker Protection Hearing

Submitted to the City Council Committee on Consumer and Worker Protection on June 14, 2024

Prepared by Melinda Wang, Research and Advocacy Manager of Dance/NYC

Thank you for your consideration of this testimony, submitted on behalf of Dance/NYC ([Dance.NYC](https://dance.nyc.org/)), a service organization that reaches over 6,000 individual dance artists, 1,700 dance entities, and the many for-profit dance businesses based in the metropolitan New York City area. Its areas of service are of special benefit to BIPOC (Black, Indigenous, and Peoples of Color), immigrant, disabled, low-income, and small-budget dance workers. Through its action-oriented research and advocacy, Dance/NYC seeks to represent and advance the interests of the dance field. It embeds the values of justice, equity, and inclusion into all aspects of its operations and frames the following requests through the lens of those values.

Dance/NYC urges you to **pass the Fairness in Apartment Rental Expenses (FARE) Act**. Ending forced broker fees is vital to ensuring that dance workers, and New Yorkers as a whole, are able to live and prosper in New York City.

Dance and cultural workers are a part of New York City's working class. Our constituents, in addition to shaping the lively cultural and tourism landscape of our city, are educators, healthcare workers, food service workers, hospitality workers, and more.¹ Like much of our city's working class, **dance workers are struggling under the conditions of the current housing crisis.** Based on Dance/NYC's most recent 2023 report¹, average dance worker wages sit 15% below the New York City living wage. Dancers and choreographers, on average, earn just \$23,000 a year from dance, and \$39,500 total. Immigrant and transgender/gender-expansive (TGE) dance workers earn even less. **The median asking rent for a New York City apartment**

¹ State of NYC Dance 2023: Findings from the Dance Industry Census.

https://hub.dance.nyc/wp-content/uploads/2023/12/State-of-NYC-Dance-2023-Report-FINAL-23_12_11_ACC.pdf

in 2023 was \$3,500²-- this is 82% more than the average dancer's monthly pre-tax income from dance, and \$210 more than the average dancer's total pre-tax income from all sources. When a household would have to earn \$140,000 to not be rent-burdened— that's *three and a half times more* than dancers earn from all income streams— it is clear that dance workers are struggling to afford the city they call home.

This affordability crisis comes to a peak when dance workers move. **Dance/NYC's 2021 survey found that 29% of New York City dance workers needed additional funds for housing and 45% needed funds for groceries.³** This makes dance workers vulnerable to sudden moves when rents rise or life circumstances change. When these moves happen, the high burden of paying rent, a security deposit, and a hefty broker fee on top of that is simply untenable. For many, this means taking money out of savings. As **62% of artists in New York State have no emergency savings,⁴** arts and cultural workers are left with very few options. Many are faced with the prospects of either living in unsafe and unstable housing, or leaving the city altogether.

Dance and cultural workers want to live and stay in New York. Our city is a major cultural capital of the world, with the dance industry alone contributing an estimated \$300 million⁵ annually to the local economy. The arts and culture sector is the number one driver of tourism to the city and accounts for nearly 13% of New York City's total economic output.⁶ It is clear that **dance and other low-wage workers make New York City what it is. But rising rents and high moving costs are displacing everyday New Yorkers and fundamentally changing the important cultural landscape of the city.** We need urgent action on housing to protect low-wage workers as well as our city's status as an arts and culture haven.

By eliminating forced broker fees, the FARE Act can intervene at a crucial moment of instability in tenants' lives. When landlords hire brokers, tenants should not have to be the ones to pay. Lifting this burden increases fairness and transparency, boosting affordability and allowing cultural and other low-wage workers to stay in the city. **By passing the FARE Act, the Council**

²Office of the New York City Comptroller (2024). *Spotlight: New York City's Rental Housing Market*. <https://comptroller.nyc.gov/reports/spotlight-new-york-citys-rental-housing-market/>

³ Dance/NYC Data on Independent Dance Workers 2021. <https://www.dance.nyc/covid-19/Impact-Survey/IndependentDanceWorkerData>

⁴ <https://www.creativesrebuildny.org/2024/05/30/portrait-of-ny-state-artists/>

⁵ State of NYC Dance 2016 & Workforce Demographics 2016. <https://www.dance.nyc/uploads/State%20of%20NYC%20Dance%20and%20Workforce%20Demographics%20Online%20Version.pdf>

⁶ Office of the New York City Comptroller (2019). *The Creative Economy: Art, Culture and Creativity in New York City*. <https://comptroller.nyc.gov/reports/the-creative-economy/>

has the opportunity to uplift tenants and workers, building a city that is affordable, safe, and culturally inclusive for all. We thank you for considering the needs of our constituents as you move forward.

Brian Phillips, Associate Broker
New York State Association of REALTORS®
Int. 360 Testimony
June 12, 2024

Good morning/afternoon Chair Menin and members of the Committee on Consumer and Worker Protection. My name is Brian Phillips. I am an Associate Broker with Douglas Elliman Real Estate here in Manhattan, where I both live and earn a living. I am a member of the New York State Association of REALTORS®, where I am the 2024 Chair of the New York City Issues Working Group and serve on the Legislative Steering Committee. Many NYSAR members are here in attendance with me today. Additionally, I am a member of the Real Estate Board of New York. As a small landlord and real estate agent, I specialize in rentals as a key part of my business.

As a small landlord, I have faced significant financial pressures due to rising real estate taxes and homeowner's insurance costs. These increases have forced me to raise rents, a situation shared by many of my landlord clients. This financial strain is further complicated by the proposed requirement for landlords to pay the brokerage fee when hiring agents on an exclusive basis. This requirement could lead to two likely outcomes:

1. Landlords may incorporate the broker fee into the rent, spreading it over the entirety of the lease. This would result in higher monthly rents and increased lease renewal rates which are based on the last rented price.

2. Alternatively, landlords might opt not to list with agents exclusively. This means tenants would have to pay the brokerage fee, and listings would not appear on platforms like StreetEasy, which require exclusive listings. In Manhattan, rental listings do not syndicate to Zillow unless they are first listed on StreetEasy.

Consequently, available listings would become harder to find for renters.

As agents and brokers, we cover the costs of professional photography, floor plans, and 3-D video tours, which can easily range from \$300 to \$500 per listing. Additionally, listing apartments on StreetEasy costs \$8 per day per rental listing, totaling \$240 per month per listing. These service expenses enhance our listings and improve the consumer experience. Without exclusive listings on platforms like StreetEasy, it becomes harder for consumers to find available rentals, reducing listing visibility and negatively impacting renters.

As state licensed real estate professionals we are committed to providing the best service to our clients despite the high cost of doing business in the city.

Although state law prohibits discrimination against “source of income”, government voucher recipients continue to face challenges in finding housing. I have been working with many voucher recipients for six months to a year or more. If landlords are made to pay the brokerage fee, they will be even less inclined to work with voucher holders, preferring renters without vouchers. This will increase source of income discrimination and other fair housing violations.

The FARE Act, while well-intentioned, could lead to higher rents and reduced listing visibility, ultimately harming tenants.

Thank you for considering my perspective.



**TESTIMONY OF LEGAL SERVICES NYC
IN SUPPORT OF INTRO 360, THE FAIRNESS IN APARTMENT RENTAL EXPENSES
ACT (FARE ACT)**

**New York City Council
Committee on Consumer and Worker Protection**

June 13, 2024

My name is Amanda Maisel. I am a member of the Universal Access to Counsel section of the Housing Unit in the Bronx office of Legal Services NYC. Our unit provides free direct legal services to thousands of families and individuals with low or fixed incomes who rent their homes and are at risk of being evicted.

I welcome the opportunity to testify before the Committees on Consumer and Worker Protection to address the impact of the proposed “FARE Act.” I would like to thank the Committee Chairs on Consumer and Worker Protection, as well as the various Committee members, for the opportunity to testify. I would also like to specifically thank Council Member Chi Ossé for his sponsorship of the bill that is the subject of this hearing.

Allocating brokers’ fees to landlords, as proposed in the FARE Act, will create a more equitable rental market. This allocation is fair, in that brokers render a service to landlords, rather than to would-be tenants, by screening and vetting potential renters on their behalf; moreover, it is practical, in that it will create uniformity, consistency, and transparency for all parties entering rental contracts involving brokers and will thus protect the average consumer.

Allocating brokers’ fees to landlords will also help level the playing field for voucher-holders and low-income renters, including elderly and disabled New Yorkers living on social security income. For many of our clients, the additional burden of a broker fee is the difference between being able to move and having to remain in a home that is not appropriate or is not safe. The combined up-front cost of the first month’s rent, a security deposit, and the broker’s fee required for a new apartment makes moving prohibitively expensive. Our clients who use Section 8, FHEPS, or CityFHEPS vouchers to pay their rent rely on HRA to help with broker fees. But even if these tenants are able to secure assistance from HRA to move, HRA often pays less than half of the typical 15% broker fee. These tenants are often unable to pay the remainder of the fee—on top of the first month’s rent and security. As a result, landlords and brokers refuse to work with them.

Being unable to move has severe consequences for many families and individuals. Many of the families we work with have landlords who are not attentive to the need for repairs and ignore housing code violations. I have worked with families who have not had cooking gas in months or even years and cannot prepare meals at home; families who have rodent or bug infestations in their homes and have been requesting professional exterminators for months; families who have had



mold in their homes for so long that they have been hospitalized for mold-related illnesses—even families facing a building-wide listeria outbreak who had to purchase bottled water as their entire building's water was deemed unsafe. In none of these instances have the families or individuals moved, not because they have not wanted to, but because they were economically constrained from doing so or unable to find another apartment with their voucher without assistance with the multiple up-front costs, including the broker fee. The allocation of brokers' fees proposed in the FARE Act would go a long way towards creating a more equitable rental market for the most vulnerable tenants in New York City, and thus improve overall housing access.

Respectfully submitted,

Amanda Maisel, Housing Unit
Bronx Legal Services
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TESTIMONY REGARDING

Intro 0360-2024

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL'S
COMMITTEE ON CONSUMER AND WORKER PROTECTION

PRESENTED BY:

GALI DAVAR
LEGAL INTERN
MOBILIZATION FOR JUSTICE, INC.

JUNE 12, 2024

MOBILIZATION FOR JUSTICE, INC.

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1. Introduction

Mobilization for Justice's (MFJ) mission is to achieve justice for all. MFJ prioritizes the needs of people who are low-income, disenfranchised, or have disabilities as they struggle to overcome the effects of social injustice and systemic racism. We provide the highest-quality free, direct civil legal assistance, conduct community education and build partnerships, engage in policy advocacy, and bring impact litigation. MFJ also promotes diversity, equity, and inclusion in our workplace, and understands the need to eliminate all racial disparities to achieve justice for all.

MFJ appreciates the opportunity to share with the New York City Council Committee of Consumer and Worker Protection our support of initiative 0360-2024, the FARE Act. Broker fees make NYC rental housing unaffordable before renters even step foot inside. High upfront costs contribute to a housing affordability crisis that especially burdens low-income New Yorkers. Broker fees also prevent vulnerable renters from moving in times of need, such as to escape domestic violence or leave dangerous conditions, or when facing a no cause eviction or moving to an accessible apartment. The FARE Act is a step in the right direction to address the housing affordability crisis by reducing upfront costs that prevent renters from moving where and when they need.

2. Broker fees contribute to burdensome upfront moving costs.

Broker fees make it difficult for low-income New Yorkers to move by creating massive upfront costs. Currently, many renters who want to move must save up for months to afford high upfront costs.¹ Renters may want or need to move into new apartments for all kinds of urgent reasons, like to escape poor housing conditions, flee domestic violence, or find a home that's more accessible for one's disability. Beyond implicating the basic freedom to live where one chooses, many of those needs are more prevalent among renters of color and lower-income renters.² Thus, the burdens imposed by broker fees aren't just barriers to moving, but also barriers to racial, gender and economic equality.

For example, A.L., is a mother of three, needed to move after having a baby for a home more appropriate for her family in the Bronx. Even after obtaining government assistance to pay for half the broker fee, she still needed \$1,700 for the balance that put her ability to move at risk without the assistance of MFJ.

¹ Kenny Lee, *The Average New Yorker Spends \$10,454 in Upfront Costs for a Rental*, StreetEasy (Feb. 10, 2024), <https://streeteasy.com/blog/new-yorkers-spend-over-10k-in-upfront-rental-costs/>.

² See e.g., U.S. Census, *2023 New York City Housing and Vacancy Survey* 51 <https://www.nyc.gov/assets/hpd/downloads/pdfs/about/2023-nychvs-selected-initial-findings.pdf> (showing renter households headed by Black individuals and households with lower incomes experience more serious housing issues); Mayor's Office to End Domestic and Gender-Based Violence, *2020 Report on the Intersection of Domestic Violence, Race/Ethnicity and Sex* 1-4 (Sept., 2021) <https://www.nyc.gov/assets/ocdv/downloads/pdf/endgbv-intersection-report.pdf> (identifying increased prevalence of domestic violence in certain communities of color and communities in poverty); Nanette Goodman et al., *Financial Inequality: Disability, Race, and Poverty in America* 5-6 (2019) <https://www.nationaldisabilityinstitute.org/wp-content/uploads/2019/02/disability-race-poverty-in-america.pdf> (identifying links between race, class, and disability).

Jean M.'s landlord asked her to move when her lease expired. As a senior citizen on social security, her options were limited. Even after being awarded a rent subsidy, the broker fee cost was a major barrier for her to move despite the fact she was facing an eviction and she feared missing out on apartments and being homeless.

Typical broker fees are 12-15% of the annual rent, but there is no legal cap.³ Some brokers attempt to charge fees as high as 40% of the annual rent for rent stabilized units.⁴ In 2023, the average New Yorker spent \$10,454 in upfront costs for a rental, amounting to 14% of the city's median household income.⁵ The largest of these expenses is often the broker fee.⁶ Broker fees are unique of the upfront fees. Tenants can shop around for a mover or move themselves if they are physically able. First month's rent and security deposit also contribute to upfront rental costs, but the first month's rent is a part of expected annual rent payment, and security deposits are returned at the end of the lease. Brokers are chosen by those who do not pay, so there is little accountability or market pressure for reasonableness in the fees.

When vacancy rates for affordable apartments are below 1%, then the choices are far and few between so those most economically disadvantaged are the most exploited. Upfront rental costs place a disproportionate burden on low-income New Yorkers. Luxury apartments, with higher monthly rents and desirable amenities, are more likely to be listed without a broker fee than more affordable options.⁷ Only 22% of New Yorkers can afford high upfront moving costs out of pocket.⁸ The rest rely on gifts from family and loans when moving into new apartments.⁹ A 2023 survey found that for nearly three in four NYC renters, high upfront costs affected their move.¹⁰ The upfront cost of moving impacted the homes 43% of respondents were able to afford, the desire for 25% of respondents to move, and the ability of 23% of respondents to move.¹¹ Further, high upfront costs cause many renters to delay moving or to move to a less than ideal location.¹²

The cost to tenants is magnified by the cost of their labor. Even as renters shoulder more of the burden of finding an apartment on their own in thanks to internet services, broker fees

³ See generally RPL § 238-a (limiting other fees but not broker fees); see also Austin Havens-Bowen, *Are there caps on broker fees for rent-stabilized apartments in NYC?*, Brick Underground (June 30, 2022), <https://www.brickunderground.com/rent/realty-bites-broker-fee-limits-laws-rent-stabilized-apartments-nyc>.

⁴ Molly Osberg, *Want a Rent-Regulated Apartment? Pay This Broker \$10,000*, Hell Gate (June 9 2022), <https://hellgatenyc.com/broker-fees-destroying-affordable-housing>.

⁵ Lee, *supra* note 1.

⁶ *Id.*

⁷ *Id.* (showing the average upfront cost for a no-fee apartment listed on StreetEasy was around \$8,600, compared to over \$12,300 for apartments that required a fee, assuming a broker fee of 12% of the annual rent)

⁸ *Id.*

⁹ Mihir Zaveri, *Boxes, Tape, \$10,000: What It Takes to Move Into an N.Y.C. Apartment*, N.Y. Times (Feb. 12, 2024), <https://www.nytimes.com/2024/02/10/nyregion/moving-costs-brokers-fees-ny-apartment.html>.

¹⁰ Lee, *supra* note 1.

¹¹ *Id.*

¹² *Id.*

have remained the same.¹³ New York's broker fees are a legacy of a pre-internet rental market and keep thousands of New Yorkers locked into apartments and neighborhoods they would not otherwise be in, even as tenants do more of the work to find their home.

3. The current broker fee structure no longer makes financial sense for the City or its economy.

Beyond the benefits to New York renters, the FARE Act is an opportunity to reduce city housing assistance costs and modernize the rental market. The Human Resources Administration (HRA) currently pays broker fees through CityFHEPS and One Shot Deals.¹⁴ CityFHEPS is a rental assistance program for households earning less than 200% of the federal poverty level.¹⁵ One Shot Deals are grants for housing emergencies, with eligibility determined on a case-by-case basis.¹⁶ Through these two programs, HRA pays \$22 million in broker fees every year.¹⁷ The amount HRA pays will continue to increase as rents increase and more vouchers are issued.¹⁸ By reducing the cost of broker fees paid by renters using HRA's assistance program, the FARE Act has the potential to directly reduce costs to those programs and allow more New Yorkers to access housing.

Beyond direct cost savings, the FARE Act will bring the city's rental market in line with almost every other city in the nation. New York City is an outlier in passing broker fees onto tenants, as renters in most other U.S. cities do not have to pay fees for brokers landlords hire.¹⁹ Boston is the only other U.S. city where renters pay the broker fee regardless of who hired the broker.²⁰ In most markets, the landlord's cost of advertising units and vetting new tenants is included in the cost of rent.²¹ Many landlords still employ brokers to market and show properties to prospective tenants, but without charging tenants an upfront fee.²² In some major cities,

¹³ Erin Lowry, *NYC Rents Are Outrageous. And That's Before the Broker's Fee.*, Bloomberg (Nov. 10, 2023), <https://www.bloomberg.com/opinion/articles/2023-11-10/nyc-rents-are-outrageous-and-that-s-before-the-broker-s-fee>.

¹⁴ N.Y.C. Indep. Budget Off., Ban Property Owners from Charging Broker Fees to Renters (Feb. 2023), <https://www.ibo.nyc.ny.us/iboreports/new-options-february-2023.pdf>.

¹⁵ N.Y.C. Dep't Soc. Servs., CityFHEPS Frequently Asked Questions For Clients in the Community (Jan. 4, 2024), <https://www.nyc.gov/assets/hra/downloads/pdf/cityfheps-documents/dss-7r-e.pdf>.

¹⁶ Soc. Serv. § 303.

¹⁷ N.Y.C. Indep. Budget Off., *supra* note 14.

¹⁸ CityFHEPS issues more new vouchers every year, issuing approximately 10,000 new vouchers in 2023. N.Y.C. Indep. Budget Off., Understanding the City Fighting Homelessness & Eviction Prevention Supplement (CityFHEPS) Program: Budget, Usage, Expansion Projections, and Concerns, (Jan. 2024), https://www.ibo.nyc.ny.us/iboreports/CityFHEPS_Jan2024.pdf.

¹⁹ Zaveri, *supra* note 9.

²⁰ Kevin Sun and Katherine Kallergis, *Broker fees for NYC rentals mystified outsiders. Here's how other US cities do it*, The Real Deal (Feb. 7, 2020), <https://therealdeal.com/new-york/2020/02/07/broker-fees-for-nyc-rentals-mystified-outsiders-heres-how-other-us-cities-do-it/>.

²¹ *Id.*

²² *Id.*

tenants can hire brokers to help them find apartments, but landlords pay some of these agencies through referral fees.²³ Adjusting the fee structure would not end the careers of brokers in New York City but align them with nearly every other major city where the brokers would serve the interest of those who pay their fees.

4. The FARE Act is unlikely to result in untenable rent increases and could save some tenants money in the long run.

Opponents to the FARE Act argue that landlords will pass the cost of brokers on to renters by raising rents. However, existing rent regulation protects millions of renters from unrestricted rent increases. Further, any rent increases that do occur would be ameliorated over a 12- or 24-month lease, which is preferable to paying a large sum up front and could still reduce tenants' long-run costs and increase their future bargaining power.

Many of New York's most vulnerable renters are already protected from large rent hikes because of existing regulations. Almost half of New York's rental housing stock is rent stabilized or rent controlled, protecting over one million rental units and millions of individual residents.²⁴ In these units, landlords won't be able to pass on broker fees through rent increases beyond existing rent caps. The FARE Act is unlikely to have a significant impact on current leases in rent-regulated housing, and future renters of these units are protected from drastic rent increases in the form of passed-on broker fees. Further, many of New York's most vulnerable, rent-burdened tenants live in rent-regulated housing.²⁵ This group includes Black and Hispanic renters, disabled individuals, and older adults.²⁶

Second, for renters who are not protected by rent regulation, the benefits of improved tenant mobility and housing accessibility gained by avoiding up-front broker fees outweigh potential rent increases. The key issue that a broker fee presents to tenants is how significantly it increases their one-time costs to move into a new apartment.²⁷ Even if landlords were to increase rent by the exact same amount as a broker's fee would have been, reducing the upfront cost would still make it easier for renters to move when and where they want.²⁸ Landlords also will not need to raise rents by the same amount as a full broker's fee spread over the term of a lease, because they still won't owe broker fees for tenants who choose to renew.

When landlords were required to pay their own broker fees in the past, they did not raise rents as much as a full broker's fee. At least one analysis of the single week in 2020 where the New York Department of State suspended broker fees²⁹ has shown that many landlords chose to

²³ *Id.*

²⁴ U.S. Census Bureau, *supra* note 2, at 6 (indicating that 42.6% of all New York City rental units are rent-controlled or rent-stabilized).

²⁵ *Id.*, at 50 (showing that a majority of households in rent-stabilized housing are either Black or Hispanic, that 31% include an older adult, and that a quarter include a person with disabilities); *id.* at 58 (showing that almost half of Black and Hispanic renter households, as well as more than half of renter households with a person with disabilities or an older adult, are moderately or severely rent burdened). Residents in public housing, who would similarly be protected from broker-fee rent increases, are also frequently members of these groups. *Id.*, at 50.

²⁶ *Id.*

²⁷ See e.g., Lee, *supra* note 1.

²⁸ *Id.*

²⁹ That fee suspension was a result of the DOS's interpretation of the 2019 Housing Stability and Tenant Protection Act and was quickly enjoined by the courts. See e.g., Celia Young, *City*

raise rents less than the full amount of a broker fee.³⁰ More than 70% of the units analyzed in that study had annual rent increases of less than one-month's rent.³¹ That means renters are saving money over the course of their first year in a unit. The analysis found that renters in many neighborhoods would save money over the course of their first year, compared to paying a 15% broker fee.³² The data showed that, for example, in Bushwick, tenants could save about \$2,000 in the first year, despite a 7.8% rent increase; and in Harlem, tenants could save upwards of \$1,300 in the first year despite a 10.9% rent increase, the highest identified by in the analysis.³³ Those savings at move-in mean tenants can switch apartments more easily, increasing their bargaining power and incentivizing landlords to keep rent increases more modest in the long-run.³⁴

5. Conclusion

MFJ urges the City Council to pass initiative 0360-2024 to tackle the housing affordability crisis by reducing upfront housing costs, modernizing the city's broker fee system, and improving housing mobility and accessibility for vulnerable tenants. The current system is failing New Yorkers as broker fees are literal barriers to entry to affordable apartments where brokers are not accountable to those who pay their high fees. New York City should follow nearly every other city to make it easier for those in need to find safe, secure, and accessible housing.

Council bill to shift broker fees to landlords unlikely to pass this year, Brick Underground (Oct. 20, 2023), <https://www.brickunderground.com/rent/broker-fee-bill-fare-act-frozen-chi-osse>.

³⁰ PropertyClub, *New York City Renters Stand to Win Big if Landlords are Required to Pay Broker Fees* (Feb. 13, 2020) <https://propertyclub.nyc/article/new-york-city-renters-stand-to-win-big-if-landlords-are-required-to-pay-broker-fees>.

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*



Neighbors Together

**New York City Council
Committee on Consumer and Worker Protection
FARE Act (Intro 360) Hearing**

**Testimony by Neighbors Together
Written by Amy Blumsack, Director of Organizing & Policy**

June 12, 2024

Neighbors Together would like to thank the Chair of the New York City Council Committee on Consumer and Worker Protection, Council Member Menin, as well as the other council members on the committee for the opportunity to submit testimony.

About Neighbors Together

Neighbors Together is a community-based organization located in central Brooklyn. Our organization provides hot meals five days per week in our Community Café, offers a range of one-on-one stabilizing services in our Empowerment Program, and engages members in community organizing, policy advocacy and leadership development in our Community Action Program. We serve approximately 100,000 meals to over 12,000 individuals per year. Over the past year alone, we have seen a 63% increase in the number of meals we are serving, and we see new people on the line every day.

Our members come to us from across the five boroughs of New York City, with the majority living in central Brooklyn. Nearly 60% of our members are homeless or unstably housed, with a significant number staying in shelters, doubled-up with relatives or friends, and living on the street. Approximately 40% of our members rent apartments or rooms in privately owned homes, or live in rent stabilized units.

Over the last five to ten years, our members increasingly report that homelessness and lack of affordable housing options are their primary concern. Our data backs the anecdotal evidence we see and hear from our members daily: an increasing number of our members are either living in shelter with vouchers for years at a time, ineligible for a voucher, or unable to find permanent housing due to rampant source of income discrimination and a vacancy rate of under 1% for affordable housing units in New York City.



Our Work with Voucher Holders

Neighbors Together has been organizing voucher holders since 2018. We conduct Know Your Rights trainings on how to identify and report source of income (SOI) discrimination, and Housing Search Workshops where voucher holders get additional support in their housing search and assistance on filing source of income discrimination complaints to the City Commission on Human Rights (CCHR) when needed. We work closely with CCHR to ensure that source of income discrimination reports are effective and have the best possible outcomes for our members. We also partner with CCHR on their restorative justice set-aside program to ensure that set-aside units obtained through settlements are most likely to go to people in need as efficiently and effectively as possible. Additionally, in partnership with Unlock NYC, we built and launched the Stop Source of Income Discrimination (SID) NYC website, which provides information about source of income discrimination and how to report it as well as a mechanism for reporting via the website.

We work closely with Unlock NYC to improve New Yorkers' ability to utilize their vouchers. Starting in 2019 our members worked with the Unlock team to design and test an online tool to help voucher holders easily report source of income discrimination. The tool has enabled hundreds of our members to quickly and easily gather evidence and report source of discrimination to CCHR. In our partnership with Unlock NYC, we have released multiple reports on source of income discrimination and voucher efficacy, including "An Illusion of Choice," the SOI mapping tool, the "Serial Discriminators List", as well as ongoing budget advocacy to ensure CCHR is adequately funded to enforce against SOI discrimination.

After over a year of collecting data through the Stop SID NYC website, running know your rights trainings and conducting housing searches for people with vouchers, Neighbors Together built a grassroots organizing campaign of directly impacted people who had voucher shopping letters but couldn't find housing. The **VALUE in Housing (Voucher Advocates Lifting Up Equity in Housing)** campaign created a platform of 5 policy reforms aimed at making vouchers effective tools for accessing permanent affordable housing. Since launching in 2019, the VALUE in Housing campaign has won a significant portion of its platform, including:

- Ensuring that CityFHEPS voucher holders receive know-your-rights information about SOI discrimination upon receipt of their shopping letter
- Increasing the size of the source of income unit at CCHR
- Increasing the payment standard of CityFHEPS to fair market rent
- Improving income requirements for CityFHEPS vouchers so that recipients can increase their income until they are financially self-sufficient without fear of losing their voucher.



Support of the FARE Act

Neighbors Together supports Intro 360, also known as the FARE Act, and encourages City Council to pass this bill into law swiftly. With over 60% of our members being homeless or unstably housed, a rental assistance voucher can act as a lifeline. However, not all vouchers pay for brokers fees; Section 8, one of the most well-known vouchers, does not cover brokers fees. Prospective tenants with Section 8 end up stuck in homelessness because brokers fees are prohibitively expensive.

People with rental assistance vouchers receive them because they are low-income or working class, and need income support. Requiring someone with a voucher to pay a broker's fee can act as a subtle form of source of income discrimination, which is illegal in both New York City and New York State. If and when voucher holders do have to pay brokers' fees, they end up paying a significantly higher portion of their income towards broker fees than many prospective renters, making brokers fees an issue of equity.

The city recently opened the waiting list for Section 8 vouchers, and over 600,000 households (over three times more households than available waitlist slots) applied. These numbers demonstrate the severe need for affordable housing targeted to 30% AMI or below, but they also serve as further evidence of the need for the FARE Act- if over 600,000 households need income support through a rental assistance voucher, then those 600,000 households will likely be unable to afford brokers fees, which are not covered by Section 8. CityFHEPS vouchers do cover broker fees of up to 15% of annual rent, but if this cost were footed by the person who hired the broker, it would create cost-savings for New York City. Additionally, if the FARE Act were passed, it would remove the incentive for brokers to discriminate against voucher holders.

Even tenants renting with cash can find it difficult to afford brokers fees. There have been documented instances of brokers essentially holding hard-to-come-by rent stabilized apartments hostage by requiring an exorbitant broker's fee. According to the New York Times, the average upfront cost of moving, including first month's rent, security deposit, and broker's fee, was more than \$10,400 in 2023- the "largest sum in more than a decade and nearly 30 percent above the pre-pandemic figure in 2019."

Conclusion

In order to address the historic homelessness and housing crisis in New York City, Council must do everything in its power to remove barriers to housing for working class and low-income New Yorkers, and the FARE Act is a common-sense way to do just that. Passing the FARE Act will help make housing more accessible for tens of thousands of households with rental assistance vouchers, and will remove barriers to housing for other prospective tenants as well. City Council should vocally support and pass the FARE Act immediately.



For questions regarding this testimony, please contact Amy Blumsack, Director of Organizing & Policy at Neighbors Together, at amy@neighborstogether.org or 718-498-7256 ext. 5003.



New York State Association of REALTORS®, Inc.

New York State Association of REALTORS®, Inc.

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June 12, 2024

New York City Council
Committee on Consumer and Worker Protection
New York City Hall
New York, NY 10007

RE: Testimony on Int. No. 360 (FARE Act)

The New York State Association of REALTORS® (NYSAR) thanks the Committee on Consumer and Worker Protection for the opportunity to submit written testimony on behalf of its more than 13,000 members living and working in New York City.

NYSAR strongly opposes Int. No. 360 (Osse) as it will harm renters and real estate licensees alike. Renters and real estate professionals in New York City are navigating the largest and most complex residential rental market in the United States, which suffers from historically low inventory and high rents due to failed policies.

The effort to eliminate broker's fees is the latest in a long list of efforts to artificially address the high cost of housing in New York by city and state governments alike. Existing rent regulation laws have done nothing to address the affordability crisis. More recently the passage of Good Cause Eviction laws and laws preventing rental resets have resulted in the prevention of thousands of housing units coming onto the market. Adopting a law that limits broker fees will once again do nothing to address our housing shortage.

The unaffordability of rental housing is driven by the low rate of housing development, which drives up prices. To put things in perspective, a January 2024 report by the New York City Comptroller stated that the median rent for public listed apartments citywide is \$3,500, or \$42,000 per year. The typical broker's fee on a median priced apartment – which is negotiable – would not exceed 15 percent of the annual rent, or \$6,300. Lower priced apartments have lower broker's fees. However, the dearth of lower priced apartments is what makes the rental market in New York City so challenging. The solution is to build more rental housing, including affordable housing, not to shift the responsibility for compensation to an entire class of licensed professionals, as this bill would do.

The intent of the bill is to alter the current practice of a real estate licensee collecting this fee from the renter for their services rendered. Unfortunately, it would harm the renter by leading to higher rents, as the broker's fee would be included in the rent. Furthermore, the broker's fee would effectively be paid each year the lease is renewed, rather than paid once at the onset of the initial lease.

REALTORS® in New York State had an average median gross income of \$36,150 in 2021. Wages for real estate agents in New York City typically start at \$52,000 per year. Thus, many of the same professionals whose compensation model would be altered or eliminated under this legislation are middle income workers also dealing with the high cost of rental housing. As stated earlier, this bill would increase the already high cost of rent for many apartments as landlords will be forced to recoup the cost of compensating real estate brokers for services currently paid for by the tenant. The alternative to landlords not increasing rents to recoup the cost of broker's fees is to eliminate the use of real estate licensees altogether. Landlords would then be responsible for rental transactions directly or would hire unlicensed workers unfamiliar with fair housing laws.

Joe Rivellino
President

Jaclene Rose
President-Elect

Ron Garafalo
Treasurer

Duncan R. MacKenzie
Chief Executive Officer

REALTORS® and other licensed real estate brokers and agents are required by law to complete mandatory fair housing and other continuing education courses to maintain their license with the Department of State. Real estate brokers and agents can be fined or have their license suspended or revoked by the DOS for fair housing violations. Furthermore, multi-family housing providers often rely on the expertise of REALTORS® to list, show and represent the property owner in the rental of their units. Under current practice, the broker's fee is typically paid at the onset of a lease. This upfront payment protects real estate licensees by delinking their compensation from monthly rent payments.

No renter is required to rent an apartment with a broker's fee, as many apartments in New York City do not require the payment of broker's fees. Prohibiting the collection of broker's fees from renters who do not hire real estate licensees would reduce the availability of licensees who work with property owners and drive many real estate licensees away from the rental business – limiting choice for renters.

For these reasons, the New York State Association of REALTORS® strongly opposes Int. No. 360 (Osse) and urges the Committee to not advance this legislation. Thank you for the opportunity to submit written testimony.

The New York State Association of REALTORS® is a not-for-profit trade organization representing more than 64,000 of New York State's real estate professionals. The term REALTOR® is a registered trademark, which identifies real estate professionals who subscribe to a strict code of ethics as members of the National Association of REALTORS®. These REALTORS® are also members of the New York State Association of REALTORS® as well as their local board or association of REALTORS®.

NYSNA Testimony In Support of Intro 460/2024 (FARE Act)

A Local Law to Amend the Administrative Code of the City of New York, In relation to the fees charged in a residential rental real estate transaction

Judith Cutchin, DNP, RN, First Vice President, New York State Nurses Association (NYSNA)

My name is Judith Cutchin. DNP, RN, and I am a nurse at Woodhull Hospital, part of the NYCHH public hospital system. I also serve as the First Vice President on the NYSNA Board of Director.

New York City is in the middle of an acute housing crisis. Rents and home prices are getting higher and higher, homelessness is spreading, and more and more New Yorkers cannot find affordable homes.

As a lifelong New York City resident and front-line nurse at Woodhull for 32.5 years, I have seen first-hand how unaffordable rents impact my patients and my co-workers.

More than half of City renters pay more than 30% of their income on rent, and a third pay more than 50%. Many of our patients are homeless or living doubled up in overcrowded apartments. Unsafe or overcrowded housing and homelessness are major social determinants of community health. The housing crisis is also a public health crisis that affects the prevalence of chronic disease, increases acute health conditions, and lowers New Yorker's life expectancy.

The housing crisis also affects nurses and other frontline healthcare workers. Many nurses, especially those just starting their careers, are being driven out of the City because of high housing costs. High housing costs are fueling the exodus of health workers from the bedside.

The affordability crisis is made worse by the high up-front costs of finding an apartment. Tenants are required to pay application fees, the first month's rent, a month's rent as a security deposit, and, on top of all that, are also forced to pay thousands of dollars to rental brokers who are working for landlords. Most New Yorkers cannot afford these high costs just to find a place.

The FARE Act would help to help to address this major housing barrier by requiring landlords who use brokers to pay the fees themselves. Landlords would no longer be able to hire a broker and make tenants foot the cost.

Though this legislation will not by itself end the housing crisis in New York, it will make it easier for my patients and my co-workers to find a place to live.

NYSNA urges the city council to pass the FARE Act to immediately improve access to housing.

We also urge the council to consider other forceful measures to increase the supply of public housing and affordable private apartments and to reduce costs for rent burdened New Yorkers.



Committee on Consumer and Worker Protection

Testimony in support of Int. 360-2024: FARE Act

06/12/2024

Thank you Chair Menin, Council Member Ossé, and the members of the Committee for the opportunity to share testimony in support of Int. 360. My name is Logan Phares and I serve as the Political Director of Open New York. Open New York is an independent, grassroots, pro-housing nonprofit. We have 12 chapters across the state with more than 600 volunteer members.

New York faces a severe housing crisis. In February, the [New York City Housing & Vacancy Survey](#) revealed that the rental vacancy rate had fallen to 1.4%, the lowest point since 1968, meaning that New Yorkers are experiencing the tightest housing market in decades. Of course, tenants know this crunch better than anyone. Rents are soaring, options for new apartments are limited, and long-time residents are being pushed out of their homes and neighborhoods.

While renters are suffering, landlords have more power than ever. Tenants are essentially forced to accept high rent increases and substandard living conditions, because the average upfront cost for a tenant to move into a different apartment in NYC is now over \$10,000 – that's assuming you can even find a new apartment. And for anyone who wants to move to NYC and follow the dream of so many people before them, it is nearly impossible to find an affordable and safe home.

While it's clear that the City needs a comprehensive approach to increase the housing supply, building the housing we need will take time, and we must find ways to help alleviate the burden of the crisis on renters in the short term as well. Int. 360, or the Fairness in Apartment Rental Expenses (FARE) Act, is one way we can help to reduce the burdens on renters. This is simple, common sense legislation—whoever hires the broker should pay the fee—and it will save many renters thousands of dollars if and when they have to search for an apartment in New York City.

I am here testifying in favor of this bill today on behalf of my organization, but also as a tenant myself. Over the last four years my landlord has raised my rent by nearly 30% and neglected to make much-needed repairs because he knows that moving within NYC is a huge burden. He's right—with so few apartments available to rent and the upfront costs of moving being equivalent to 3 months rent—I have no bargaining power, and my landlord is able to take advantage of that situation.



Your landlord should always be afraid that you can find a new apartment, but until we create more housing and pass much needed reforms like the FARE Act, they will continue to have the upper hand.

We look forward to the passage of this legislation, and to working with the Council to pass City of Yes for Housing Opportunity, so we can start to build more housing in every neighborhood. Thank you for your time and consideration.



Judith Goldiner
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TESTIMONY OF THE LEGAL AID SOCIETY IN SUPPORT OF INTRO 360-24, A LOCAL
LAW TO AMEND THE ADMINISTRATIVE CODE OF NEW YORK, IN RELATION TO
THE FEES CHARGED IN A RESIDENTIAL RENTAL REAL ESTATE TRANSACTION

New York City Council Committee Consumer and Worker Protections

June 12, 2024

Thank you to Chair Menin, Council member Ossé, and the New York City Council
Committee on Consumer and Worker Protection for the opportunity to speak at this very
important hearing.

The Legal Aid Society

The Legal Aid Society (Legal Aid) is the nation's oldest and largest not-for-profit
legal services organization. Legal Aid provides comprehensive legal services in all five
boroughs of New York City for people who cannot afford to pay for private counsel. Since
1876, Legal Aid has advocated for low-income families and individuals and has fought for
legal reform in City, State, and federal courts across a variety of civil, criminal and juvenile
rights matters. Legal Aid takes on 300,000 cases annually, including thousands of cases in
which we fight for the rights of tenants in regulated and unregulated apartments across the

Justice in Every Borough.

city. Legal Aid also takes on law reform and appellate cases, the results of which benefit more than 1.7 million low-income New Yorkers; the landmark rulings in many of these cases have a state-wide and national impact.

The Legal Aid Society welcomes this opportunity to testify before the New York City Council Committee on Consumer and Worker Protections concerning the unjustified and outrageous fees that tenants must pay brokers to access housing in New York City.

Introduction 360-24

The Legal Aid Society strongly supports Intro 360-24. The idea behind this bill is that the party who hires a broker should be the party who pays the broker. This would bring New York City in line with almost every other city in the rest of the country. It is a simple concept, the party that hires a service pays for a service. But where there is scarcity, it is easy to gouge people who are desperate.

Our low-income clients cannot afford to move, even when they are living in dangerous conditions. Tenants who move must come up with the moving costs, security, first months rent and fifteen percent of the annual rent costs for the broker's fee. Moving wipes out any savings our clients have. This might be understandable if brokers provided tenants with a service. Instead brokers provide a service to landlords and then extort money from desperate tenants. For clients on public assistance, public assistance only pays 1/2 the standard broker fee. As a result, these clients cannot get brokers to rent them an apartment unless they pay under the table – money they cannot afford.

Because brokers are unregulated, they are working with landlords to sell low rent regulated apartments to the highest bidder. We have all read stories about brokers asking for a broker's fee that is greater than an apartments annual rent – 15,000 for a 1,100 a month apartment¹, 20,000 for 1,700 a month apartment². The vacancy rate for apartments renting under \$2400 is less than 1 percent. There are almost no vacant apartments affordable to our clients and where brokers are demanding that low-income tenants pay over 10,000 as a brokers fee, it means that this scarce resource goes to high income tenants.

While the work that brokers do has changed significantly since the spread of the internet, the cost to prospective tenants has not. Tenants do all the work to find housing and then must pay the broker to access that housing. In a city where housing costs are already out of control, it is nonsensical that there is an industry that provides a service to landlords but relies on tenants to pay them. During COVID, landlords paid the broker fee. That should be the rule again.

While we strongly support the idea behind Intro 360, we have some concerns about the language in the bill. There is no definition of what it means for someone to employ a broker. We are concerned that brokers will avoid the plain language of the law by requiring tenants to sign agreements that they are employing the broker. We also think that there must be language added to prohibit owners from forcing prospective tenants to employ a certain broker. We believe that the definition of employment should clarify that where a

¹ <https://nypost.com/2024/02/08/metro/nyc-tenants-shocked-by-exorbitant-broker-fees-including-15k-to-secure-1100-rent-stabilized-queens-apartment/>

² <https://gothamist.com/news/nyc-brokers-charging-exorbitant-fees-forced-to-pay-260k-in-penalties>

landlord hires a broker to market an apartment, that landlord employs the broker. These are minor changes that should be easy to effectuate. Brokers provide a service but that service is to the landlord seeking to rent an apartment. Tenants are not getting a service, they are merely forced to pay to access apartments.

This bill would help people searching for housing in New York City at all income levels but especially low-income people. We strongly support it.

Conclusion

Thank you so much to Council member Ossé for introducing and championing this bill. Thank you to Chair Menin and the members of the committee for considering this important bill.

Respectfully Submitted:

Judith Goldiner
Attorney in Charge, Law Reform Unit
The Legal Aid Society
49 Thomas
New York, NY 10013
212-577-3332



Licensed Real Estate Broker

Date: 6/11/24

Re: Testimony on Fare Act

In consideration of proposed legislation regarding broker fees and who is responsible for them, we must consider what is the problem we are trying to solve and what are the intended and unintended consequences of remedying the perceived problem. The council person who is proposing the legislation is woefully misguided in terms of the conditions of the market and tools that are used to navigate the market on the tenants' and owners' sides. As brokers it appears we are being targeted as the problem as it relates to affordable housing in NYC. Passing the cost of using brokers exclusively to one party or the other without consideration of market conditions will have a devastating effect primarily on the consumer.

If a tenant wishes to lease a unit without using a broker, they have that opportunity readily available. If legislation is required to fix the problem, I will ask the council to consider whether there is a problem. In Brooklyn as of today StreetEasy is showing 4,332 available rental units of which 2,749 are listed as no fee. 100 listings are being advertised by the owner. In Chelsea, Gramercy, West Village, East Village, LES, Noho, and Hudson Yards show 1,964 available rentals of which 932 of them are listed as no fee. Most listings in NYC are also advertised directly to public by the landlord or the landlord's agent by their own marketing outlets and efforts.

I am willing to bet that most landlords have not hired a broker to represent their property. Based on our work and reputation, certain landlords will give permission to several brokers to advertise their units. Only one of which is allowed to advertise on StreetEasy and Zillow sites based off StreetEasy and Zillow protocols and regulations. This should not be interpreted to mean that a broker is the exclusive broker or has been hired by a landlord or that the broker represents the landlord in any way. My knowledge of this is based off 20 years of being in this industry and understanding the nuances of how these relationships are formed working in several major firms and now operating independently as a small business. As brokers or salespersons, we are not considered the landlord's agent but rather a third party. In some instances, we pay our fiduciary responsibilities to the landlord, and in other instances we pay our fiduciary responsibility to the tenant. In some cases, a Broker represents both with advanced dual consent.

The consequences of legislating the broker's fee and who pays the fee will have devastating effects on our industry and will place an untenable burden on all New Yorkers including the wealthy, but particularly those of modest incomes. If the broker's fee is to be paid by an owner, that owner will forward that cost to the tenant in the form of higher rent. That ratio will include the fee amortized over the course of the lease term. In addition, they will include any administrative costs that they incur. Most tenants in NY stay in their units for more than a year. Landlords increase their rent based on perceived value, rate of inflation, and the CPI. This increase will be on top of the already inflated rent. Therefore, the tenant is now paying the fee several times over several years instead of paying a onetime fee when they initially signed the lease. The fee is significantly less expensive over the length of the lease as we do not charge repeatedly for multiple years.

Whoever pays the fee is directly driven by the market demand, and perceived value of any unit. This is regardless of who the broker represents. It is also always negotiable. When the historic pandemic shutdown happened in NYC the landlords immediately switched to paying the fee and reduced their rents by a massive margin. In many cases these fees were negotiated with the landlord. In many cases as much as 50% lower than its normal rate of the rent and the fee. If the council passes such legislation, it will prevent a landlord from offering an incentive to a tenant by offering to pay the renter's broker. Imagine in the middle of the next shutdown, or financial disaster where demand has fallen dramatically. The tenant still must pay a fee even though the market conditions do not merit them doing so. Also consider the inherent problem that arises with new building developments. The owners often need to fill up their vacancies quickly and offer to pay a broker's fee to the tenant's broker and added free rent. October through February is the slowest time of year for rentals. Many

times, landlords will offer to pay the brokers fee for the tenant broker as an incentive to lease. Under this proposed legislation it would be illegal for them to do so. This would be placing an undue burden on both sides.

It is highly doubtful that tenants in NYC, knowing this dynamic, would be happy to pay the higher rents. Rents are at an all-time high. The vacancy rate is historically low. I doubt that the council person proposing this legislation has sufficient evidence that most tenants understand this dynamic and would support paying higher rents than they are currently paying. It is our experience that most tenants are becoming exhausted by the incessant rent increases this city has seen post the global pandemic shutdown. Many of those increases have occurred based on recent legislation. However, most increases are based on the demand for housing far exceeding available units. The broker's fee is not the problem. Legislating this portion of a transaction causes more harm than it does good to both the tenant and landlord. More affordable housing stock is the only reasonable answer to bringing costs down for everyone. The city council should instead work with the state and private sector to enact programs that directly impact the issue of affordable housing development and empowering at risk communities with new investment.

I am a native New Yorker who has lived in every borough of the city. I grew up in Bronxdale projects from a modest income single parent household. I have never paid a broker's fee. This is because I was aware that I could find suitable housing without paying the fee. It is a choice! As an Afro Puerto Rican, who now owns a small business with my partner who is a woman, who was born of modest means and who is active in several charitable initiatives aimed at improving the lives of our community, I am failing to understand how the council person is protecting our community with this initiative. It appears to me that the council person is working against what is in the best interest of all New Yorkers and small businesses. Trying to score political points on the backs of small business in this environment is tone deaf. What New Yorkers need is more affordable housing. Short of that, these types of initiatives will do very little to bring housing costs down. It will in fact make the already inflated market more expensive while doing nothing to increase New Yorker's ability to afford it.

Sincerely

Nelson M. Cabassa

Nelson M. Cabassa

Principal Broker

Brooke Baker

Managing Partner and CFO

Urbane Brokerage Inc.

10 West 74th Street Ste # LLA New York, New York 10023

I had to pay a 12% broker fee for an apartment I moved into year in the Lower East Side of Manhattan. This is absolutely ridiculous, more so because I found the apartment myself. The broker being there added zero value to the process for me – and yet I'm expected to foot the entire bill, almost 1.5 months of rent. Please let this bill pass and do right by the vast majority of New Yorkers instead of cowering to Real Estate interests.

Good morning,

My name is Adam Graubart, and I moved to New York 4 years ago to study at rabbinical seminary. My Jewish tradition teaches me in Leviticus 25:14, "When you sell property to your neighbor, or buy any from your neighbor, you shall not wrong one another," and later Jewish law clarifies that this verse refers to overcharge. My tradition is clear – price gouging is wrong. Beyond Jewish communities, this principle makes moral and practical sense for people throughout our city. Forcing tenants to pay exorbitant fees – for a broker they were forced to use and did not hire themselves – at a time when their housing situation is most uncertain is exploitative. Personally, as a graduate student, I live on a fixed income. If I ever needed to move, paying current rates for a broker's fee could push me to drain my savings or need to leave the city altogether. The Council has a moral obligation to create a system in which real estate cannot extract additional profits from the limited funds of working class and middle class tenants.

Moreover, REBNY members claim that this bill would tie their hands behind their back, but let us be clear landlords do not need to take advantage of tenant vulnerability and drive real estate profits. I also agree with Councilmember Ossé that rent stabilization and market forces negate REBNY's claims that this bill will lead to rapid increases in rent. This wringing of New Yorkers trying to make ends meet for the sake of profit is not inherent. It is a willful act. I implore the Council to not acquiesce to the pressure and false claims of the monied interests and hold the line for tenants by passing the FARE Act.

From: Alan Morningstar
To: New York City Council
Subject: Written Testimony In Re: Broker Fees

Dear Councilpersons,

I support the broker fee law that is being proposed. I suggest that you don't let the voice of special interests drown out the millions of hard working New Yorkers that are affected negatively by this bill every single day who don't even know about this hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alan Morningstar', with a stylized flourish at the end.

Alan Morningstar

[Redacted]

[Redacted]

NYC Hearing on Proposed Rules Concerning the FARE ACT

Committee on Consumer and Worker Protection

June 12, 2024

I urge you to support the FARE Act.

New York is one of the only U.S. cities where tenants have to pay for a broker they did not hire. Those fees can range from one month's rent up to 20% of the annual rent depending on the market. In a rental market with a 1.4% vacancy rate, broker fees are a barrier preventing people from moving. The market that is so constrained with so few options available to low- and middle-income New Yorkers, and so many tradeoffs need to be made when looking for a place to live. Renters are constantly forced to move due to a lack of negotiating power with their landlords, who have all of the options on this market. Renters are stuck deciding whether to stay in an apartment where the rent is being hiked unpredictably or moving and depleting their savings by paying thousands of dollars in brokers fees on top of the extreme unaffordability of the market.

Brokers can also charge whatever they like in such a competitive housing market, regardless of the value of the service, which can be just unlocking a door, if anything. Why would they be incentivized to point clients towards affordable apartments, or even serve low-income renters, when they get a bigger fee based on what the apartment is renting at? The fees should match the service provided, and a possibly painful change to right-size the real estate industry is needed in New York.

Before the internet, when brokers had to hustle to list apartments in an array of publications, answer calls, arrange tours and handle all the necessary paperwork, maybe a fee was warranted. But now any prospective tenant can find an apartment online, in many cases tour it virtually from their phone and never meet a broker. Those of us who have been through the rental search know that those of us who manage to find an affordable apartment rarely do so through a broker, but rather through friends and family, housing connect, or directly with a landlord starting with their postings in windows or yards.

This legislation is common sense, and I hope the Committee and Council show that they are on the side of New Yorkers looking for homes and stability. I thank you for this opportunity to submit testimony.

Alex Moscovitz

Resident of City Council District 35

Alexa Santiago

[REDACTED]
Baltimore, MD 21217

[REDACTED]
alexacsanti@gmail.com

7th June 2024

Subject: Testimony in Support of Ending Forced Broker's Fees for Renters in New York City

Dear Reader,

My name is Alexa Santiago and I was a former resident of the Yorkville / Upper East Side neighborhood in New York City. I am writing to express my strong support for the proposed legislation to end forced broker's fees for renters in New York City.

In New York City, the current practice of requiring renters to pay broker's fees is a significant financial burden. These fees, which can amount to as much as **20% of the annual rent**, are often unexpected and can pose a serious obstacle for individuals and families seeking housing.

As a former resident of New York City, I have experienced firsthand the challenges associated with broker's fees. In October 2023, I was laid off from my full-time position at a tech startup, resulting in the loss of my primary source of income for rent and other living expenses. With New York's unemployment benefits providing \$441 weekly post-taxes, amounting to approximately \$1,764 monthly, I was unable to meet my rent of \$1,952.33. This shortfall left me struggling to cover essential expenses such as utilities, WiFi, and food.

In an effort to find more affordable housing, I searched for apartments in Harlem and Queens. However, the required upfront costs, including the broker's fees, amounted to at least \$8,000, covering the first month's rent, security deposit, and broker's fee, excluding moving expenses or lease termination fees. Even if I had been in a better financial position, the necessity of nearly \$10,000 for renting an apartment in an older building without luxury amenities or an elevator seemed both unrealistic and inequitable, especially considering stagnant wages and rising inflation.

New York City is renowned for its high cost of living. While I believe in fair compensation for services rendered, it seems unreasonable to pay a \$4,000

broker's fee simply for someone to arrange a showing of an apartment I found independently on StreetEasy. I did not engage the broker's services to locate the apartment; I discovered it online. Every expense matters in today's economic climate, and it stands to reason that if landlords hire brokers to fill their properties, they should bear the cost of broker's fees, not the tenants.

Further Points in Favor of Ending Broker's Fees

1. Financial Burden on Renters:

- Broker's fees can add thousands of dollars to the upfront cost of renting an apartment. For many renters, especially those with lower incomes, this creates a significant financial barrier.

2. Lack of Transparency and Choice:

- Often, renters are not given a choice about whether to use a broker, and the fees are presented as a non-negotiable part of the rental process. This lack of transparency is unfair and exploitative.

3. Market Distortion:

- Broker's fees artificially inflate the cost of moving, distorting the rental market and making it more difficult for renters to find affordable housing.

4. Precedents in Other Cities:

- Other major cities, including Chicago and Washington D.C., do not allow brokers to charge fees to renters. These models demonstrate that the rental market can function effectively without imposing these additional costs on tenants.

Ending forced broker's fees is a necessary step towards making housing more affordable and accessible in New York City. This change would alleviate a significant financial burden for renters, promote fairness and transparency in the housing market, and align our city with best practices observed in other metropolitan areas.

I urge you to support the legislation to end forced broker's fees and help ensure that all New Yorkers have a fair chance at securing affordable housing.

Thank you for your time and consideration.

Sincerely,

Alexa C. Santiago

Amy Condie
Regarding the FARE Act
June 13, 2024

My name is Amy Condie and I am a resident of Brooklyn, formerly Manhattan, and a REBNY affiliated real estate agent. I am testifying in support of Chi Osse's FARE Act and believe that whoever hires the real estate agent needs to pay the broker fee.

This may come as a surprise given my profession as a real estate agent, however I am first and foremost a citizen of New York City and believe that broker fees are causing emotional and financial distress for New Yorkers.

When I was 23 years old, I was in an abusive relationship with an older man. He had convinced me to move into his apartment on the grounds that I would pay minimal rent considering his financial status. At the time, I was making \$40,000 a year in my job in fashion after graduating from the Fashion Institute of Technology. I jumped at the opportunity to significantly reduce my rent.

After years of emotional and physical abuse, once I saved up enough to pay first month's rent and the security deposit, I decided that it was time to leave. Except every time I looked for an apartment, I didn't have enough money to pay the broker fee. I was stuck.

In New York, the average price of a 1 bedroom apartment is around \$3,500. Which means that a tenant needs \$7,000 for the security deposit and first month's rent. On top of that, they would also need a 15% broker fee, an additional \$6,300 that does not get refunded at the end of the rental period, unlike the security deposit. With so many New Yorkers living paycheck to paycheck, requesting almost 4x the monthly rent up front is impossible for some.

From an agent's perspective, with the emergence of websites like Streeteasy, tenants are now able to procure their own apartments, eliminating a large part of the agent's role. And while procuring apartments is easier for the tenant, it's a nightmare for the agent. Many agents don't want to co-broke, especially during busy periods, so once you find the perfect apartment for your client, your client will need to set the appointment because listing agents who are receiving the fee from the tenant won't respond to agents! Only agents who are being paid by the landlord respond because they're getting paid anyway.

In conclusion, the current broker fee system sucks for both the tenant and the agent. If the landlord hires an agent, they should pay the broker fee. There is no reason that

a tenant who procures their own apartment should pay 1.8x the rent to an agent who opened a door for them.

Thank you for reading my testimony.

Best Regards,
Amy Condie

June 12th, 2024

Dear Members of the NYC Council,

I am writing to express my full support for the FARE (Fairness in Apartment Rentals) Act sponsored by Councilmember Chi Ossé, a critical initiative aimed at addressing inequities in the rental housing market in New York City. The current practices surrounding broker fees create significant barriers for tenants, hindering their ability to secure affordable housing and navigate an already challenging rental market. I am a community and cultural leader on the East Side of Manhattan, a cradle to some of the greatest American artists who have ever lived, which is endangered by an unprecedented crisis of affordability.

New York City stands out as one of the few American cities where tenants are burdened with paying broker fees, even if they did not hire the broker themselves. These fees, which can sometimes amount to as high as 20% of the annual rent, pose a substantial financial obstacle for individuals and families seeking housing. In a rental market with a meager 1.4% vacancy rate, broker fees are not just a financial burden but also a barrier that limits mobility and exacerbates housing insecurity for many New Yorkers.

The FARE Act, as proposed by Councilmember Osse, seeks to rectify this unjust practice by requiring the person who hires the broker to pay their fee. Currently, tenants are unfairly saddled with these fees, leaving them vulnerable to exorbitant costs even when the broker was hired by the landlord. The FARE Act represents a crucial step towards ensuring transparency, fairness, and affordability in the rental housing market, aligning with the values of equity and social justice that define our city.

The average upfront cost, including broker fees, to move into a rental in New York City soared to \$10,454 in 2023, a 29% increase from before the pandemic. This financial burden disproportionately impacts low-income individuals and exacerbates housing insecurity in our city. It is imperative that we enact measures like the FARE Act to protect renters, promote fairness, and create a more equitable housing landscape for all New Yorkers.

I thank Chair Menin and Speaker Adams for bringing this legislation to a hearing, which comes at a time when trust in government, particularly from young people like myself, is at an all time low. I urge each member of the Council to support the FARE Act and advance this legislation to bring about concrete, positive changes in our rental housing market. Let us stand together in support of fairness, transparency, and affordability for all residents of New York City.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Gordillo". The signature is fluid and cursive, with the first name "Andrea" and last name "Gordillo" clearly distinguishable.

Andrea Gordillo

East Village/LES resident, Community, and Cultural Leader

Testimony from Andrea Joseph on behalf of UAW Region 9A in support of
INTRO 360 the FARE Act

Good morning councilmembers,

My name is Andrea Joseph, I am a postdoctoral fellow at Mt Sinai and am the President of United Auto Workers Local 4100. Today, I have the pleasure of speaking not only on behalf of my members in Local 4100, but all our New York City members in Region 9A.

In Region 9A, we represent workers in nonprofits, arts, museums, higher education, movie theaters, car dealerships, sciences and more. And, the vast majority of our membership are renters.

We have a housing and affordability crisis in our city. Our members work hard. We fight at the bargaining table for everything we get. I know this firsthand, my shop at Mt Sinai, now in Local 4100 went on strike for a first contract last winter.

In our strike, we won nation leading wages for postdocs, we are proud of that, but I am equally proud that we stayed on strike to win housing guarantees for our members. The reason we did this is because we are a majority immigrant workforce. We knew that if we didn't fight for it at the bargaining table, and our members were subject to the open market, they would be vulnerable to exploitation by broker fees.

Along with housing, the other issues we stayed on strike for were to keep women in the sciences, and childcare subsidies. I've heard from members across our region, that they are deciding to move out of the city because they cannot afford an apartment with space for their families. Broker fees, despite our members searching Zillow, streeteasy, and the likes make it nearly impossible for working class families to upgrade to bigger apartments.

One example of this I heard was from a leader in our union with a young child who wanted to move within his rent stabilized building to a newly

vacant apartment one floor down. He has a 18 month daughter and when he asked about moving into the other apartment, the landlord tried to charge him a broker fee by connecting him with his preferred broker, instead of letting him transfer. This was someone already paying a monthly rent to this exact landlord. That worker is now moving out of that building, moving further from his daughter's school, friends, and family because they needed more space.

I'll close here, I mentioned in the beginning that I am a postdoctoral fellow at Mt Sinai. I study, pregnancy, maternal, fetal, and neonatal health. You don't need my degree to know that for a thriving city, a city that supports families, and that supports workers, we need to be supporting our next generation.

At the bargaining table, UAW fights for workers to get our fair share. But we also stand for the entire working class because not everyone is in a union. As the UAW we fundamentally support Councilmember Ossé's INTRO 360 and know that if you procure a real estate agent, you should be paying for it. That is only fair. We stands with all our allies in supporting the FARE Act. Thank you.

Honorable Members of the New York City Council,

Thank you for allowing me to speak today.

My name is Andrea Ryder and I work and live in Crown Heights. I'm here today to share my perspective on Intro 360 and its impact on our community.

It is not easy to find a home in New York City. When I was looking for a home for me and my young family, I tried to go it alone, without a broker. I ended up paying for more than I was legally supposed to. My landlord was charging us radiator heat and hot water, and I had no idea that was illegal or that the landlord was supposed to pay for that. I needed someone on my side, advocating for my rights, someone who had my back. I had such a bad experience, I became an agent to help others find a home. A broker would have saved us that feeling of being ripped off, would have informed us of our legal rights, and would have saved us money **

As a New Yorker deeply involved in the real estate sector in New York, I am here today to express my strong opposition to Intro 360.

Intro 360 is fundamentally unfair both to real estate agents like me and to the renters it aims to protect. I implore you to consider the detrimental effects this legislation would have on the housing market in New York City.

First and foremost, the assertion that this bill would alleviate burdens for renters is flawed. In reality, this bill will likely lead to higher rents for tenants. By shifting the responsibility of broker fees solely onto landlords, the inevitable outcome would be increased rental costs for tenants, especially upon lease renewal.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of hardworking agents, many of whom are working-class New Yorkers themselves. Real estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only exacerbate the challenges agents face, potentially driving them out of the industry altogether.

Additionally, the bill could have unintended consequences for the accessibility of housing. With landlords likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, exacerbating the city's housing crisis.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only serve to further complicate an already challenging housing landscape, disproportionately impacting working-class New Yorkers in your district and beyond.

Thank you for the opportunity to testify today. Sincerely, Andrea Ryder



ANN TAKAHASHI

atakahashi@bondnewyork.com

810 Seventh Ave, 39th fl, New York, NY 10019

June 15, 2024

New York City Council

RE: Intro 360 Hearing on June 12, 2024

Dear Council Members:

I am **opposed** to Intro 360 because:

- 1) Creates higher rent
- 2) Makes it harder to access an apartment
- 3) Creates a more chaotic and less transparent residential market
- 4) Removes agent expertise and third party oversight beneficial to tenants
- 5) Hurts the livelihood of hardworking agents
- 6) Puts rent stabilized inventory in greater disrepair

Please consider my testimony.

Thank you very much.

Sincerely yours,

Ann Takahashi

Personal Story in Opposition to Int. No. 360

Good afternoon (or morning) Chairwoman Menin and members of the Council committee on Consumer and Worker Protection, my name is Anthony Domathoti and I am a real estate broker in the Bronx. I am also a member of the New York State Association of REALTORS® and the Hudson Gateway Association of REALTORS®, whose members serve Manhattan and the Bronx, as well as the lower Hudson Valley. As a lifelong resident of New York City, I have witnessed the struggles and triumphs of countless individuals navigating our city's challenging rental market. The support and expertise of licensed Realtors® has been a beacon of hope for many, including myself.

When I first moved to this bustling city for my career, I was overwhelmed by the sheer complexity of finding an affordable apartment. The maze of listings, the uncertainty of landlords which charged varying security deposits and had conditions for application approvals, and the ever-looming threat of being taken advantage of were daunting. A licensed Realtor® stepped in, offering not just a service, but a lifeline. Their fee, which some might see as a burden, was a small price to pay for the security, peace of mind, and invaluable guidance they provided me.

I also think of my dear friend, who after months of fruitless searching and countless disappointments, decided to enlist the help of a Realtor®. Within weeks, they found a suitable home, navigated the legalities seamlessly, and moved in without the stress that had plagued them for so long. The Realtor's fee was not just a payment; it was an investment in their future, in their stability, and in their happiness.

Int. No. 360 threatens to dismantle this crucial support system. By prohibiting Realtors® from collecting fees unless directly employed by the renter, we risk stripping away the very essence of what makes New York City's rental market navigable for so many. Realtors® are state licensed professionals, not faceless entities. They are hardworking individuals who dedicate their lives to helping others find homes in this vast, often unforgiving city.

Consider the real-life implications: middle-income workers who depend on these fees to sustain their livelihoods will be pushed to the brink. These are people with families, with

dreams, with the same financial pressures that we all face. Removing their primary source of income not only jeopardizes their financial stability but also threatens to erode the quality of service renters rely on.

Furthermore, this bill disadvantages renters by inadvertently perpetuating discrimination. Without the expertise of Realtors®, renters, especially those who are new to the city or less familiar with the rental market, may find themselves at a disadvantage. This could exacerbate illegal discrimination and make it even harder for vulnerable populations to secure housing.

Let us not forget that every policy impacts real lives. The Realtor who helped me find my first apartment, the agent who rescued my friend from endless stress—they are the backbone of this city's rental market. We must protect their ability to continue their essential work.

Best regards,

Anthony Domathoti

2022 President

Hudson Gateway Association of Realtors

[REDACTED]

From: Ashley Bell [REDACTED]
Sent: Saturday, June 15, 2024 4:40 AM
To: Testimony
Subject: [EXTERNAL] Intro 360 Testimony

[REDACTED]

Dear Council,

My name is Ashley Bell and I am a resident of District 3. I am writing with my testimony in favor of Intro 360 (the FARE Act).

As someone who has done a lot of apartment hunting in NYC, I started with using a broker. This was 15 years ago so things were different back then, but I hired my own broker to show me a handful of listings. I did feel like this broker was acting in my best interests because I had hired her. The fee at the time was one month.

I ended up living in a few other cities after my first stint in NYC. When I was moving back to NYC this spring, I spoke to a broker during my search on a listing that I had found. She informed me that the fee for that listing was 15% of the first year's rent, which was significantly higher than what I was expecting. I decided after that conversation and examining available inventory to only pursue luxury buildings. When looking at available inventory, I found that while luxury building listings were slightly more expensive in monthly rent, the units of comparable sizes were nicer, the amenities were better, and without the broker fee it was actually much more cost-effective to live there (especially considering many of them are rent stabilized). After crunching the numbers, if I had explored one of the broker fee listings, I would've had to live in that unit for over six years before the cost of the broker fee listing (with a \$150 lower monthly rent, which was the average cost difference) would equal the cost of the no fee/luxury building unit. And this is assuming the rents were to increase at the same percentage and I'm not forced to pay another fee to renew my lease.

The idea that Intro 360 will cause landlords to increase rent might be true, however considering the current rent stabilized buildings and how inflated broker fees have become (which is a by-product of the tenants not having any say when it comes to who represents them, as the landlord usually hires the broker), it would be difficult for those rent increases to outweigh the current broker fee costs without overpricing the units out of the market (considering rent stabilization and current luxury building rents). The FARE act is exactly what we need to stabilize the current imbalance in the rental process of the person who benefits from the broker versus the person who is actually paying for that broker.

Thank you,
Ashley Bell
[REDACTED]

Testimony in Support of FARE ACT

My name is Atusa Mozaffari and I am a proud union steward of the Association of Legal Aid Attorneys, Legal Aid Chapter. In addition to my role as a union leader, I am a tenant defense attorney at The Legal Aid Society.

Eight years of representing low-income tenants in Queens has afforded me a unique insight into the challenges and inequity tenants across the city face. Notwithstanding the numerous other challenges tenants face, such as lack of truly affordable housing, timely repairs, or access to free legal services, the cost of relocating presents a massive obstacle to individuals and families. As someone who advises New Yorker's consistently on relocation considerations, I always remind them to factor in the unexpected - namely, broker's fees.

When I moved into my current apartment, my broker's fee was equal to one month's rent. At the time I was grateful that it wasn't 15% of the annual rent like my last apartment. And while the broker was a lovely person, I did not hire them, they have an exclusive relationship with my building management to show apartments in their portfolio. Mind you I found this apartment on craigslist.

But that's just me. If we take a step back, look at the big picture, and use the law of averages for a moment we'll see just how unfair broker's fees are to low-income New Yorkers. The median income in NYC is about 78k. Let's put aside 30% for housing, which comes out to roughly \$1950 a month. Assuming this miracle apartment exists and you find it, you're then paying \$2808 in the broker's fees based on 12% of the annual rent. So you need first, security, broker's fee and suddenly your \$1950 gem is a \$6700 up front expense, not including moving expenses. In context, that upfront fee is now greater than the monthly take home income of someone making 78k.

Now let's use what we know to be the true rental averages in NYC. The average 1 bedroom is now roughly \$3500 in NYC. That comes out to 12k upfront to move based on the first month, security, and a 12% broker's fee. The only people who can afford that right now have an income of 150k+, people making nearly double the median in NYC. And let us be clear, the people I represent make far less than the median income in NYC so they are forced to save for months if not years to afford relocation, often forcing people out of their communities and the only city they've ever called home.

There are no protections in place for prospective tenants when it comes to brokers fees, only application fees. We all hoped that The Housing Stability and Tenant Protection Act of 2019 ("HSTPA") would, but unfortunately the Act does not extend to the collection of

brokerage fees from tenants by brokers. This is a shortcoming that this body has the ability to fix once and for all.

The FARE Act provides an equitable solution to a problem that should have never existed in the first place. It defies logic that people are forced to pay for a service they didn't request, particularly when the price is in the thousands of dollars. It's 2024, tenants are finding apartments on their own and no longer have to rely on brokers and agents who at one point maintained exclusive control of that information. As one broker who testified at the hearing on June 12 stated, brokers are the gatekeepers to housing.

Brokers should be paid for their services, a sentiment widely agreed upon by the drafters of this act, but not by the tenants who didn't hire them. You don't need to be a contracts attorney to see that this is an inequitable cost shifting model. Let's allow common sense to prevail.

It's appalling that this wasn't passed the last time it was introduced and that members here fell into the sham rhetoric of the Real Estate Board, allowing insurmountable greed to devastate tenants who already struggle to afford living in their communities. I urge the City Council to sign onto this bill, already endorsed by the majority of the City Council, and to put their constituents, the tenants of this incredible city, first.

In solidarity of tenants, workers, and what is FARE.

Respectfully submitted,

Atusa Mozaffari
ALAA 2325 - LAS Attorneys Chapter

Testimony by Bradley Tusk in Support of Int. 360 (FARE Act)
Committee on Consumer and Worker Protection
June 12, 2024

I'm Bradley Tusk. I'm originally from Brooklyn, I now live in Manhattan, and I'm a former City Hall staffer. I run a consulting shop, venture capital firm, a philanthropy organization focused on school meals and even an independent bookstore on the Lower East Side. I teach at Columbia, write a monthly column for the Daily News and host a podcast called Firewall.

I'm neither a registered Democrat nor a Republican. I love New York and all I want are common sense policies that make this a better, safer, more affordable place to live. I don't care who is behind them or who benefits politically from them.

I've basically never aligned myself before with the city's biggest labor unions or progressive advocacy organizations, but the FARE Act is so overdue and necessary, that I am proud to join their effort against REBNY and show it's not just people on the left, but business owners and the tech community too that support this bill.

Forced brokers fees are essentially a form of legalized theft. It's the epitome of an entrenched interest using its political power to force consumers to pay for a service that they don't need and didn't hire. It's regulatory capture pure and simple.

I also think that the FARE Act would be the first step taken towards recognizing a vital demographic — people in their twenties — that is almost always completely

ignored by this city. They're young. They're excited to be here. They're willing to live in the smallest space imaginable.

But they're not just appealing because their enthusiasm and earnestness is cute. They're appealing because they produce an incredibly high return for city government and for the local economy. The vast majority of the time, new residents in their twenties do not consume costly social services. They do not have kids in public schools. Their healthcare costs are lower. State and local taxes are typically deducted from their paycheck every two weeks. They spend most of their disposable income at bars and restaurants, on nightlife and entertainment – all of which fuels the city's economy. And some of them end up creating incredible companies or works of art – the kinds of things that then draw even more people in their 20s to our city.

We need these residents. But because they rarely vote in municipal primaries, they are too often ignored by City Hall. It's like owning a store and when one of your best customers walks through the front door, you pretend they don't exist.

Councilmember Ossé's bill is the first piece of meaningful legislation I have seen in the nearly thirty years I've worked in and around New York City politics that would tangibly help this group. If you want to move here after college and you're forced to come up with tens of thousands of dollars in cash, upfront, just to rent a shoebox of an apartment, there's a good chance you can't do it. You'll choose to live somewhere else like New Jersey or Nashville.

If we only want people who work at investment banks and management consulting firms, then sure, the broker's fee isn't a major problem. But that's the last thing we should want. We want a wide diversity of young people to move here and stay here, people of all races, all ethnicities, industries and interests. We

finally have legislation that can tangibly improve the odds of that happening. REBNY's arguments that nothing will change if this bill passes defies common sense. The cost of renting out an apartment is a fraction of the cost of the brokers' fee. The last thing the City Council should do is give in to the real estate lobby and screw over younger renters just to maintain the status quo.

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Good morning/afternoon Chair Menin and members of the Committee on Consumer and Worker Protection. My name is Brian Phillips. I am an Associate Broker with Douglas Elliman Real Estate here in Manhattan, where I both live and earn a living. I am a member of the New York State Association of REALTORS®, where I am the 2024 Chair of the New York City Issues Working Group and serve on the Legislative Steering Committee. Many NYSAR members are here in attendance with me today. Additionally, I am a member of the Real Estate Board of New York. As a small landlord and real estate agent, I specialize in rentals as a key part of my business.

As a small landlord, I have faced significant financial pressures due to rising real estate taxes, homeowner's insurance and maintenance costs. These increases have forced me to raise rents, a situation shared by many of my landlord clients. This financial strain is further complicated by the proposed requirement for landlords to pay the brokerage fee when hiring agents on an exclusive basis. This requirement could lead to two likely outcomes:

1. Landlords may incorporate the broker fee into the rent, spreading it over the entirety of the lease. This would result in higher monthly rents and increased lease renewal rates which are based on the last rented price.
2. Alternatively, landlords might opt not to list with agents exclusively. This means tenants would have to pay the brokerage fee, and listings would not appear on platforms like StreetEasy, which require exclusive listings. In Manhattan, rental listings do not syndicate to Zillow unless they are first listed on StreetEasy. Consequently, available listings would become harder to find for renters.

As agents and brokers, we cover the costs of professional photography, floor plans, and 3-D video tours, which can easily range from \$300 to \$500 per listing. Additionally, listing apartments on StreetEasy costs \$8 per day per rental listing, totaling \$240 per month per listing. These service expenses enhance our listings and improve the consumer experience. Without exclusive listings on platforms like StreetEasy, it becomes harder for consumers to find available rentals, reducing listing visibility and negatively impacting renters.

As state licensed real estate professionals we are committed to providing the best service to our clients despite the high cost of doing business in the city.

Although state law prohibits discrimination against “source of income”, government voucher recipients continue to face challenges in finding housing. I have been working with many voucher recipients for six months to a year or more. If landlords are made to pay the brokerage fee, they will be even less inclined to work with voucher holders, preferring renters without vouchers. This will increase source of income discrimination and other fair housing violations.

The FARE Act, while well-intentioned, could lead to higher rents and reduced listing visibility, ultimately harming tenants.

Thank you for considering my perspective.

Sincerely,
Brian Phillips
Douglas Elliman Real Estate

Dear Chair Menin and Members of the New York City Council,

I am Brian Phillips with Douglas Elliman Real Estate. I was among the first panelists to speak before you at the hearing on Wednesday morning. I wore a tan suit and mentioned that I live in Harlem. I wanted to properly address a question asked by Jumaane Williams during the hearing. The question was what makes New York City and Boston different from the rest of the country where landlords pay rental broker fees. I can only speak to New York City.

In Manhattan, co-ops constitute approximately 75% of the housing market, which makes for lengthy application and stringent approval processes that experienced agents know how to navigate well. Unlike many other cities and markets surrounding Manhattan, where a centralized Multiple Listing Service (MLS) simplifies property searches and transactions, NYC—particularly Manhattan, downtown Brooklyn, and northwest Queens—relies heavily on platforms like StreetEasy, which is owned by Zillow and often requires exclusive listings. In Manhattan, rental listings do not syndicate to Zillow unless they are first listed on StreetEasy. This limits the visibility of available rentals and complicates the process for tenants.

Ever since StreetEasy began charging agents exorbitant fees, now \$8 per day per rental listing on its platform as of January 1st 2024, not all available rentals appear on StreetEasy. To find all available rentals, customers need to go through agents. This issue could worsen if Intro360 gets passed, resulting in fewer listings on platforms like StreetEasy and Zillow. Tenants would then have to rely on agents to find out what is available to rent, and they would have to pay a brokerage fee upon lease signing. Since listing on StreetEasy is an individual agent expense and not covered by their brokerage, each agent reserves the option of whether or not to list their exclusive rentals on StreetEasy.

Regarding rental broker fees, they can indeed be substantial, often ranging from a month's rent to 15% of the first year's rent. Agents and brokers cover the costs of professional photography, floor plans, and 3-D video tours, which can easily range from \$300 to \$500 for all three services per listing. Additionally, listing apartments on StreetEasy costs \$8 per day per rental listing, totaling \$240 per month. Capping brokerage commissions to one month, which is typically what landlords pay us and which we split with our brokerage when we advertise a no-fee rental, could impact the level of services brokers provide. The costs associated with professional marketing and listing on platforms like StreetEasy might not be sustainable with a one-month cap. The vast majority of agents in New York City work at large brokerages like Douglas Elliman, Corcoran, Compass, and Brown Harris Stevens, which receive a portion of our commission. The cost of doing business in New York City is high, and that is why we charge higher commissions.

As an experienced broker of 26 years, I am happy to collaborate with the City Council to come up with solutions. Thank you for considering this very important distinction.

Sincerely,
Brian Phillips
Douglas Elliman Real Estate

[REDACTED]



Brian Totin

[REDACTED]
New York, New York 10024
[REDACTED]

**Testimony for the Record
Submitted to the Committee on Consumer and Worker Protection
Of the New York City Council
Hearing on Proposed Int. No. 360
June 12, 2024**

Honorable Council Members,

I submit this testimony for the record in opposition to Intro. 360-2024, “The fees charged in a residential rental real estate transaction.” This committee has heard today from many of my colleagues as to the impact this misguided legislation will have on their lives, the lives of their families, and on the lives of everyday New Yorkers. I wish to present the committee with additional information that establishes how misguided this legislation actually is.

I am a Licensed Real Estate Salesperson affiliated with Licensed Real Estate Broker Corcoran. I have worked full time as a real estate agent in Manhattan for over 18 years and have effected approximately 2,000 residential leasing transactions. I have been watching the testimony today and I respectfully suggest to the committee members that the reason the representative from HPD did not come with data is because the data you sought does not actually exist in a quantifiable manner. This, in and of itself is a very important data point. Clearly, there is no data to inform the committee of how this legislation will impact everyday New Yorkers, so as a result you must rely on both anecdotal and expert testimony.

The side that supports this bill has not given any factually-based expert testimony explaining what they believe will happen if this law is passed; their testimony can be boiled down to anecdotal opinions that “broker fees are bad” and “broker fees are expensive.” The side that opposes this bill, made up of people like me with years of experience going back to a time when few owners “hired” a broker, have given you factually-based testimony explaining multiple outcomes, all of which are bad for everyday New Yorkers.

One thing from today’s hearing was clear to me; my industry is not doing enough to compel agents to be transparent. This is leading many individuals to think Intro. 360 is the solution to this problem. As others in my industry testified, prior to showing an apartment for rent, agents must give three state mandated forms (annexed to this testimony) and disclose if there is a broker’s fee. The law already requires that these fees not be “hidden” as those who support this legislation claim. Unfortunately, some agents do not follow the law, and this leads to confusion and a belief that we all do not follow the law. When I disclose the fee and give these forms, many tenants tell me that agents are not following the law. A broker fee is never supposed to be disclosed at the last minute.

This is an area where legislation from the City Council will have a positive impact. I suggest the Council explore two pieces of legislation; one requiring disclosure on all advertising

stating if there is, or is not, a fee and a second piece of legislation, adding a fourth disclosure form that explains that a fee and the legally mandated disclosures must be presented up front or an agent cannot collect a fee from the tenant. This will make the market significantly more transparent.

The lead sponsor of Intro 360 claims that this bill makes real estate transactions more transparent, but the testimony before the committee shows that it will have the opposite effect. What I have proposed will lead to greater transparency. I ask that this committee reject Intro. 360-2024.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Totin", is written over a thin horizontal line.

Brian Totin



Division of Licensing Services

New York State
Department of State
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001
Customer Service: (518) 474-4429
www.dos.ny.gov

New York State Disclosure Form for Landlord and Tenant

THIS IS NOT A CONTRACT

New York State law requires real estate licensees who are acting as agents of landlords and tenants of real property to advise the potential landlords and tenants with whom they work of the nature of their agency relationship and the rights and obligations it creates. This disclosure will help you to make informed choices about your relationship with the real estate broker and its sales agents.

Throughout the transaction you may receive more than one disclosure form. The law may require each agent assisting in the transaction to present you with this disclosure form. A real estate agent is a person qualified to advise about real estate.

If you need legal, tax or other advice, consult with a professional in that field.

Disclosure Regarding Real Estate Agency Relationships

Landlord's Agent

A landlord's agent is an agent who is engaged by a landlord to represent the landlord's interest. The landlord's agent does this by securing a tenant for the landlord's apartment or house at a rent and on terms acceptable to the landlord. A landlord's agent has, without limitation, the following fiduciary duties to the landlord: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A landlord's agent does not represent the interests of the tenant. The obligations of a landlord's agent are also subject to any specific provisions set forth in an agreement between the agent and the landlord. In dealings with the tenant, a landlord's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the value or desirability of property, except as otherwise provided by law.

Tenant's Agent

A tenant's agent is an agent who is engaged by a tenant to represent the tenant's interest. The tenant's agent does this by negotiating the rental or lease of an apartment or house at a rent and on terms acceptable to the tenant. A tenant's agent has, without limitation, the following fiduciary duties to the tenant: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A tenant's agent does not represent the interest of the landlord. The obligations of a tenant's agent are also subject to any specific provisions set forth in an agreement between the agent and the tenant. In dealings with the landlord, a tenant's agent should (a) exercise reasonable

skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the tenant's ability and/or willingness to perform a contract to rent or lease landlord's property that are not consistent with the agent's fiduciary duties to the tenant.

Broker's Agents

A broker's agent is an agent that cooperates or is engaged by a listing agent or a tenant's agent (but does not work for the same firm as the listing agent or tenant's agent) to assist the listing agent or tenant's agent in locating a property to rent or lease for the listing agent's landlord or the tenant agent's tenant. The broker's agent does not have a direct relationship with the tenant or landlord and the tenant or landlord cannot provide instructions or direction directly to the broker's agent. The tenant and the landlord therefore do not have vicarious liability for the acts of the broker's agent. The listing agent or tenant's agent do provide direction and instruction to the broker's agent and therefore the listing agent or tenant's agent will have liability for the acts of the broker's agent.

Dual Agent

A real estate broker may represent both the tenant and the landlord if both the tenant and landlord give their informed consent in writing. In such a dual agency situation, the agent will not be able to provide the full range of fiduciary duties to the landlord and the tenant. The obligations of an agent are also subject to any specific provisions set forth in an agreement between the agent, and the tenant and landlord. An agent acting as a dual agent must explain carefully to both the landlord and tenant that the agent is acting for the other party as well. The agent should also explain the possible effects of dual representation, including that by consenting to the dual agency relationship the landlord and tenant are giving up their right to undivided loyalty. A landlord and tenant should carefully consider the possible consequences of a dual agency relationship before agreeing to such representation. A landlord or tenant may provide advance informed consent to dual agency by indicating the same on this form.

Dual Agent with Designated Sales Agents

If the tenant and the landlord provide their informed consent in writing, the principals and the real estate broker who represents both parties as a dual agent may designate a sales agent to represent the tenant and another sales agent to represent the landlord. A sales agent works under the supervision of the real estate broker. With the informed consent in writing of the tenant and the landlord, the designated sales agent for the tenant will function as the

New York State Disclosure Form for Landlord and Tenant

tenant's agent representing the interests of and advocating on behalf of the tenant and the designated sales agent for the landlord will function as the landlord's agent representing the interests of and advocating on behalf of the landlord in the negotiations between the tenant and the landlord. A designated sales agent cannot provide the full range of fiduciary duties to the landlord or tenant. The designated sales agent must explain that like the dual agent under

whose supervision they function, they cannot provide undivided loyalty. A landlord or tenant should carefully consider the possible consequences of a dual agency relationship with designated sales agents before agreeing to such representation. A landlord or tenant may provide advance informed consent to dual agency with designated sales agents by indicating the same on this form.

This form was provided to me by _____ of _____
(Print Name of Licensee) (Print Name of Company, Firm or Brokerage)

a licensed real estate broker acting in the interest of the:

Landlord as a (check relationship below)

Landlord's Agent

Broker's Agent

Tenant as a (check relationship below)

Tenant's Agent

Broker's Agent

Dual Agent

Dual Agent with Designated Sales Agent

For advance informed consent to either dual agency or dual agency with designated sales agents complete section below:

Advance Informed Consent Dual Agency

Advance Informed Consent to Dual Agency with Designated Sales Agents

If dual agent with designated sales agents is indicated above: _____ is appointed to represent the tenant; and _____ is appointed to represent the landlord in this transaction.

(I) (We) _____ acknowledge receipt of a copy of this disclosure form:

Signature of Landord(s) and/or Tenant(s):

Date: _____

Date: _____



Division of Licensing Services

New York State
Department of State, Division of Licensing Services
(518) 474-4429
www.dos.ny.gov

New York State
Division of Consumer Rights
(888) 392-3644

New York State Housing and Anti-Discrimination Disclosure Form

Federal, State and local Fair Housing and Anti-discrimination Laws provide comprehensive protections from discrimination in housing. It is unlawful for any property owner, landlord, property manager or other person who sells, rents or leases housing, to discriminate based on certain protected characteristics, which include, but are not limited to **race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income or familial status**. Real estate professionals must also comply with all Fair Housing and Anti-discrimination Laws.

Real estate brokers and real estate salespersons, and their employees and agents violate the Law if they:

- Discriminate based on any protected characteristic when negotiating a sale, rental or lease, including representing that a property is not available when it is available.
- Negotiate discriminatory terms of sale, rental or lease, such as stating a different price because of race, national origin or other protected characteristic.
- Discriminate based on any protected characteristic because it is the preference of a seller or landlord.
- Discriminate by “steering” which occurs when a real estate professional guides prospective buyers or renters towards or away from certain neighborhoods, locations or buildings, based on any protected characteristic.
- Discriminate by “blockbusting” which occurs when a real estate professional represents that a change has occurred or may occur in future in the composition of a block, neighborhood or area, with respect to any protected characteristics, and that the change will lead to undesirable consequences for that area, such as lower property values, increase in crime, or decline in the quality of schools.
- Discriminate by pressuring a client or employee to violate the Law.
- Express any discrimination because of any protected characteristic by any statement, publication, advertisement, application, inquiry or any Fair Housing Law record.

YOU HAVE THE RIGHT TO FILE A COMPLAINT

If you believe you have been the victim of housing discrimination you should file a complaint with the New York State Division of Human Rights (DHR). Complaints may be filed by:

- Downloading a complaint form from the DHR website: www.dhr.ny.gov;
- Stop by a DHR office in person, or contact one of the Division’s offices, by telephone or by mail, to obtain a complaint form and/or other assistance in filing a complaint. A list of office locations is available online at: <https://dhr.ny.gov/contact-us>, and the Fair Housing HOTLINE at (844)-862-8703.

You may also file a complaint with the NYS Department of State, Division of Licensing Services. Complaints may be filed by:

- Downloading a complaint form from the Department of State’s website
https://www.dos.ny.gov/licensing/complaint_links.html
- Stop by a Department’s office in person, or contact one of the Department’s offices, by telephone or by mail, to obtain a complaint form.
- Call the Department at (518) 474-4429.

There is no fee charged to you for these services. It is unlawful for anyone to retaliate against you for filing a complaint.



Division of Licensing Services

New York State
Department of State, Division of Licensing Services
(518) 474-4429
www.dos.ny.gov

New York State
Division of Consumer Rights
(888) 392-3644

New York State Housing and Anti-Discrimination Disclosure Form

For more information on Fair Housing Act rights and responsibilities please visit
<https://dhr.ny.gov/fairhousing> and <https://www.dos.ny.gov/licensing/fairhousing.html>.

This form was provided to me by _____ (print name of Real Estate Salesperson/
Broker) of _____ (print name of Real Estate company, firm or brokerage)

(I)(We) _____

(Buyer/Tenant/Seller/Landlord) acknowledge receipt of a copy of this disclosure form:

Buyer/Tenant/Seller/Landlord Signature _____ Date: _____

Buyer/Tenant/Seller/Landlord Signature _____ Date: _____

Real Estate broker and real estate salespersons are required by New York State law to provide you with this Disclosure.

NOTICE DISCLOSING TENANTS' RIGHTS TO REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

Reasonable Accommodations

The New York State Human Rights Law requires housing providers to make reasonable accommodations or modifications to a building or living space to meet the needs of people with disabilities. For example, if you have a physical, mental, or medical impairment, you can ask your housing provider to make the common areas of your building accessible, or to change certain policies to meet your needs.

To request a reasonable accommodation, you should contact your property manager. You will need to inform your housing provider that you have a disability or health problem that interferes with your use of housing, and that your request for accommodation may be necessary to provide you equal access and opportunity to use and enjoy your housing or the amenities and services normally offered by your housing provider. A housing provider may request medical information, when necessary to support that there is a covered disability and that the need for the accommodation is disability related.

If you believe that you have been denied a reasonable accommodation for your disability, or that you were denied housing or retaliated against because you requested a reasonable accommodation, you can file a complaint with the New York State Division of Human Rights as described at the end of this notice.

Specifically, if you have a physical, mental, or medical impairment, you can request:*

- Permission to change the interior of your housing unit to make it accessible (however, you are required to pay for these modifications, and in the case of a rental your housing provider may require that you restore the unit to its original condition when you move out);
- Changes to your housing provider's rules, policies, practices, or services;
- Changes to common areas of the building so you have an equal opportunity to use the building. The New York State Human Rights Law requires housing providers to pay for reasonable modifications to common use areas.

Examples of reasonable modifications and accommodations that may be requested under the New York State Human Rights Law include:

- If you have a mobility impairment, your housing provider may be required to provide you with a ramp or other reasonable means to permit you to enter and exit the building.
- If your healthcare provider provides documentation that having an animal will assist with your disability, you should be permitted to have the animal in your home despite a "no pet" rule.
- If you need grab bars in your bathroom, you can request permission to install them at your own expense. If your housing was built for first occupancy after March 13, 1991

and the walls need to be reinforced for grab bars, your housing provider must pay for that to be done.

- If you have an impairment that requires a parking space close to your unit, you can request your housing provider to provide you with that parking space, or place you at the top of a waiting list if no adjacent spot is available.
- If you have a visual impairment and require printed notices in an alternative format such as large print font or need notices to be made available to you electronically, you can request that accommodation from your landlord.

Required Accessibility Standards

All buildings constructed for use after March 13, 1991, are required to meet the following standards:

- Public and common areas must be readily accessible to and usable by persons with disabilities;
- All doors must be sufficiently wide to allow passage by persons in wheelchairs; and
- All multi-family buildings must contain accessible passageways, fixtures, outlets, thermostats, bathrooms, and kitchens.

If you believe that your building does not meet the required accessibility standards, you can file a complaint with the New York State Division of Human Rights.

How to File a Complaint

A complaint must be filed with the Division within one year of the alleged discriminatory act or in court within three years of the alleged discriminatory act. You can find more information on your rights, and on the procedures for filing a complaint, by going to www.dhr.ny.gov, or by calling 1-888-392-3644. You can obtain a complaint form on the website, or one can be e-mailed or mailed to you. You can also call or e-mail a Division regional office. The regional offices are listed on the website.

** This Notice provides information about your rights under the New York State Human Rights Law, which applies to persons residing anywhere in New York State. Local laws may provide protections in addition to those described in this Notice, but local laws cannot decrease your protections.*

To NYC City Council:

I am a real estate associate broker. I have been working in real estate for 23 years. I was 49 years old when I started, and it was the best job for me. As a Mom it gave me flexible hours. I am now 72 years old and this is the only job where someone can still work as a senior citizen.

I have always said if you don't want to pay a broker fee then don't use a broker! Then I hear one of your members say he doesn't think it is fair to pay a broker fee for an apartment he found online~! How does he think it got online? We put it there!

I have gone all over the city taking pictures of apartments! I have cultivated relationships with landlords, large and small. We compose the copy for the ad and pay to advertise on web sites like Street Easy. We show the apartment, gather all documents for the application, process that and if approved we prepare the lease and collect any fees such as security and rent for the landlord.

No landlord is going to be forced to pay the broker fee without raising the rent, and if you renew next year you are renewing from a higher rent, so you are paying now and later!

Thank you for your time and consideration,

Candy Galas

Associate Broker

The Corcoran Group

Dear Members of the NYC City Council,

My name is Chris Wyman, and I have lived in New York City for the past four years. During this time, I have been fortunate enough to avoid paying a broker's fee when searching for apartments. However, I have been constantly concerned about the prohibitive cost of these fees.

I am writing to express my support for Int 0360, the FARE Act, which aims to eradicate the broker's fee system that is currently a heavy burden on many New Yorkers. The current system is, to put it bluntly, a blatant exploitation of brokers, making it increasingly challenging for everyday New Yorkers to secure affordable housing. These fees, often reaching thousands of dollars, pose a significant financial obstacle, particularly for those already grappling with the high cost of living in one of the world's most expensive cities.

The elimination of broker's fees would not only relieve a substantial financial burden for renters but also contribute to making housing more accessible and affordable. It is a crucial step towards ensuring that New York City remains a place where people from all walks of life can flourish.

I urge the City Council to pass Int 0360 and take a stand for fairness and affordability in our housing market. Thank you for considering my testimony.

Sincerely,

Chris Wyman

Thank you Chair Julie Menin, Council Member Chi Ossé, and the members of the Committee. My name is Claire McClain and I am a resident of South Slope, Brooklyn. It's a made up neighborhood between Greenwood and Park Slope.

I support the FARE Act, because I should not have to pay for a broker I did not hire. Furthermore, paying a broker prevented me from moving out of a dangerous situation. In 2021, I moved to my current apartment. First of all, my friend already lived there. I never saw the broker. I still had to pay a broker to move in. No one showed me the place. I got my keys from the previous tenant. But, I loved the place. It was cheaper than my old apartment and I was living with a friend.

However, a few months into living there my downstairs neighbor started showing signs of dementia. He was often leaving his water on. Leaving doors unlocked or open. Urinating in the hall. It gets worse. He started leaving the stove on. The oven. It gets worse. We would wake up in the morning to the smell of gas. I spent every moment in my home on high alert. I barely slept. My ability to function was significantly impacted by my inability to sleep soundly. I looked for other places to live, but the cost was impossible. It was more realistic for me and my friend to remain in our home and babysit our sick neighbor—risking our lives, one might say, than to find a new apartment. I am not the only New Yorker that has remained in a ridiculous or harmful living situation, because it is too expensive to move. This is more common than it should be. The issue here is not JUST the broker. I get it. I'm not saying the broker's fee is THE issue. But the cost of living is untenable. However, broker's fees are a contributing factor. I urge the Council to make our real estate transactions more FAIR and to pass the FARE Act now.

To The Members of City Council,

I attended today's hearing in the morning and continued to watch the livestream later in the afternoon. As a real estate professional who is not a broker, I am compelled to share with you my unique perspective on this. I currently work as an Office Manager at one of Corcoran's branch offices. While I am licensed as a real estate salesperson, I do not actively conduct business. I've previously been a real estate agent, where I mostly helped renters find apartments and earned my income on a commission-only basis. My current position is salaried, and my duties include processing all our agents' deals, ensuring they are up to date on all licensing & Fair Housing requirements, and maintaining relevant paperwork pertaining to their listings and transactions. I have a unique perspective on this topic given that my livelihood is unlikely to be deeply affected by this bill even though I work in real estate. The market will get tough for a while, many folks will have to find another way to make ends meet, and the stronger agents will find a way to navigate that new reality and eventually land on level ground. I even understand the logic behind the bill's "whoever hires you, pays you" tagline. It makes simple sense to the consumer.

That said, I can't ignore how this bill will affect the industry, agents I work with and the rent prices in NYC. As it stands today, landlords who enter into an exclusive agreement with a broker to lease out their property can either pay the fee or have the broker collect a fee from the tenant. Landlords usually opt to pay the fee, as an incentive to tenants, when demand is low. If this option is taken from them, they will suddenly be faced with the financial burden of what had once been provided for free. What I mean by that is many landlords are used to their brokers paying for all the marketing of their properties (photography, advertising, RLS management). Now they will either need to pay for all those things themselves or pay the broker fee to keep these services. So that is suddenly a lot of financial losses. How are landlords going to come up with the money to keep this up? They will have no choice but to list their vacant units for a higher rent price to cover all these new costs.

So now we have affected the following groups:

- Landlords who suddenly must come up with the cost of marketing and leasing their units
- Brokers who could lose major exclusive accounts if their landlords decide to go it on their own
- Renters who, when the inevitable happens, may still end up being priced out of their desired locations once all the rents go up.

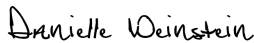
I believe the intention behind this bill is sound, however I take issue with the way many of you have treated the brokerage community in the process. Rather than hear out leaders from all the major firms in the city, you ignored their requests for a meeting. How can you be so certain you know what you're talking about when you won't even have a dialogue with the experts who see first-hand how this all works?

I also take issue with how you conducted yourselves during the hearing today. I heard nothing but vitriol towards brokers who testified. I watched as you stared at your phones and laptops as they spoke, while listening intently to anyone in favor of the bill. You asked follow-up questions to those in favor, while only making quick comments and moving onto the next group after anyone in opposition spoke. I observed a dais of city council members who, for the most part, seemed to have already made up their minds.

The brokers who spoke today made a lot of good points. While it appeared to have fallen on deaf ears, I hope you did listen to them. So many real estate agents are working class people, who live in your districts, trying to make ends meet. This bill risks eliminating those people's livelihoods and causing a new crisis of joblessness, which in turn will impact the housing crisis when many of them may end up having to move. I wish you would hear us out before it's too late.

There are so many more productive, and less detrimental, ways for us to come together and make housing more affordable for everyone. I don't want you or your constituents to learn this the hard way.

Thank you for your consideration.

DocuSigned by:

FABCD2551F1E48E...
Danielle Weinstein

Honorable Members of the New York City Council,

Thank you for allowing us to convey our message here.

My name is Dekyi Tseurate, and I work in Manhattan and live in New Jersey. I am writing to share my perspective on the Broker Fee Bill (Intro 360) and its impact on our community.

I am deeply involved in the real estate sector in New York and I would like to express my strong opposition to Intro 360.

Intro 360 is fundamentally unfair both to real estate agents like me and to the renters it aims to protect. I implore you to consider the detrimental effects this legislation would have on the housing market in New York City.

Primarily, the allegation that this bill would lessen the burdens for renters is not true. In reality, this bill will lead to an increase of higher rents for the tenants. By shifting the responsibility of broker fees solely onto the property owners, the unavoidable outcome would be increased rental cost for the tenants, especially upon lease renewal.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of hardworking agents, many of whom are working-class. Real Estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only worsen the challenges agents face, potentially driving them out of the industry altogether.

Additionally, the bill could have unintended consequences for the accessibility of housing. With property owners likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, worsening the housing crisis in the City.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only further serve to complicate an already challenging housing landscape, disproportionately affecting the working-class New Yorkers in your district and beyond.

Thank you for giving us the opportunity to testify today.

Sincerely,

Dekyi Tseurate

Honorable Members of the New York City Council,

Hello, my name is Dena Driver, and I work and live in Brooklyn. I'm writing today to share my perspective on the impact of Intro 360 on our community.

I urge lawmakers to take meaningful steps to address the affordable housing issue! But Intro 360 is not appropriate and completely lacks an understanding of the industry. The multi-family renters and owners I work with as well as condos and co-ops will not allow lock boxes in their buildings or multiple keys distributed.

Brokers fees are the least of costs when moving – the high cost of living is obviously the issue. I also do negotiate fees down on almost every rental I lease. The high taxes we pay in NYC should address these issues better. Government should not try to shift these costs onto workers in the industry further. I implore you to consider the detrimental effects this legislation would have on the housing market in New York City.

As a New Yorker deeply involved in the real estate sector in New York, I am writing today to express my strong opposition to Intro 360.

Intro 360 is fundamentally unfair both to real estate agents like me and to the renters it aims to protect.

First and foremost, the assertion that this bill would alleviate burdens for renters is flawed. In reality, this bill will likely lead to higher rents for tenants. By shifting the responsibility of broker fees solely onto landlords, the inevitable outcome would be increased rental costs for tenants, especially upon lease renewal.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of hardworking agents, many of whom are working-class New Yorkers themselves. Real estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only exacerbate the challenges agents face, potentially driving them out of the industry altogether.

Key Points:

1. My industry is quite misunderstood by this Councilman and Intro 360.
I provide a great service to renters not only by providing accurate advertisements for housing, setting up appts, personally meeting all potential renters at the property repeatedly with correct details on amenities, included utilities, floor plans, neighborhoods etc I also help renters to submit successful applications to all types of housing and understand all requirements. Then arrange final walk throughs and move in requirements necessary, pet rules and house rules too. The landlords I work with are dealing with
2. NYC has a shortage of affordable housing- but this is not the fault or responsibility of realtors. The lack of coverage housing subsidies provide is costly to tenants and we should address this problem through change to these subsidies.
3. Owners expenses and regulation have increased exponentially
<https://financialpost.com/pmnbusiness/pmnb/homeownership-costs-in-the-us-jumped-26-since-pandemic-began>

Leases and riders are very complicated and owners are not prepared to navigate this process without help keeping up with constant additions, regulations and new laws and inspections required.

Additionally, the bill could have unintended consequences for the accessibility of housing. With Landlords likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, exacerbating the city's housing crisis.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only serve to further complicate an already challenging housing landscape, disproportionately impacting working-class New Yorkers in your district and beyond.

Thank you for the opportunity to testify today.

Sincerely,

Dena Driver

As even CM Ossé's office has acknowledged, the result of this legislation would likely be the cost of broker fees being paid immediately by the landlord but then transferred to tenants of market-rate units through higher rents. This would, in turn, make renters pay the cost of the broker fee again each time they re-sign their lease, while also inflating average asking rents.

Most landlords require renters to make at least 40 times the monthly rent. If rents immediately increase as a result of this legislation, many potential renters will not qualify for apartments and have less access to housing.

Consumers today have a choice to search for "no fee" apartments on their own or work with a broker to access their expertise. If this bill is passed and brokers can't collect a fee from a renter, we will likely return to the chaotic and less transparent rental market environment of the 1990s, where less information was made public and inaccurate information could be promoted unchecked. If landlords market a unit themselves, there will also likely be less availability for showings or robust marketing.

Potential renters benefit from working with licensed agents who are required to participate in rigorous training and continuing education on topics that include fair housing and ethical business practices. By making it more costly for landlords to work with agents, it is reasonable to believe more transactions will take place without guidance and oversight from these professionals.

Starting wages for New York City real estate agents are about \$52,000 per year. Many agents are working-class renters who are just as impacted by the City's current housing crisis as any other resident and would see their livelihood jeopardized with this legislation. As this bill disincentivizes landlords from contracting with agents, this would create greater uncertainty around compensation and lead to more agents exhausting resources and efforts marketing open listings only one agent can get paid for.

For rent-stabilized owners, absorbing broker fee costs would be yet another cost to lease a unit when these same owners are already struggling financially from rapidly increasing expenses like renovation costs, property taxes, and insurance. If the owner can't afford the fee, the unit most likely won't be available to rent, nor rent as quickly.

June 11, 2024

To the Committee on Consumer and Worker Protection:

Please consider my written testimony in support of the FARE Act.

As a resident of New York City for over 12 years now, I am strongly in favor of the FARE Act. I've moved six times since living in this city, and each time I've had to pay an exorbitant broker fee, often when the broker was barely even a part of the process. Housing options without broker fees were limited and often not available during the times I most needed to find housing. I found myself stuck and subject to a system that harms tenants.

New York is one of the only U.S. cities where tenants have to pay for a broker they did not hire. Those fees can range from one month's rent up to 20% of the annual rent depending on the market. This is maddening! Often, tenants are on the hook for paying the fee, even if the landlord hired the broker. This is a deeply unfair practice that benefits landlords and property owners. It is an unreasonable and discriminatory practice that is shameful and should be remedied.

Thank you for your time.

Erika Kramer
West Village, NYC Resident

Fare Act testimony

My name is Haley Dorrance, I'm a resident of Harlem. I support the Fare Act because forced brokers fees will continue to dramatically harm working New Yorkers who just want continue to afford to live on n New York. This bill will only benefit the people of this city. Please pass The Fare Act and take care of the people of New York City.

Speaker Adams, and respected councilmembers, thank you for allowing me to testify regarding the FARE Act.

My name's Hassaan Qazi. I live in Brooklyn's District 45, and I work in the city as a data analyst for a nonprofit today. By training, I am an urban planner. My previous job involved myself directing locational analytics for a real estate brokerage in Midtown. During my experience there, I learnt about the power real estate groups exert in shaping our city on a scale far beyond what any Brooklyn apartment-hunting experience could ever teach me. I also witnessed first-hand what REBNY won't tell you — how real estate groups make no shortage of money in a city ravaged by economic inequity. The rich grow richer, and the poor, poorer.

I'm also here in my capacity as a tenant facing a 17% rent hike in September in an apartment I've lived in since 2018. My lease is not rent-stabilized, nor is it protected by the good-cause eviction legislation passed in Albany earlier this year given the numerous carve-outs in that legislation.

New York City's status quo of passing broker fees to tenants today means I am trapped. It's either thousands of extra dollars a year in rental payments, or thousands of dollars in paying broker fees attempting to move. Working for a nonprofit, that's thousands of dollars I quite frankly don't have upfront.

Record rents and extortionate broker fees are a major reason I'm considering moving out a city that is my home, and I am undoubtedly not alone. Broker fees are shrinking the city's tax base, something indefensible in an era where the Mayor's office is on an austerity spree.

The FARE Act is quite possibly my last reasonable chance, bar winning the housing lottery, to be able to afford staying in New York City. I implore City Council to do the right thing — for me, and every New Yorker who's content skipping brokers for StreetEasy — and pass the FARE Act.

Thank you for your time.

Sincerely,

Hassaan Qazi

Hello all,

I'm writing in regards to advocating for this Act to be passed.

I was born and raised in Brooklyn, NY my entire life. I was kicked out in 09/2023 with my cat for not getting married, as I come from a religious background. No college degree. After four months and no government assistance (as I was continuously denied despite making below the poverty line), I was able to secure a lease and have a permanent address, something that was not an easy feat.

For those of us more privileged, it's hard to wrap your mind around going from having food and shelter to suddenly not. It can happen to anyone. I never thought it would happen to me, I grew up very privileged.

Had there been no broker fees, I would have gotten to my own lease within two months. I wouldn't have had to couch hop or pay strangers for their couch and be harassed at 4 AM in the morning. I was 5 months into being 20 years old, this was terrifying. It would have saved me a lot of time, trauma, money and heartache. I already have PTSD and bipolar disorder, this experience I went through and continue to go through was a matter of life and death. Broker fees definitely did not help this whatsoever.

If this act is passed, it would lead to public opinion increasing on our district members, increased housing opportunities & some faith for those unhoused individuals unmotivated to continue trying to better their own lives. I'm certain that with less predatory laws benefiting only brokers and landlords, it would give hope to those struggling to strive for betterment, as we are finally being listened to! There would be less people off the streets. It is all interconnected.

I hope you all have a great day.

Thank you for taking the time to read this!
Humema Khan



Lorraine Collins
Government Relations and Public
Affairs Manager, Northeast Region
Email: lorraine@zillowgroup.com

To: New York City Council Committee on Consumer and Worker Protection

Date: June 14, 2024

Subject: Intro 360, the Fairness in Apartment Rental Expenses (FARE) Act

Dear Chair Menin,

On behalf of Zillow, I am writing to express our support for the role [Intro 360](#), known as the Fairness in Apartment Rental Expenses (FARE) Act, plays in reducing an unbearable financial burden and helping more New York City renters afford to move. This bill takes an essential first step to open more doors to housing for New Yorkers by ensuring that only the hiring party, whether the tenant or landlord, pays rental agents for the valuable services they provide in the rental real estate transaction process.

Zillow was founded to bring transparency to the real estate market, and we've been working to transform the real estate experience since 2006. Empowering and advocating for consumers is core to who we are and why we exist. We're working to help address the housing affordability crisis by offering innovative products and services, "turning on the lights" with industry-leading economic research, and advocating for [effective housing policies](#) that make it easier for renters, buyers, and sellers to move.

New York City's rental market puts a heavy financial burden on renters. Monthly rents are high and have grown [seven times faster than wages](#) in the last year, but it's often the upfront costs that drain a renter's bank account or keep them from moving altogether. According to [recent research](#) from StreetEasy, a renter in New York City has to spend upwards of \$10,454, on average, just to get the keys to a rental – that's equivalent to 14% of the city's median household income of \$74,694, and more than five times what most renters have in savings.

The most significant contributor to these upfront costs are renter broker fees. Broker fees are required for roughly half of the city's rental inventory. Broker fees typically range from one month's rent, or 8.3% of the annual rent, to 15% of the annual rent. In nearly every other U.S. housing market, with the notable exception of Boston, the landlord must pay an agent's fee for listing their property and finding a tenant.

Although slightly more than half (51%) of the city's rental listings are "no-fee" rentals, where the tenant isn't required to pay a broker fee to sign the lease, many "no-fee" listings are found in luxury or new development buildings with desirable amenities, such as doormen, in-unit laundry, and fitness centers. In 2023, three in five (62%) of no-fee rentals were priced above the citywide median asking rent of \$3,490.

Most New Yorkers can't afford rentals in luxury or new-development buildings. The status quo has led to a two-tiered system - where more affluent New Yorkers avoid paying broker fees in luxury or

new-development buildings with desirable amenities, while everyone else is forced to compete for more affordable rental units that come with mandatory broker fees.

Alongside security deposits and other upfront costs, this enormous financial barrier creates a “lock-in” effect. People cannot afford to move to or within the city, creating less housing turnover, which keeps the rental housing supply down and pushes rent prices up.

One thing we all agree on is the need to create [hundreds of thousands of new units](#) to address the city’s housing affordability crisis. We will continue to advocate for more housing supply and support crucial efforts like the [City of Yes initiative](#) working to modernize our zoning regulations.

Simultaneously, we must act now to reduce the upfront costs to move in New York City and bring much-needed transparency to the rental transaction for renters and agents. Intro 360 is an essential first step; however, there are additional steps that can be taken to address fairness in the rental housing market, which are included in legislation that New York Assemblymember Chantel Jackson and Senator Zellnor Myrie recently introduced ([A9823](#) & [S9686](#)) at the state level:

1. **Prohibit a single agent from representing both sides of the transaction.** In many instances, the agent is hired by - and works on behalf of - the landlord to market a property, but they also claim to represent the renter trying to apply, which can lead to potential conflicts of interest.
2. **Require written representation agreements.** This creates transparency in how agents and their clients work together, the services they provide, and the fees they charge.
3. **No-discrimination clause.** Empowers renters by allowing them to apply to listings even if they choose not to be represented.

While it’s clear that steep fees and a lack of transparency are harmful to renters, the current system doesn’t serve agents and brokers well either. Today’s dynamic of “open listings” forces agents to provide hours of labor to market the same rental units simultaneously without any guarantee they’ll get paid unless they are the one agent who succeeds in finding the renter to fill the vacancy.

82% of agents surveyed by StreetEasy say a pain point in working with open rental listings is the time spent showing the unit without a guarantee of earning a fee, while 46% cite the financial costs of marketing these units without a guarantee of payment as a pain point. Banning single-agent dual agency and requiring a written agreement helps ensure agents are compensated for their valuable services.

While some say that reforming broker fees will increase rents, it’s important to note that renters don’t have the resources to pay thousands of dollars upfront. According to a StreetEasy survey, only one in five renters (22%) could afford these costs out of pocket, and over half of the city’s renters (54%) would be willing to pay a higher monthly rent if they didn’t have to pay upfront broker fees.

Rental housing market conditions will potentially limit rent increases despite attempts to increase the rent to recoup the additional costs of hiring an agent to market the rental unit. In an environment where the number of rental listings is rising, it will be more challenging for landlords to raise rents significantly above market rates as renters will have more listings to consider when deciding whether to renew their

current lease or find a new place. Market conditions will influence whether and by how much landlords can increase rents to account for marketing costs, including hiring agents.

These reforms will increase renter mobility by decreasing upfront costs, giving renters more leverage to negotiate a better rate on lease renewals. When leases come up for renewal, the cost of filling any vacancy will fall on the landlord, giving the tenant more leverage to negotiate the rent. This increased mobility and leverage will help renters unlock their next home, making more homes available on the market and opportunities for agents to connect new tenants to these units.

Although these changes are only one piece of the puzzle to help New Yorkers afford living and moving in the city, they are the right place to start and must be paired with a holistic approach to affordability that reduces upfront costs, increases the housing supply, and eliminates points of friction like housing discrimination that we still see today.

Thank you for the opportunity to express our support for this issue and the need to do more to address New York City's severe housing affordability crisis.

Sincerely,

Lorraine Collins
Government Relations and Public Affairs Manager, Northeast Region
Zillow Group

[REDACTED]

From: Jarryd Rauch [REDACTED]
Sent: Wednesday, June 12, 2024 10:32 AM
To: Testimony
Subject: [EXTERNAL] Testimony in Support of Councilman Chi Ossé's Intro. 360 (FARE Act)

[REDACTED]

Good morning, City Council and fellow New Yorkers. My name is Jarryd Michael Rauch, and I am here to testify in strong support of Councilman Chi Ossé's Intro. 360, also known as the Fairness in Apartment Rental Expenses (FARE) Act.

The FARE Act is a critical step toward addressing the unfair burden currently placed on tenants in New York City. Under the present system, tenants are often required to pay broker fees, even though in many cases the landlord hires the the broker for their services. This practice is unique to New York City and places a significant financial strain on renters who already face some of the highest housing costs in the country.

Critics argue that the FARE Act could lead to landlords passing on the broker fees to tenants through increased rents.

While it is possible that some landlords may attempt this, I don't believe this will have the effect threat critics purport it will:

- The market dynamics of New York City's competitive rental market would prevent landlords from significantly raising rents to cover these costs without losing potential tenants. Landlords may also negotiate better rates for broker services related to the volume of units they manage, which could further reduce the cost burden on tenants.
- Putting market dynamics 101 aside - even if landlords passed costs on through increased rent, the overall financial impact on tenants would be mitigated by spreading these costs over the term of the lease. This distribution would significantly alleviate the prohibitive upfront costs that prevent many New Yorkers from securing housing. The current system demands that tenants pay broker fees upfront, which can amount to thousands of dollars in addition to the first month's rent and security deposit - thousands of dollars that most New Yorker's don't have sitting in a piggy bank.

Furthermore, critics from the real estate industry suggest that the FARE Act might reduce agent commissions and negatively impact brokers. However, the bill does not cap broker fees or limit the earnings potential for

brokers. It simply shifts the responsibility of payment to the party who benefits from the broker's services—whether it be the tenant or the landlord. This is a fair and logical approach, reflecting how service fees are handled in virtually every other industry.

From an economic standpoint, the FARE Act could promote greater housing stability. By reducing the upfront costs associated with moving, the Act enables more tenants to afford and access housing. This can lead to a more dynamic rental market where tenants feel empowered to move as needed without the prohibitive financial barrier of broker fees. This can also lead to stronger neighborhoods that are more reflective of the socioeconomic and cultural spectrum of our City- which research time and again shows as a net positive to municipal sustainability and culture.

Socially, the Act supports renters who are already struggling with the high cost of living in New York City. The median monthly rent in Manhattan has reached record highs - and those record highs are now bleeding into Queens, Brooklyn, the Bronx, and Staten Island.

the upfront costs for securing an apartment are often insurmountable for many. By shifting the financial responsibility of broker fees, the FARE Act provides much-needed relief and fairness to tenants.

The FARE Act is not just a piece of legislation; it is a statement about the kind of city we want to be—one that values fairness, equity, and the well-being of all its residents.

New York City, often celebrated as the "Mother of Exiles," stands as a beacon for those seeking refuge and a new beginning. However, our current broker fee system prevents many from joining our diverse and vibrant community. These fees impose significant upfront costs on new renters, making it difficult for individuals and families, especially those from marginalized backgrounds, to secure housing.

Today marks the anniversary of the tragic Pulse nightclub shooting, and we live in a time where the rights of queer people, and especially trans people, are under attack around our country., we must strive to eliminate obstacles to our city honoring the promise at the base of the Statue of Liberty - and supporting Intro 360 is one step that you each can take.

Thank you.

Jarryd Michael Rauch
Brooklyn, NY

JD Hannon

Real Estate

125 Washington Place
New York, NY 10014
(212) 547-8696
Jeff@jdhannon.com

June 14, 2023

Re: Intro 360 FARE ACT

I full heartedly support this bill and I'm a real estate broker. This rental market is the worst I've ever seen in my 13 years in the business. The majority of the brokers that showed up at the June 12 hearing were those bigger name brokers and team leaders who already have major account exclusives and are paid by the landlords. The landlords are trying to reframe the narrative as a real estate broker job killing bill when really if passed tenants may once again be able to actively seek a broker they trust if they wish to have their interests represented unlike right now where they're almost penalized for working with a broker. Also the whole open listings that many landlords allow brokers to show is something that should be made illegal. I hope the council doesn't fall for the top brokerage executives and REBNY landlord propaganda.

Sincerely,

Jeffrey Hannon

Jesse Alexander
Agent
Realty Collective
351 Van Brunt Street
Brooklyn, NY 11231
6/14/2023

New York City Council
New York, NY 10007

Dear Council Members,

****Letter in Response to Intro 360 Bill****

I hope this letter finds you well. I am writing on behalf of Realty Collective to address the ongoing discussions regarding Intro 360, the proposed legislation concerning broker fee regulations in New York City's rental market.

At Realty Collective, we deeply value our community's stability and affordability, and we appreciate your efforts to address the pressing issues in our housing market. During a recent meeting with Council Member Aviles, we discussed several critical topics, including the impact of large corporations acquiring significant real estate in NYC, which has resulted in the displacement of small landlords and increased rent burdens for tenants. This phenomenon underscores the urgent need for thoughtful and effective regulation.

We recognize the importance of regulating broker fees to alleviate some of the financial pressures on tenants. However, we believe that any new legislation should align with the principles of the Good Cause Eviction bill, ensuring a fair and balanced approach that protects both tenants and small landlords.

The Good Cause Eviction bill sets a strong precedent by establishing clear and justifiable reasons for evictions, thereby preventing arbitrary displacement of tenants. Similarly, we advocate for a standard that requires landlords to pay broker fees, thereby reducing the financial burden on tenants and promoting housing affordability. This approach would also help small landlords who struggle to compete with larger corporate entities, fostering a more equitable housing market.

Furthermore, it is essential to consider the demographics of small rental unit owners. Small rental units have the largest share of owners of color; 13 percent of owners are Black, and 15 percent are Hispanic. Though most landlords in small rental buildings are white, they make up a significantly lower share than they do among other building types. COVID-19 has disproportionately affected Black and Hispanic households, and their greater representation both as tenants and landlords in two-to-four-unit buildings may further exacerbate wealth inequality if no action is taken to protect these landlords from losing their property due to the decline in rental income.

Exempting the smallest buildings, which have the lowest eviction filing rates, from the broker fee requirement is another critical aspect to consider. These buildings are often managed by owners who are not full-time professional property managers and often provide some of New York City's least expensive and most stable housing. Protecting these small landlords is crucial to maintaining affordable housing options and preventing further displacement in our communities.

It is crucial that Intro 360 incorporates these standards to maintain consistency and fairness in our housing policies. By aligning with the Good Cause Eviction principles, we can ensure that the new broker fee regulations provide comprehensive protection for tenants while also supporting the sustainability of small landlords in our community.

We look forward to further discussions on this matter and hope to collaborate closely with your office to refine Intro 360 in a way that best serves the interests of all New Yorkers. Thank you for your attention to this important issue and for your continued commitment to our community.

Sincerely,

Jesse Alexander
Realty Collective

Dear NYC Council

I humbly testify before you in support of below mentioned bill
Wed., June 12th, 2024 @ 10 AM- Committee on Consumer and Worker Protection~Rental
Broker fee be liable upon the party that hires

I am In support of bill as fair-Rent Too D*mn High~highest in USA
REBNY needs to be stopped~relentless in their money grab without restraints or ethics on how
to get to maximum profits on the backs of working families.
I do not know anyone that can afford their rent & have money left over for leisure. Do you (your
honors)?

REBNY is trying to dissolve Rent Stabilization in 2023 twice denied by US Supreme Court they
claimed unconstitutional~for who their personal generational wealth and by the likes won't give
up until they do. This bill in the interim would ease the cost of rental access making individuals
and families housed and not homeless because of exorbitant costs of covering a Broker finders
fee they never hired and couldn't afford to. NYC rents are the highest in the nation.

Pay to Play must end.

REBNY campaign donations rule placing constituents below private interest This is not America
what gives capitalism a bad name.

REBNY donates to mayoral campaign funds & in exchange they get Mayoral-Rezoning that
NYC Council votes on. You would think why would our Congress not deliver for the
constituents? Speakership influx of cash seals the deal. I cite 2014 BdB REBNY spouses(? "We
love animals & we vote") NYClass campaign funds against Central Park horse drawn carriages,
a century's old industry yet their housing(stables) worth billions. Mayoral rezoning disables
ULURP cited NY appeals court in Brooklyn TwoBridges ThePeople vs REBNY NYCCouncil
enjoined=a disenfranchisement that must end.

I can barely afford a NYC market rate rent plus a month's rental deposit plus a broker's fee for a
service forced upon me, I am homeless until able to save up for a fee that is forced upon
renters. Party that hires~pays is fair and reason to support this bill~I pray for your honor's vote
in favor. We can barely afford to live here as NYC is one the most costliest cities in the US.
Vote Blue Democrats Deliver lowering costs for all is good for the economy and lowering debt
that equals longer life expectancy.

In my own words.

Thank you

Mx Joe-Anthony Sierra tenant activist &

Victim of human trafficking for 25 years, the NYPD threw me under the bus for the criminal thus
every felony complaint dismissed with the latest July 2020. Moreover suffering from HUD NYC
HPD supervised & financed illegal eviction initial petition is misleading as HUD is rent control
lease renewals are not required (Section 8) and tenants shouldn't be forced to renew under
threats of eviction another example of city agency in the side of REBNY moreover and to blank
leases-Castleton Preservation Staten Island 10301 resident 17 years the challenge tenant
advocacy and to tell my story landlord agents that aided and abetted a felonious criminal to
elaborate in future hearings seeking closure.

[REDACTED]

From: Tager, Jonathan [REDACTED]
Sent: Wednesday, June 12, 2024 1:35 PM
To: Testimony
Subject: [EXTERNAL] Intro 360 Testimony

[REDACTED]

I know I'm a broker and biased here but there are many NO FEE apartments available. Apartments that are most desirable have brokers fees due to the demand on them. If you abolish brokers fees and make landlords pay the fee, rents will just go up to offset the difference. Consumers are going to end up paying more in the end.

Here's an example. A sweater hits the market at full retail in the fall. If it sells it sells. If not, the price is reduced. Let the market dictate who pays the brokers fee. I didn't mention the amount of money most brokers will lose because of this bill. All of which is taxed by NYC. This is a lose lose.

Jonathan Tager

Licensed as Jonathan N Tager

Licensed Associate Real Estate Broker

[REDACTED]
o: 718.422.2521

Jonathan.Tager@corcoran.com

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***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

Good Morning, my name is Joshua Szeimberg & I am a former Brooklyn resident. I have faced unfair forced broker fees of \$1500+ & believe it is wrong to make a renter pay the broker fee when the broker is hired by the landlord, NOT the renter. Chi Ossé represents the working class of New York City and this bill being passed will greatly relieve financial stress of lower income renters in an already overpriced housing market.

My name is Julia Costanza, and I am testifying in support of passing the Fairness in Apartment Rentals (FARE) Act. I moved to New York City two years ago and found the process of paying the broker's fee quite belittling. I had spent weeks of my own time researching and touring apartments, only to have to pay \$6,000 for a broker to spend ten minutes unlocking an apartment and then be unresponsive during our move-in coordination. I believe Council Member Ossé's bill is not only fair but logical. New York City is one of only two cities where tenants are expected to pay brokers' fees even if they did not hire them. There is literally no other situation I can think of where a person would have to pay for something they didn't want or buy. Thank you for taking the time to read my statement.

Thank you Chair Julie Menin, Council Member Chi Ossé, and the members of the Committee. My name is Claire McClain and I am a resident of South Slope, Brooklyn. It's a made up neighborhood between Greenwood and Park Slope.

I support the FARE Act, because I should not have to pay for a broker I did not hire. Furthermore, paying a broker prevented me from moving out of a dangerous situation. In 2021, I moved to my current apartment. First of all, my friend already lived there. I never saw the broker. I still had to pay a broker to move in. No one showed me the place. I got my keys from the previous tenant. But, I loved the place. It was cheaper than my old apartment and I was living with a friend.

However, a few months into living there my downstairs neighbor started showing signs of dementia. He was often leaving his water on. Leaving doors unlocked or open. Urinating in the hall. It gets worse. He started leaving the stove on. The oven. It gets worse. We would wake up in the morning to the smell of gas. I spent every moment in my home on high alert. I barely slept. My ability to function was significantly impacted by my inability to sleep soundly. I looked for other places to live, but the cost was impossible. It was more realistic for me and my friend to remain in our home and babysit our sick neighbor—risking our lives, one might say, than to find a new apartment. I am not the only New Yorker that has remained in a ridiculous or harmful living situation, because it is too expensive to move. This is more common than it should be. The issue here is not JUST the broker. I get it. I'm not saying the broker's fee is THE issue. But the cost of living is untenable. However, broker's fees are a contributing factor. I urge the Council to make our real estate transactions more FAIR and to pass the FARE Act now.

Name: Katherine Maningas
District 35

Testimony in Support of Int 0360-2024

As a resident who has experienced the financial strain and hardship associated with moving to a new apartment, I wholeheartedly support Int 0360-2024 proposed by Chi Ossé. This legislation seeks to alleviate the burdensome costs imposed by broker fees, particularly for individuals like myself who live paycheck to paycheck and struggle to make ends meet.

Moving to a new apartment should be a fresh start, a step towards stability and comfort. However, for many of us, it becomes a source of immense stress and financial strain. Each time I've had to move, the burden of paying exorbitant broker fees has nearly bankrupted me. These fees, often equivalent to multiple months' worth of rent, are simply unaffordable for individuals living on tight budgets.

Int 0360-2024 offers a glimmer of hope for people like me who are trapped in a cycle of financial insecurity. By eliminating broker fees and shifting the responsibility for payment onto the party who hired the broker, this legislation would provide much-needed relief. It would level the playing field, ensuring that individuals searching for housing are not unfairly burdened with costs they cannot afford.

I urge policymakers to support Int 0360-2024 and take proactive steps towards making housing more accessible and equitable for all residents. By passing this legislation, we can create a more just and inclusive city where everyone has the opportunity to find safe and affordable housing without being pushed to the brink of financial ruin.

Thank you for considering my testimony,

Katherine Maningas

A handwritten signature in black ink, appearing to read 'Katherine Maningas', with a stylized, flowing script.

District 35
Crown Heights

Hello Chair Julie Menin, Council Member Chi Ossé, and the members of the Committee. My name is Katie Wolf and I am a resident of the Bloomingdale Neighborhood in Manhattan.

I support the FARE Act because I do not believe I should have to pay for a broker I did not hire. In 2016, I was looking for an apartment after graduating from Columbia. I struggled to find an apartment that worked for me and my and my friends' and roommates' entry level salaries. We were able to find an amazing apartment in Alphabet City that fit our budget (by fitting five people into a 3 bedroom!) but we still had to pay a broker fee. We found the apartment on our own through Streeteasy and never contracted with a broker. We only met with a broker to get the key after signing the lease. The broker fee was an additional \$5000 to our upfront costs and was a major financial barrier to getting housing, especially compared to the (lack of) services received.

The FARE Act would help many New Yorkers, like myself. Having to pay an upfront cost can make it hard for us to find housing and remain in the City. It is not reasonable that we have to pay for a service that we did not use or pay for representation that is not ours. We are your neighbors and your friends and we want to be able to continue to remain, live, and grow in the City for as long as we can.

I urge the Council to make our real estate transactions more FAIR and to pass the FARE Act now.

To whom it may concern,

I write this testimony as a New Yorker strongly in support of the FARE Act. The FARE Act is a common sense bill that will prevent NYC landlords from passing along broker fees to renters.

During my recent search for a new apartment, I found an excellent rent-stabilized apartment on Craigslist. I called the number listed on the posting, showed up for my 10- minute tour of the place, and then was asked to pay six thousand dollars for the broker service if I signed the lease. Generously, I assume that the broker, who I did NOT hire, performed maybe 15 hours of total work for this listing.

I literally cannot fathom how such practices are legal in New York, especially as they entirely defeat the purpose of having rent-stabilized apartments in the first place. What is the point of restraining rent prices if you allow for loopholes that rampantly block low-income people from accessing housing? I ask that you support the FARE act so that renters can be protected from just one of the many, many predatory practices that the NYC real estate industry engages in.

Having access to affordable housing is a fundamental right. Being able to charge exorbitant broker fees to renters with no other options is not.

Thank you for your attention.

Sincerely,
Katy Thomason
Crown Heights, 11213

Dear Esteemed Members of the New York City Council –

I am writing you today to advocate passionately for the passage of the Fairness in Apartment Rental Expenses Act. This legislation is not merely a policy adjustment; it is a necessary and urgent intervention to rectify the gross injustices that have plagued our city's housing market for far too long. The issue at hand is the exorbitant broker fees that everyday New Yorkers are forced to pay, a burden that has become an insurmountable obstacle for countless citizens striving to secure a place to call home.

It is unconscionable that finding a home should come at such a steep and unfair price. Broker fees, often amounting to thousands of dollars, have created a barrier that disproportionately affects our most vulnerable populations. Young professionals, single parents, recent graduates, and hardworking individuals who already grapple with sky-high rents are being pushed to the brink of financial instability. These fees are an unnecessary and predatory expense that line the pockets of a few while draining the lifeblood from our community.

Consider the single mother who works two jobs to provide for her children, only to find that the savings she painstakingly set aside for a new apartment must now be surrendered to a broker. Think of the recent college graduate, saddled with student debt, who cannot afford to start their career in our vibrant city because of the astronomical costs associated with securing a lease. Reflect on the countless individuals who are forced into substandard living conditions because the prospect of paying these fees is simply untenable.

The FAIR Act promises to end this exploitation by eliminating the unjust broker fees that have long been a staple of the rental process. It seeks to create a more equitable housing market where the cost of finding a home is not a prohibitive factor. By passing this act, you will be taking a stand for fairness, for justice, and for the belief that every New Yorker deserves the dignity of affordable housing.

Our city thrives on the diversity and vitality of its residents. We cannot allow the financial gatekeepers to continue imposing such a harsh toll on those who are already struggling. The passage of the FAIR Act will not only alleviate the immediate financial burdens on our citizens but also contribute to a more inclusive, fair, and just society. It is a step toward restoring faith in the promise of New York City—a place where opportunity is not dictated by one's ability to pay exorbitant fees, but by one's dreams and determination.

Members of the City Council, I implore you to consider the voices of your constituents who are crying out for relief. Show them that their city government hears their struggles and stands ready to take meaningful action. Pass the FAIR Act and demonstrate that New York City is truly a place where fairness and equity are more than ideals—they are realities that we are committed to upholding.

Thank you for your time, your consideration, and your dedication to making New York City a better place for all its residents.

Kenneil

To the New York City Council –

In regard to the FARE Act, and the hearing that took place on Wednesday June 12 @ 10am...

My name is Kevin Barry, I am 31 years old, and I have lived in New York City all of my life. I was born on the Upper West Side near Columbia University and attended Bronx Science for high school. My parents still live on West 102nd St, in the same apartment that I grew up in.

I was lucky growing up in that I benefitted from strong tenant rent laws. My parents worked multiple jobs and never really had to sweat paying rent on time, as they raised me and my sister in a rent stabilized unit. This is what allowed my parents to raise us in New York City. It is the reason why so many New Yorkers can still live here, regardless of how unaffordable this city has become.

This past February, the apartment that I lived in in Williamsburg was sold by the owner. I had 2 months to find a new apartment to move in to, so I scanned the rental market for 1 bedroom units. My girlfriend and I were planning on moving in together, so we started to tour apartments that we found on Streeteasy (without the use of a broker). 5 months later, we still haven't been able to find a place to live.

Now this is very much a product of supply and demand (which I understand very well – I went to Johns Hopkins and have worked in Finance the last 10 years). However, *the biggest impediment* that we have encountered is not lack of availability for (substandard) units...it is the near-requirement now to pay a prohibitively high brokers fee. We have been to over 10 different open houses now, and all of the listing agents have demanded a 15% fee on annual rent for just opening the door (\$10,000 plus). They do not represent us. In fact, they do the opposite. They claim that it is not a "bidding war," but under the table suggest that only the best and highest offer will win, and the quality of the applicant does not matter anymore.

Let's call a spade a spade here – NYC listing brokers are acting out of greed. They are taking advantage of a hot real estate market by punishing those who can afford to be taken advantage of *the least*. **This bill doesn't even prevent brokers from earning a living – it only ensures that the landlord is the one footing the bill for the representation that they are hiring.**

Now if someone like myself who works in finance is compelled to write this plea, imagine the millions of New Yorkers less fortunate who feel even more disadvantaged.

Please do the right thing. Let supply and demand dictate pay for brokers, just like it dictates pay for the rest of society. Fix this immoral and reckless loophole so that New York can still be a livable place for ordinary people.

My name is Kevin Watson and I am a renter in New York City. I moved to New York for work and love most everything about NYC, except the process of renting. The FARE Act would alleviate pressure on renters and introduce some fair-market economic principles to renting.

Lifelong New Yorkers often do not realize how strange NYC's broker fee process is. It is an example of "regulatory capture" that drives costs through the roof. Almost no other city in America has a brokers fee process in the way that NYC does. New York City is the undeniable outlier here.

I rented my first apartment last year. After one year, the landlord increased rent significantly. It dawned on me that the brokers fee is nothing more than a tool to provide a landlord leverage in a pricing negotiation. The leasing agent quite literally said to me "are you sure you want to move and let that broker fee you paid last year go to waste?" I moved out of the apartment on principle. I am fortunate enough to have the means to pay another broker fee at a new apartment. Millions of New Yorkers are not that lucky.

Brokers fees trap renters in apartments and give landlords the ability to more easily raise rent. It's not that complicated.

As a registered voter in New York City, I strongly encourage the city council to do the right thing and pass the FARE Act.

My name is Laura Girard, and I'm a resident of Manhattan. New York City has been my home for seven years, and like most people who relocate to NYC, I moved here to pursue creative career opportunities.

I support the FARE Act because I support regulations and protections for tenants. Upfront moving costs continue to add a prohibitive burden to a otherwise affordable apartments. In an old apartment, I was living with extreme water damage and black mold - forced broker fees on comparable apartments meant I had to wait longer to break my lease and remove myself from an unhealthy situation. When I started my (now-six-figure-earning) fitness business 5 years ago, in my New York City apartment, my parents loaned me the \$500 necessary to attain my certification, because I didn't have \$500 extra in my account to cover it myself. It was a privilege to have family that could cover that cost for me, it was a privilege to be able to pay them back so quickly, and it was a privilege to build my business in the greatest city - and community - in the world. My business took off BECAUSE I was in New York, in an apartment that I had drained my savings to procure, because I had to cover the fee for a broker I did not personally hire. Proximity to NYC means proximity to opportunity and upward mobility that would otherwise be unavailable to so many people. Keeping money in tenants' pockets means more reliable, long-term tenants, who are able to stay in our amazing city and nourish our community.

The upfront cost to secure an (already unaffordable) apartment WITH an added fee for the services of a professional they did not choose to hire is a massive undue burden on the tenant. Brokers deserve to be compensated for the time and labor they put into their work, and tenants who enter the rental market deserve to not be forced to cover the cost of that labor when they are not the ones represented by or benefiting from the services of the broker.

I urge the Council to make our rental real estate transactions more FAIR and to pass the FARE Act now. Thank you.

Statement of Lauren Peckler in Support of Intro 360, the Fairness in Apartment Rental Expenses (FARE) Act

Good evening,

My name is Lauren Peckler, and I'm a lifelong New Yorker. For the past five years, I've struggled with the burden of broker fees when finding apartments in this city. These unnecessary fees have forced me to take out personal loans just to cover moving costs, loans I'm still paying off today.

The current system is unfair. Renters shouldn't be responsible for paying a broker hired by the landlord. Finding an apartment in NYC is already challenging; the FARE Act would make the process fairer and more affordable for renters like myself.

By passing the FARE Act, you can help ensure that all New Yorkers have a shot at finding a decent and affordable place to live. Thank you for your time and consideration.

Sincerely,
Lauren Peckler

I have lived in New York as a renter for more than 20 years on and off. In the 1990s, I used a broker who worked for me and my husband, providing us a a service in exchange for one month's rent. It was a burden, but we got a service for our money. Indeed, at that time, self-search through the Internet was not an option.

Fast forward to the 2010s and 20s. We have had to pay fees of 15% to rent apartments we find ourselves. When we last were looking for an apartment in spring 2022, a very hard market, we discovered it was simply impossible to find an agent who would work for us. We learned that part of the market—representing renters—had effectively disappeared. But the fees had not.

The practice of charging exorbitant fees to people for access to housing, but no representation or real service, is an exploitative market distortion. REBNY and agent interests say landlords will pass on the cost in rent increases, but I don't believe agents will be able to charge 15% to landlords. I urge you to pass the FARE Act for New Yorkers who struggle to live in the city any more.

Lee Crawford
Brooklyn, NY

Dear City Council,

My wife and I moved from a small one bedroom to a two bedroom apartment in September 2023. At the time my wife was 8 months pregnant and we needed to move to a bigger apartment to allow for more space for us to have our baby. We searched tirelessly across brooklyn to find an apartment in our budget and everywhere required a 12-18% broker fee. We ended up needing to pay the equivalent of two months rent just to move into our apartment. I felt like I was being forced to pay a down payment on a house even though it is just a rental. That two months rent represented over 35% of our savings. This huge hit to our savings happening right before the biggest and most expensive milestones in our lives. I say this coming from a huge place of privilege where both my wife and I are fully employed and at least had the money to pay for this insane expense. Many families in NY are far less economically stable and I shudder to think of how they can afford being forced to pay these enormous broker fees. We also got very lucky in that we hope to stay in this apartment for many years to reduce the impact of having to pay a broker fee again. However, if for whatever reason one needs to move out after only a year or two in the same apartment, the constant broker fee hits can make it very prohibitive to the point of locking people into bad housing arrangements and giving even more leverage to landlords. What's more, I had no choice in selecting a broker, no choice in negotiating price, no choice but to pay something someone else (our landlord) decided. I believe it is critical to have landlord's pay their broker's if they want to use one. I do not understand why a tenant has to bear this burden when the services provided are entirely at the landlord's behest. If I wanted a real estate agent or broker I would get my own and pay for it, I dont see why I have to pay for the landlord's broker.

Thank you for your time,
Leonardo

[REDACTED]

From: Sulfaro, Lisa <Lisa.Sulfaro@corcoran.com>
Sent: Wednesday, June 12, 2024 3:11 PM
To: Testimony
Subject: [EXTERNAL] Real estate agents are parents too

[REDACTED]

Hi,

When we go out into the world, we are faced with today's pricing, record high inflation and everything going UP!

How could you cut our incomes in half and expect us to survive?

It makes no sense.

Mortgage rates adjusted up.

Tuition is up.

Groceries are up.

Gas is up.

Necessities are up.

Why are we always the target?

We are NOT the enemy of the state. We are working people, in America - where this kind of control and capping of wages is unconstitutional.

Please vote against this nonsensical, uninformed bill as bills like this always hurt the very people they intend to help.

LSS

Lisa Sulfaro

Licensed Associate Real Estate Broker

The Corcoran Group

1 Pierrepont Plaza

15th Floor

Brooklyn, NY 11201

o: 718.923.8025

[REDACTED]
f: 212.230.7581

lss@corcoran.com

www.easystreet-nyc.com

Wire Fraud is Real. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

May 24, 2024

Hello,

This written testimonial urges you to vote YES for the FAIR ACT which is being discussed June 12 at 10am.

I am a renter in New York who has just recently completed another apartment search. At the outset of my apartment search i hoped to only have to pay 1 months rent towards a broker's fee, which i budgeted for. The apartment I found's monthly rent is \$3100. The broker's fee was \$6200.

Last Friday I paid first month, security deposit, plus broker's fee (& a service fee!) for a total of \$11,515. All at once. I didn't hire the broker, but was required to pay 200% of standard move in fees which will never be recouped.

With the price of rent increasing in New York, and broker's fees being assigned to tenants who did not hire the broker, moving is increasingly becoming a luxury for the wealthy. By requiring the broker's fee to be paid for by whomever hired them, this would lower moving costs for New Yorkers and have the potential to result in a more mobile rental market in New York, which benefits ALL of New York.

Requiring the tenant to pay for a broker which they did not hire is unfair, and I believe that the broker's fee should be handled by whoever hired the broker. I urge you to vote yes for the Fair Act to protect New Yorkers.

Best,
Lois Paquette

Mariaclara Golfo

Regarding: Fare Act — Subcommittee on Landmarks, Public Sitings, and Dispositions

[Date]

My name is Mariaclara Golfo and I am reaching out as a very concerned New Yorker who has experienced the issue of Broker fee extortion first hand multiple times.

Brokers can request anywhere from 1 month's rent to 15% of annual rent after already being paid to work with landlords. This can mean the difference between a person staying in a bad living situation, and moving out into a better one if they're not ready to pay thousands of dollars for an apartment tour. There are little to no options that don't include brokers online these days — so I virtually have no choice but to go through one to find an apartment.

Furthermore, with the lack of tenant protections out there — renters are frequently forced to move out of their homes because of increased rent charges annually by landlords. This forces renters out of their homes to find a new apartment given they may not be able to afford the last, but needing to pay an inflated amount to begin living elsewhere.

This needs to be amended. Brokers are taking hard earned money, flooding online rental options and holding people back from finding an apartment that would otherwise be affordable and accessible to them.

Thank you for reading my testimony.

Sincerely,
Mariaclara Golfo

I, Marielle Greguski, fully support the bill, The Fare Act. Because of the fact that I had to pay my own broker fee, I have no money in my savings. And being that New York City is one of the most expensive cities to live in in the country, I am not able to save money within the year to leave my apartment. And my landlord of my current apartment does not take care of us. In fact our current landlord makes our life living in our apartment quite hard. We spent most of the winter without heat or hot water and this morning we woke up with our water shut off with no warning. We want, no, need to move but we don't have the money because having to pay the brokers fee, a service we did not hire ourselves, nor did we even meet in person, drained our savings and we're stuck living in a less than viable living space.

June 11, 2024

Subject: Fairness in Apartment Rental Expenses (or FARE) Act

To: Committee on Consumer and Worker Protection, City Council of New York

Dear Members of the Committee:

Thank you for convening this hearing. My name is Matthew Tulini. I have been an East Village resident for twelve years, living in the same apartment for all twelve years. In the past couple years I have faced double-digit percentage rent increases each year, and I'm sure I am not alone. In these uncertain times, countless New Yorkers could improve their situation by moving to more affordable apartments. Broker fees, paid for by tenants whose interests the brokers do not represent, create a tremendous barrier to doing so.

Tenants, myself included, are confronted with the option of either paying for a steep rent increase, or paying for the landlord to replace them.

Such a system is profoundly unfair and is virtually unknown outside of New York City.

Brokers of course should be paid for their work. But they should be paid by the party they are working for. If a broker is taking the application for an apartment, running credit and financial checks, and/or presenting the tenant with a lease – they are working for the landlord, as it would be a conflict of interest otherwise. A bank does not allow a client to run a credit check against himself, or draw up his own loan terms.

The recent “Good Cause Eviction” law should have included a provision to shift broker fees to their clients (ie, landlords). The “Good Cause” law incentivizes landlords to impose maximal increases every single year until the unit turns over and the base rent resets, as there is essentially no downside to doing so since the tenant pays for the broker to re-rent the apartment.

I would like to address some arguments made by opponents of this bill. Firstly, brokers should not care who pays the fee, so one has to wonder why they are so opposed to it. Most argue that rents will increase. It is illegal for broker fees to be passed on for rent-stabilized apartments. Some apartments are already no fee. Between these groups probably more than half of NYC rental real estate will not be impacted at all. For the remainder, if landlords could increase the rent then they already would have done so. Landlords do not actually set the prices – the prices are set by the market.

Shifting broker fees to the party who hires them will allow New Yorkers more freedom to live in affordable housing. It will remove the uncertainty of deciding between a massive rent increase or paying for your replacement. It will increase the vacancy rate and provide more reasonable prices for all as New Yorkers will be more free to move. It will more efficiently allocate housing by removing this distortion in the market. And it will make landlords think twice about massive and arbitrary rent hikes if they are the ones who have to pay to re-lease their units.

Sincerely,

Matthew Tulini
East Village, NYC

Melissa Gomez Testimony to City Hall re. Int. 360
June 12, 2024

Hello Chair Menin and members of the Committee on Consumer and Worker Protection. My name is Melissa Gomez and I am speaking today here as a member of the New York State Association of Realtors®. My office is located in Southeast Queens, Queens Village to be exact, and we sell and rent units throughout the boroughs, Long Island, and Westchester county. I am also here as a fellow New Yorker, small landlord, and first generation Latina born and raised in Queens.

I am here to speak in opposition to Intro 360.

This legislation simply will not help the residents of New York. Affordable housing is a huge concern for all of us. Not just for this council but for real estate agents as well. This bill attempts to put a bandaid on an issue yet not really resolve the problem. Enacting a bill like this would make landlords either not want to use real estate agents or significantly increase their base rent. How do I know it would increase rent? There are already no broker fee rentals online everywhere and they are always the highest rental units on the market. To give an example, as of today there are 13,942 rentals on StreetEasy with 6,542 of them being No Broker Fee rentals. The No Fee Broker Rentals start at \$4893 versus the broker fee rentals which start at \$2899. That right there is your proof of what will happen.

Additionally, you asked about New York versus other cities so I looked up Miami's rental situation. In Miami, tenants must pay 3 months rent up front: first and last month's rent and their security deposit which is more than our permitted first month's rent and security. Plus in Miami, landlords give 3 day notice for eviction of non-payment unlike our laws which mandate 30, 60, or 90 day notice and then you're stuck in housing court for at least a year.

Next, the question is what would happen if we discourage landlords from hiring real estate agents? Let's face reality. In my experience, some landlords do not feel that the same fair housing laws that apply to real estate licensees apply to them. I have often had to explain to a landlord about the state and federal fair housing laws and how they must obey them. If this bill becomes law, that opportunity will decrease and instead the limited housing options that are available will become even more limited to the majority of people seeking shelter.

This bill is an attempt to put a bandaid on the affordability crisis. However, issues like delays in housing court and red tape to build, modify, renovate etc are not being addressed. To give an example, I had a gas leak in my little 2 family building. It took me 6 months of back and forth between Con Ed and the city to get the gas turned back on. I was able to manage; however, how many other small landlords could? And I know that there is little pity for landlords- but there are a large group of landlords that only have a few rentals who are being price gouged on everything from water to utilities like gas and electricity to insurance to regulations and summonses to maintenance and construction

etc. All while the property taxes continue to increase with diminishing services from the city.

I ask that you please oppose Intro. 360 and consider its ramifications. It will not make housing more affordable. Instead, it's going to make the limited housing options people have even more limited and punish real estate agents who are just trying to do what is best for their clients. I urge that the council please look for more concrete ways to help the city become more affordable. A vote for 360 is a vote to raise rent on the average New Yorker.

My name is Melissa Hope, and I am a rent stabilized tenant of 27 years. Stabilization has made it possible for me to live in NYC in a relatively stable situation. I paid a brokers fee when I got my apartment, and I can say that first month's rent, a security deposit, *and* the brokers' fee is prohibitive for many New Yorkers, especially those who need scarce affordable housing. Moving apartments in NYC is expensive enough as it is – tenants shouldn't have to pay thousands of dollars for a broker working for the landlord. This was a hardship for me, and asking tenants to pay brokers that they did not hire is especially egregious now that realtors fees for sales have been drastically changed, but realtors fees can still be passed on to tenants in NYC.

Council Member Chi Osse re-introduced Intro. 360, the FARE Act, which would require whoever hired a broker, whether landlord or tenant, to pay the broker fee. The bill is that simple: The person who hired the broker pays the broker, and if you didn't hire the broker to find the apartment, you don't pay the broker. I encourage the RGB and City Council to support the FARE Act.

NYC Council Committee on Consumer and Worker Protection

June 12, 2024 Hearing by the Consumer and Worker Protection Committee

Why I Support “The Fairness in Apartment Rental Expense Act”

TO: The Honorable City Council Member Julie Mein, Committee Chairperson

FROM: Michael Corley, Principal Broker at Corley Realty Group, Inc.

DATE: June 11, 2024

Dear Chairperson Mein,

I, Michael Corley, Principal Broker at Corley Realty Group, Inc., a boutique residential real estate brokerage that began in 2004, and who's principal office is at 147 Prince St Brooklyn NY 11201, offer testimony in support of The Fairness in Apartment Rental Expense Act (a/k/a The F.A.R.E. Act).

It is my hope that, as a licensed practitioner for 22 years, having professionally leased over 150 apartment rentals personally in my career, my testimony can provide a balanced perspective that demonstrates the value this legislation offers to thousands of residents that enter the rental market each year and the licensed real estate agents that broker rental transactions on behalf of property owners throughout New York City.

By the end of my testimony I hope that you, members of the Consumer and Worker Protection Committee and all in attendance, will appreciate the value licensed real estate agents provide the rental market and why property owners should compensate them for services performed on their behalf.

I will briefly outline;

- Who typically hires a real estate agent to lease a vacant apartment in NYC
- What services are provided
- What it costs to list, market and broker a lease transaction
- Fees charged, who pays and why they're rarely ever negotiable
- The failure in new tactics to maintain current market practices

Who typically hires a real estate agent to market and broker a vacant apartment?

In practically every instance, the property owner or their representative (i.e., property manager) retains the services of a licensed real estate broker to list, market and broker a vacant apartment in New York City.

An enormous number of apartments are listed for rent as open listings, where real estate brokers do not have a written agreement to provide realty services with a property owner.

This is because property owners have been accustomed to receiving a real estate broker's listing, marketing and brokering services to lease an apartment for free.

What services are provided to lease a vacant apartment

An experienced real estate broker provides the following services to a property owner;

Listing

- Evaluate rental market unit value by location to determine asking rent
- Review and sign required legal disclosures (lead paint, anti housing discrimination, agency relationship, bed bug history)
- Inspect premises and identify hazards, defects and habitability issues
- Record amenities, terms and conditions to lease subject to property owner approval
- Prepare listing copy to conform to Fair Housing statutes
- Shoot principal photography (photos and video)
- Create floor plan

Marketing

- Finalize principal photography to use (photos and video)
- Identify placement to offer vacant apartment for rent to attract strong interest
- Post and Syndicate apartment listing to portals, sites and mediums to the public
- Field renter customer and agent inquiries about apartment

- Provide tours to interested parties that qualify to lease premises
- Follow fair housing statutes

Brokerage

- Evaluate renter customer applications
- Verify identification
- Assess applicant risk for default
- Present property owner with qualified applicant(s) for consideration
- Prepare lease with rider for parties to review
- Present disclosures on lead, bed bug and anti-discrimination for acknowledgment
- Execute lease and collect deposit made out to property owner

What it costs to list, market and broker a vacant apartment into a lease transaction

A well established real estate broker with repeat residential leasing clientele would typically produce marketing materials once and update only after remodeling or upgrade to the premises.

But costs can vary when listing a new vacant apartment for rent depending on factors related to the property it's in.

The typical hard dollar expenses incurred are marketing, where advertising consumes the lionshare due in large part to how long and how much visibility a broker wants a rental listing to have.

NYC's rental market is represented on sites like Streeteasy, Zumper and Renthop, where advertising can be purchased on a daily or monthly basis. Streeteasy is the leading rental portal that syndicates listings to Trulia, HotPads, Zillow and their mobile applications.

The average rental listing typically appears on Streeteasy from 10 to 30 days and can cost a real estate broker \$7 a day or a total \$70 to \$210.

The average cost of listing, marketing and brokering a vacant apartment listing at Corley Realty Group works out as follows:

- \$70 to \$275 on advertising
- \$45 for photography
- \$55 for floor plan

Marketing expenditures are paid by a real estate broker and, depending on their compensation agreement with their real estate agent, will typically see advertising cost reimbursed.

The unquantifiable cost for real estate brokers is the time spent performing specific activities to identify a ready, willing and able renter customer, such as;

- Phone calls / Text Msgs / Emails
- Travel / Commute
- Showings
- Reviewing documentation
- Evaluating default risk
- Preparing lease and disclosures
- Scheduling closing

Fees charged, who pays and why they're rarely ever negotiable

Fees renters pay can vary widely from one real estate agent to the next.

But dealing specifically with what the F.A.R.E. act seeks to redress, the brokerage fee is typically paid by the renter customer for arranging a lease transaction for an apartment.

A brokerage fee can cost anywhere from 1 month's rent up to a commission rate of 15% of the 12 month lease value. Let's examine what the brokerage fee could cost a renter in Bedford Stuyvesant searching for a 1 bedroom apartment with a brokerage fee of 15%.

As of June 11, 2011 there were 140 One Bedroom Apartments listed for rent by real estate brokers on Streeteasy.com. The asking rents range between \$2,000 to \$4,999 a month.

Of the 140 one bedroom apartments, 97 are offered NO FEE, while the remaining 43 require a renter to pay a brokerage fee.

If we were to calculate the housing cost to lease a vacant one bedroom apartment today in Bedford Stuyvesant at the median rent of \$2,985 a month, it would cost;

- Application fee \$20 per applicant [based on statutory rate]
- 1st month's Rent \$2,985
- Security Deposit \$2,985
- Brokerage Fee (15%) \$5,373 [based on 12 month lease value of \$35,820]

A renter customer could incur an out of pocket cost of \$11,383, of which 47% is paid to a real estate broker they never hired to represent.

The renter is essentially paying the cost of listing, marketing and brokering the apartment for the property owner's financial benefit.

Real estate brokers are providing a valuable service to create an efficient real estate marketplace for leasing apartments but current market practices are unfair since they're required to compensate a licensed real estate agent for services that benefit a property owner.

Renters whose applications are approved and offered a lease have significant sunk costs in time and resources, making it difficult to negotiate a lower broker fee since their only leverage is to walk away and start over.

Property owners are rarely involved in any negotiation on broker fees since they've already received services at no cost, and are often unaware if a broker's fee is a significant hurdle to leasing their vacant apartment to a well qualified applicant.

This "gatekeeping" factor has been the fulcrum that's allowed the market practice to remain unchecked for decades.

The failure in new tactics to maintain current market practices

Real Estate Brokers that recognize the changing cost structure in residential leasing in NYC have instituted a new pricing tactic to list vacant apartments for rent on a NO FEE basis.

However this approach inflates the lease value for a unit while masking the broker fee. These for rent listings will disclose “net effective rent” without an explanation for what the real cost is to the renter.

The primary objective of this market practice is twofold;

1. earn the property owner lease market value
2. collect a brokerage fee without charging the property owner

While, on appearance, this pricing tactic achieves some market relief initially, it only leads to inflated lease values overtime in a harmful way.

In conclusion

Real Estate Brokers provide a valuable service to property owners worth paying for.

They broker lease transactions to ready, willing and able renters on their behalf to realize a significant source of income.

While many of my peers fear F.A.R.E. could result in a loss of commission income, I believe their concerns are misplaced.

Few, if any, property owners are in a position to deal directly with the general public and lack the skills and resources to effectively represent themselves while complying with fair housing statutes and other regulatory requirements.

I believe the Fairness in Apartment Rental Expense act will have the opposite effect in the long run and prove valuable when property owners retain a real estate broker to list, market and broker a lease for their vacant apartment.

Real Estate Agents will finally be able to distinguish themselves from their competitors in the marketplace and ultimately command a profitable commission for their services.

Property owners will find the new standard beneficial since they can negotiate cost for services directly with the service provider, which is consistent with current market practices in property sales.

And Renters will enter a more transparent marketplace where fewer hurdles will exist to lease an affordable place to live in New York City.

Michael Corley, Principal Broker
Corley Realty Group, Inc.
147 Prince Street
Brooklyn, New York 11201

I oppose the proposed Intro 360 bill.

I am old enough to remember the 70's in NYC. Buildings abandoned, people fleeing the city. This was the result of a lack of investment in the housing infrastructure. This bill will cause landlords to let Rent Stabilized buildings go into disrepair; ultimately leading to unaffordability for middle class New Yorkers.

Not to mention agents provide real service to tenants and landlords, alike.

Most agents are simply eking out a living. They struggle like everyone else. They have no employer supplied health care or other benefits, such as paid time off, sick days, retirement plans, and the like.

Agents provide valuable services. Please do not make it even harder for them to make a living and provide services that all New Yorkers need. Landlords will choose to avoid agents or simply raise rents to cover the costs of the agents. This bill limits choice and access to apartments. The irony is that apartments will be more unaffordable as rents will rise as a result, and regulated apartments will not be maintained. Plus, the landlords' costs will go up and causing increases in the regulated rents when the new rent guidelines are set.

Please do not pass this bill.

Respectfully submitted,

Michael Lulkin

Testimony for NYC Council Hearing on Intro 360

Good afternoon Council Members and my fellow New Yorkers.

My name is Michael Matos, and I am a U.S. military veteran. I am here today to express my strong support for Intro 360, a vital piece of legislation aimed at improving the accessibility of housing in New York City.

Intro 360 is designed to address the critical issue of housing accessibility in NYC. As someone who has served our country and continues to serve our community, I understand the significant challenges many veterans and low-income families face in securing affordable, stable housing. The high cost of living and limited availability of affordable housing options have created significant barriers for many NYC residents. According to a recent report by the New York State Comptroller, almost three million households in New York are dealing with housing costs that consume more than 30% of their household income, with one in five households experiencing a severe cost burden of more than 50%.

Veteran homelessness remains a persistent issue. In 2023, there were approximately 1,500 homeless veterans in New York City, reflecting a troubling trend that has not significantly improved over recent years. Many veterans face unique challenges when transitioning back to civilian life, including finding stable housing. This legislation can play a crucial role in reducing veteran homelessness by increasing the availability of affordable housing. As a veteran, I have witnessed the struggles of my fellow service members in finding secure housing. Intro 360 offers a promising solution to alleviate these difficulties.

Low-income families are disproportionately affected by the lack of affordable housing. According to the NYC Housing and Vacancy Survey, over 25% of low-income households spend more than half of their income on rent. Moreover, so-called affordable housing programs are often unobtainable for these families and Section-8 Housing Voucher holders due to various systemic barriers. The limited supply of truly affordable units means that many low-income households are left on long waiting lists or are forced to seek housing in less desirable or unsafe areas. Furthermore, landlords often refuse to accept Section-8 vouchers, exacerbating the housing crisis for these vulnerable populations.

Currently, tenants often pay broker fees amounting to as much as 15% of their annual rent, which can be a significant upfront cost. By requiring the party that hires the broker to pay the fee, the FARE Act seeks to make the rental process more equitable and reduce the financial barriers for tenants.

Successful implementation of Intro 360 will require collaboration among various stakeholders, including veterans' organizations and housing advocacy groups, to address the diverse needs of

our residents. Engaging community members in the implementation process will ensure that the legislation meets its goals effectively and inclusively.

In conclusion, Intro 360 represents a vital step towards making housing more accessible and affordable in New York City. It addresses the urgent needs of veterans and low-income families, providing them with the stability they deserve. I urge the Council to support this legislation and to work closely with stakeholders to ensure its effective implementation. Together, we can create a more inclusive and supportive housing environment for all New Yorkers.

Thank you for your time and consideration.

I have been listening throughout the day to this hearing. In the beginning there was demand for data. Here is some data...

We have a proven test case of how inventory affects pricing. In 2020 during the COVID19 pandemic there was loads of inventory due to surge in available apartments in NYC. Pricing went down significantly and rapidly. We don't need to reinvent the wheel. We need inventory.

Poorly thought-out legislation has caused a rent increase of around 20% when the bill was intended to lower the cost of entry to the housing market. People must now pay insurance companies to get into apartments rather than double deposits. When they paid double deposits before they got that money back at the end of the lease term.

Chi Osse has not been an active participant in the hearings today. He has only engaged people in favor of his bill and is not looking at both sides to create meaningful legislation. All his TikToks are slanderous and liable. He perjured himself today in saying he does recall what he said. Attached are a few screenshots which are subtitled by Chi.

3:57 5G 15

Real Estate Broker CBS NEWS Search

ARE ACT aims to end forced broker fees

that would end broker fees forever.

and I have a Bill that would enforce broker fees forever.

2 reposted

Council Member Chi Ossé · 1d ago

TOMORROW is the big day! Come join us at 9am at City Hall to support... more

Add comment...

3:55 5G 15

Real Estate Broker Search

who just opened the door

to someone who just opened the door to a place you found online.

Council Member Chi Ossé · 5-30

@ilana glazer and I want to end forced broker fees in NYC forever. #FA... more

Add comment...

**Testimony for 6/12/24 Committee on
Consumer and Worker Protection Hearing**

My name is Michael Sutherland, and I am a life-long New Yorker writing in support of Council Member Ossé's Int. 360.

While I agree with the bill on its merits — it better regulates the relationship between the landlord and tenant — I also support it because I and many other young people are impacted by unfair brokers' fees during apartment searches. During my own search, it has become clear that brokers have far too much power to set their own fee for a service that is de-facto required to find an apartment. The fees range from one month's rent, 15% of the annual rent, and sometimes higher. These make it restrictive for those looking for an apartment who may not be able to comfortably afford the unnecessary fee. Even beyond that, almost all building owners and landlords are using a broker to list their apartment, making it almost impossible for seekers to find an apartment without paying a broker or broker's fee. It should not be the tenant's job to negotiate payment and pay for a service they didn't request.

New York City should take this bold step in protecting tenants and pass Int. 360, while ensuring that the negative externalities do not fall directly back on tenants. Thank you.

Respectfully,

Michael Sutherland

Honorable Members of the New York City Council,

Thank you for allowing us to convey our message here.

My name is Johnny Lal, and I work in Manhattan and live in Long Island. I am writing to share my perspective on the Broker Fee Bill (Intro 360) and its impact on our community.

I am deeply involved in the real estate sector in New York and I would like to express my strong opposition to Intro 360.

Intro 360 is fundamentally unfair both to real estate agents like me and to the renters it aims to protect. I implore you to consider the detrimental effects this legislation would have on the housing market in New York City.

Primarily, the allegation that this bill would lessen the burdens for renters is not true. In reality, this bill will lead to an increase of higher rents for the tenants. By shifting the responsibility of broker fees solely onto the property owners, the unavoidable outcome would be increased rental cost for the tenants, especially upon lease renewal.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of hardworking agents, many of whom are working-class. Real-Estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only worsen the challenges agents face, potentially driving them out of the industry altogether.

Additionally, the bill could have unintended consequences for the accessibility of housing. With property owners, likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, worsening the housing crisis in the City.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only further serve to complicate an already challenging housing landscape, disproportionately affecting the working-class New Yorkers in your district and beyond.

Thank you for giving us the opportunity to testify today.

Sincerely,

Johnny Mohan Lal

Molly Brown
Brooklyn resident, 11238
May 30, 2024

To the New York City Council,

I'm a Brooklyn resident testifying on the issue of the Fairness in Apartment Rental Expenses Act, or FARE Act. I moved with 2 roommates to an apartment in Prospect Heights in early March this year. Due to the apartment's desirable location, we paid a hefty brokers fee. The asking rent was \$4,500, and the brokers fee amounted to 10% of the yearly rent. We each paid \$1,800 to the broker. The broker works for the landlord. I'm a union office worker making \$36 an hour and had to not only use a significant portion of my savings to move, we had to have the money ready in 24 hours or risk losing the apartment. This was on top of owing first and last month's rent at the time of signing, so all together we had to submit a cashier's check for over \$14,000. We had no choice to move from our previous apartment because the owner decided to put the apartment on the market (where it still sits unsold). I'm here to testify that broker's fees paid by tenants for a broker they did not hire is a burden on average New Yorkers. My roommates and I each work demanding full-time office jobs and live together out of financial need. We are not unique in this scenario. I support the efforts of City Councilman Chi Ossé and the bill's supporters to end the practice of potential tenants paying for brokers they did not hire to move into apartments in New York City.

Sincerely,

Molly Brown

[REDACTED]

From: Molly Franklin <MFranklin@corcoran.com>
Sent: Wednesday, June 12, 2024 5:15 PM
To: Testimony
Subject: [EXTERNAL] Testimony re Intro 360

[REDACTED]

To the council members,

I write to you as a New Yorker for almost 35 years, and as a working-class agent that spent many years as an artist and a veteran of NYC's hospitality/restaurant world. I am also a believer in progressive policies and caring for the city with a stronger focus on Jane Jacobs school of thought.

That said, I respectfully have great concerns about this measure far above the impact it might have on my personal bottom line.

In seeing the aftermath of the well-intentioned laws passed in 2019 that have harmed those we had hoped it would help, I see the same perils intensified by this well-intentioned but short-sighted suggestion.

The 2019 laws have left much of the truly broadly affordable rent stabilized units in the city vacant "ghost" units that property owners are unwilling and/or unable to renovate in a cost-effective manner. Numbers are nebulous but have been estimated at 40-60K gone for people that could really use a home under \$2000 a month. Not the only cause of our housing shortage but a contributor.

Bar and restaurant workers used to be able to put down extra months of rent in advance, as could international students. Both groups frequently have little credit history. That was money they got value from. The solution now is using an institutional guarantor that might charge up to 1.5 months of rent that provides them with a lease but no value from those monies. Not the best outcome.

We did hear some anecdotal tales from the council members that managed to attend re their personal broker experiences. I would be proud to invite any of you to join me on a day in the life of an agent. I can easily connect you with folks that I initially met as tenants while I was representing the landlord that have paid my fee and I have helped for years after, occasionally that earns me more money on another deal for them, but often it is the beautiful unpaid work that I do to help people solve their problems. I consistently am told by these wonderful New Yorkers that they never expected to be happy to pay a brokerage fee, but they feel it was the best money they have spent that year. I see so many of my colleagues doing the same with heart, care and fidelity to our fair housing laws and creating human connections between landlords and tenants that benefit both sides.

I have worked on deals where I have co-brokered and split the one-month fee on a \$2200 apartment to help a tenant that needed a home. For a new agent that would mean \$550 or so after brokerage split, less 1/3 in taxes, less E&O payments of \$75 per transaction, less travel costs and putting in frequently 15-40 hours of work when you consider research, travel, helping a client without much in the way of computer savvy manually hand over hard copies of qualifying documents piecemeal. Could many of the honorable council members in good faith say they would gladly take \$10 an hour before expenses to pay their own living costs? We don't just open doors

and when you find something on line the listing agent paid for all of the video, photos, StreetEasy advertising costs, floorplans, education/licensing costs, measuring visits, second and 3rd viewings that may be an hour a piece so that \$10/hour is actually a deeply negative net. We did it to help a person in need as small business owners that have no benefits or pensions. I feel good about doing those deals. I can only do that occasionally or I will be in the same position we find so many of the lovely case workers for Citypheps and other vouchers that are so poorly compensated for their huge labor that they themselves need vouchers to afford their own housing even though they are working at least 1 full time job. Honestly, I would love to invite Mr. Chi Osse and perhaps his excellent friend Ilana Glazer to visit with some working brokers and agents.

The talented Mona Chalabi created a powerful [image](#) for the NYT Magazine during the pandemic showing New York as 100 people. Of those 100 people only 10 make above \$110K a year. \$110K qualifies one for a \$2750 apartment. With Brooklyn's median rent in April coming in at \$3645 in April, that makes this measure especially problematic as no fee/owner pay listings are always at a higher premium. This image sits on my desk to remind me that all of those 100 people deserve my help. I can give them some free advice, but I provide a service for everyone in a transaction to the fullest of my abilities, and frequently that one time cost to a tenant when amortized over a multi-year tenancy is a much better bargain for the customer.

I look forward to another hearing when the city might actually respect the tenant activists and brokerage community alike by having the duly prepared DCWP join the conversation and actually have more than 10% of the city council members show up for our beautiful city as well.

Yours in building community,
Molly

Molly Franklin



Licensed as Mary Kathleen Franklin
Licensed Real Estate Salesperson
[REDACTED] | o 718.422.2562
mofranklin@corcoran.com
2022 Multimillion Dollar Club
Rookie of the year 2017
Salesperson of the year 2017&2018



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6/12/2024

Good afternoon everyone!

Thank you for giving me the opportunity to speak here today. My name is Moreom Perven and I'm a rent stabilized tenant in Jamaica, Queens. I am a tenant leader with Chhaya CDC. Currently, I'm living in a studio apartment. I wanted to move to a 1 Bedroom apartment in the same building where I have been living for the last 24 years.

Unfortunately, I couldn't. Why? Because I have to go through a broker whom the landlord hired, that works for the landlord but I pay the high brokerage fee. And, I have to provide them all documents whatever they require. Surprisingly, My total cost will be around \$10 thousand dollars just to move a studio apartment to a 1BR apartment with application fee, brokers' fee, security deposit and rent. This is totally insane!

In my building, several apartments are vacant and the landlord is receiving tax benefits from the government. I'm the person who is in need of an apartment but I have to pay all expenses when otherside will just do the business. As a tenant, I felt I'm just a money making tool! Housing is supposed to be a human right unfortunately in NYC it is a huge business.

I strongly believe in my situation, If I'm moving to another unit in the same building, I should not have to go through any new process and for all rent stabilized old or new tenants should not pay any broker's fee. There should be a rule where the landlord should pay the broker since they are receiving benefits and they are announcing vacancy. These brokers' fee gambling has to stop right now.

Respected legislators, I humbly urge you to support the Fair Act to create a law on the Fairness in apartment rental expenses to stop landlords greed. It is important for housing justice in our city.

Thank you for listening to me!

Hello, my name is Nancy Elton. I am a real estate professional with Bond New York and a resident of District 2.

The last time I had the privilege of testifying in this chamber, I learned a new phrase. RENT BURDENED.

According to the US Department of Housing and Urban Development, or HUD, "Rent burdened" is defined as paying more than 30% of gross monthly income in gross monthly rent.

"Severely Rent Burdened" is defined as paying more than 50% of gross monthly income in gross monthly rent.

With this knowledge, by a show of hands... how many in this chamber are rent burdened?

One thing is certain, there is more about which we agree, than disagree.

1) RENT IS TOO HIGH. New York has always been the city of dreams, an aspirational destination where "if you can make it here...." but for too many, including Native New Yorkers such as myself, the cost of rent has become a nightmare. Do we want a city that only the top 2% of wage earners can afford? We must stem the tide of our housing crisis where in only one week, over 630,000 applications were submitted to the New York City Housing Authority for Section 8 and housing assistance.

2) THE VACANCY RATE IS EXTREMELY LOW. Low vacancies have led to bidding wars which escalate the rental rates of already overpriced apartments, outpacing many consumers' ability to afford them.. Thousands upon thousands of apartments are being warehoused, rather than renovated to ease vacancy constraints and house our most vulnerable.

3) TRANSPARENCY BENEFITS THE CONSUMER. When we advertise for landlords, we provide transparency and readily accessible resources to provide information. Let's not return to the environment of old where there was little to no transparency at all. Let's not create a scenario where landlords permanently bake fees into monthly rent, with the higher rent becoming the foundational rent upon which all annual renewal increases will be based. The tenant will be paying the "fee" over and over again... every year!

4) OUR MOST VULNERABLE NEED A HOUSING SOLUTION THAT WORKS. I spoke with a caseworker on Friday where we agreed that we have a housing assistance and voucher program that is BROKEN. EVERYONE is justifiably frustrated - caseworkers, landlords, agents ,and most importantly - the human being, the fellow New Yorker that just wants a home.

For months, I've been scratching my head trying to figure out just what the prime sponsor intends with this proposed amendment:

Only two lines. *SOUNDS reasonable*. The sponsor even created that catchy acronym... But as you have heard today, there is far more nuance to this subject than this deceptively simple - or simply deceptive proposal. To this esteemed City Council, I urge you - DON'T BE MISLED BY A SOUND BYTE THAT LACKS SUBSTANCE.

Does this address the high cost of rent? NO

Does this address the shadow inventory or introduce legislation to build or provide incentives to build low-cost, affordable housing? NO

Does this provide the transparency that every renter and consumer deserves? NO. You've already heard how this bill regresses transparency to previous low levels.

Does this take a single step in the direction of fixing a broken Housing Assistance/Voucher program? NO

Does the sponsor really want to effect transformative policy that makes the lives of New Yorkers better? Or just make political hay?? New Yorkers deserve POLICY over PROVOCATION.

As a body of legislators and fellow New Yorkers, YOU ARE BETTER THAN THIS!

And by the way... all of the real estate professionals here - WE ARE YOUR CONSTITUENTS TOO! We are rent burdened. We live in your districts, we pay taxes. WE VOTE!

Thank you for the opportunity to testify, and thank you for listening.

Nancy Elton
Bond New York
Real Estate Salesperson
District 2 Constituent

Dear Chair Julie Menin, Council Member Chi Osse, and Committee Members,

My name is Naomi Horn and I am a resident of Manhattan. I lived on the Upper East Side for two years and just last week moved to Manhattan Valley.

I am writing in strong support of the FARE Act. My recent move highlighted for me what I already knew all too well— the housing market in NYC is competitive and expensive to begin with, and broker fees can make these already challenging circumstances impossible for everyday New Yorkers. My partner and I are young professionals. We decided to move this spring for two reasons— our small one bedroom on the UES was a tight space for us both, and my partner is starting a graduate program at Columbia in the fall, so we wanted to be closer to that area. We currently make about twice the median household income for Manhattan, are lucky enough to not have student loan debt, and we still struggled to find a small two-bedroom apartment that we could afford. We finally found our new apartment after weeks spent obsessively monitoring Street Easy. We had about ten minutes of interaction with the broker for the apartment when he unlocked it to show us around, along with approximately fifteen minutes of phone calls while we did the apartment application. Because the new apartment had a broker fee, we had to hand over almost \$6000 in addition to our first month of rent and security deposit upon signing the lease. According to my math, this means we paid him an equivalent fee to an hourly rate \$14,400.

This is obscene and predatory. Candidly, without financial support from my partner's parents, we would not have been able to afford the move and fee. This fee would be absurdly high in the best of circumstances, but we did not have a positive experience with the broker— when I went to pick up the keys at the time I'd been told, the office had closed for the day and I had to wait over an hour for someone to come meet me. He also forgot to refund our temporary \$1000 deposit on the apartment and forgot to give our landlord the check for our first month's rent. The time spent dealing with these issues far outpaces the time we spent with him "helping" us search for an apartment.

This experience is not unique. I have friends who have been prevented from moving out of uncomfortable living situations due to prohibitively high fees, or who have struggled for months because otherwise affordable apartments have fees they can't afford to pay. It is unfair for landlords to demand that tenants subsidize a service that almost exclusively benefits them. I strongly urge the council to pass the FARE Act to make real estate transactions more equitable.

Sincerely,
Naomi Horn
10025

To whom it may concern:

My name is Neil cudjoe. I am a licensed real estate broker. I am testifying for you to stop "intro 360"
My argument is the Housing Stability & Tenant Protection Act of 2019 completely reshaped and brought down rent stabilized building value to more than 50%. There are foreclosures happening left and right because of this bill. This completely hurt landlords now you want to hurt landlords further more by passing the broker fee to them? This is not right and not fair.

This bill does not make sense. The owner never hired the broker unless it's a nofee listing. The broker fee listing is the broker that reached out to the owner to fill the unit at no cost to him but at the cost of the broker.

Tenants do not have to use a broker they can go door by door and knock or call random numbers as we do to find an apartment. Using a broker just saves time because we did the work. The apartment does not magically show up on websites. We took the pictures, did the foot work and paid to advertise it.

This bill would require an individual who is a representative or an agent of a property owner or a prospective tenant in a residential rental real estate transaction to collect fees charged in the transaction from the party employing the individual. The provisions of this bill would not impact the collection of fees by a landlord or property owner.

My name is Neil Raymond and I'm here to give my testimony on the ridiculous broker fees. I was looking for an apartment with my fiancé about a year ago and it's bad enough that apartments were as high as \$2,000 for a one bedroom, we were quoted not only the emergency deposit, the extra month rent AND the broker's fee, which was often around the same rate. That always seemed insane to me as what exactly are we paying for? Someone posting a listing on the website? That's worth \$2,000?! Shouldn't the landlord who hired this broker pay that fee instead? It makes no sense and isn't happening in other cities for a reason. It's a scam and if the city cares about its citizens, the FARE act must be passed! Thank you for your time!

Testimony for the Fare Act

My name is Nick Babian and I live in Brooklyn. I've been here for 11 years and I've been a member of the Block association for at least 6 years. I wouldn't trade it for anything. In that time, I've seen my neighbors come together as a community. This city is my home.

In any business relationship there is a power dynamic between the seller and the buyer.

At the end of the day the seller wields more than 50% of the power because the exchange is between resource and commerce. The resource (more often than not) remains the same, whereas the commerce exchanged has only increased due to inflation. The resource, I'm referring to is shelter. It's homes. Oftentimes, there are no major improvements that are implemented to these buildings/houses/etc. yet the rent keeps increasing and more tenants get priced out, leading to a bidding war on the same apartment going for 50% more than it was a year ago. That's not including the broker fee.

Do I believe brokers are bad? No. Do I believe that the law as it stands allows for predatory business practices? Absolutely.

To say that the landlord should be allowed to "choose" to do the right thing, in not passing the broker fee to the tenant is asinine. There are no safeguards preventing it, and no incentive for the landlord not to.

I have heard arguments from those opposing the bill "If a landlord has to pay the broker fee, then they will bake that fee into the monthly rent".

To that, I say, rent has already increased drastically. If a landlord wants to charge more they're more/less going to.

I've heard this bill referred to as a band-aid for lack of a proper solution. Calling it a bandaid is accurate in the sense that tenants are being bled dry and there is a need for immediate attention towards this. But the alternative would just allow for the proverbial wound to bleed out. This bill allows a step in the right direction.

There can be further discussion about better solutions and that IS the basis for amendments, but I feel we should not let perfection stand in the way of progress. That is why I am in favor of the FARE Act.

My name is Noah Larsen and I am in support of the F.A.R.E. Act. As a tenant in New York City and a supporter of housing equality, I have been forced to pay broker's fees that have depleted my ability to effectively pursue a meaningful career, as I am simultaneously working multiple jobs to make up for these forced costs. Supporting the FARE act would allow both individuals and communities to flourish, as they would have the autonomy to choose whether or not to hire a broker, and whether or not they must sacrifice their skills and time just to make up for forced broker's fees costs.

[REDACTED]

From: Ionescu, Olivia <Olivia.Ionescu@corcoran.com>
Sent: Wednesday, June 12, 2024 3:21 PM
To: Testimony
Subject: [EXTERNAL] Broker fee Bill

[REDACTED]

Dear members of Council,

I am a life long NYC resident. I have paid brokers fees on every single apartment I rented in NY. My parents live in a rent controlled apartment on the upper east side and have lived there for over 30 years. I am a strong supporter of affordable housing, but I am also an associate real estate broker at Corcoran.

Our fee for service has and should always be negotiable. Ive been paid 15%, 12%, 10%, one month, and collected fees for apartments. In each situation I used market conditions and the financials of applications to negotiate the fee and the rent. I've always been fair and transparent and worked to maintain integrity and educate the consumer to put their best foot forward. If we put the fee exclusively on the landlords we may lose inventory because hard up landlords will not want to incur a fee and decide to renew with current tenants: this will do nothing to stimulate the market.

After 10 years of doing this I remain passionate about finding better solutions to the housing shortage. Even after today's hearing I am completely shocked at the lack of hard facts that correlate regulations around fees to actually making it easier for the disenfranchised to rent homes. I am in disbelief and full of disappointment in the city's failure to actually find solutions that matter. Where is the education for the consumer on how to negotiate? Where is the workshops for the consumer on where to look and what buildings might have openings or available apartments. Where is the service for the voucher recipients to actually find homes? Why isn't the City procuring leases and offering them to recipients on a lottery basis? Why isn't the city working to develop more units? Why doesn't the city consider a management team that advertises low income homes and doesn't collect a fee?

I am the sole provider of my family. I average an annual income of less than \$150k and I have a husband and son to feed. I have zero salary, zero insurance, and work for FREE daily. I never put my phone down and worked while in active labor with my son. Our industry represents one that people can actually get feet on the ground and make money when the regular work force has failed us. Regulation merely limits the low income housing market. I rent approximately 20-30 homes annually and the fee is always an open discussion. Not a forced consumer fee. It's wild that you are spewing incorrect information without considering the experts in the field.

I want you all to find a solution to the housing crisis but not on the backs of hard working real and regular people who are doing their best to make a living. Blame and tax developers or private equity funds or Streteasy or Zillow, but brokers and smaller landlords? We are just like you.

Thank you,

Olivia Ionescu

Licensed Associate RE Broker

The Corcoran Group



***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions.** Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

I am in support of the FARE act because of a recent experience I had renting for the first time. My names Olivia Palumbo I am an honors student athlete at Hunter college and recently two of my teammates and I decided to look for an apartment in Astoria because we wanted to live outside our school's dorms and find a cheaper option that's close to school so we found a listing on apartments.com, we emailed the real estate agent whose name was with the listing and they said we could meet for a tour, no mention of a fee for their service. So we met and they let us in and we liked the place and expressed our interest, the real estate agent said we should fill out the application immediately or we would have little chance of getting in so we went to a café around the corner and filled out paperwork on our own for an hour. Another hour goes by We were notified. We got the apartment. Well within an hour and a half, great. We were ecstatic. Then we get another email, we owe the brokerage a fee equivalent to our first months rent. My immediate thought was we saw the real estate agent for 15 minutes we filled out our forms for an hour on our own and within another hour of, we were sent the lease to sign so only 15 physical minutes with this person and maybe they did an hour of work \$3000 for an hour and 15 minutes. We did end up with the real estate agent once more to receive the keys. We met them on the opposite side of town and took the bus back to our apartment only to realize they were the incorrect keys. At this point they already had our money. Overall, my roommates and I all felt blindsided. Initially we were scared as to how we would come up with the money because we were only prepared to pay the first months rent and the security deposit. We were never made aware of this fee when we met with the real estate agent or when we were looking at the online listing. So of course I do Google deep dive and find out if this is common practice in New York City, but not anywhere else in the country. Luckily we were able to use our savings for the next semester to pay it but if we didn't have that I don't know what we would've done. I don't understand why this brokerage deserved so much of our hard earned money When they added no value to the product that I'm renting, and our interaction was so very brief. The fact that the fee was not mentioned until after the purchase just felt dishonest so I came here to testify today to see if voicing my experience could help make the city more fare. Please serve the people and not an industry. And whatever would happen after passing this bill regarding how landlords would try to make their money back is all speculation. The only thing known for certain is that taking this fee off of renters is fair. Thanks for your time.

I am writing to express my concern and voice my strong opposition to the proposed legislation that aims to prevent real estate brokers from charging commissions to prospective clients. As a dedicated real estate broker, I believe this bill unfairly targets our profession and undermines the valuable services we provide to renters and landlords alike.

Real estate brokers play a crucial role in the housing market, offering essential services that facilitate smooth and efficient transactions. Here are several reasons why the proposed bill is problematic and why brokers' commissions are justified:

1. **Valuable Services to Renters:** Brokers spend significant time and resources creating databases of available apartments, taking photos and videos, and organizing viewings. We assist renters by matching them with apartments that meet their specific criteria and guiding them through the often complex rental process. Without our services, renters would face increased difficulty in finding and leasing properties.
2. **Financial Implications for Brokers:** Many brokers are immigrants and minorities who have faced challenges finding employment in other industries due to language barriers, age, or lack of advanced education. Brokers often work long hours, seven days a week, including holidays, without a guaranteed salary, benefits, or health insurance. For many, real estate is a path to financial stability that would otherwise be out of reach.
3. **Impact on Rental Market Dynamics:** If the responsibility for broker fees is shifted to landlords, several negative outcomes are likely:
 - Landlords may opt to use building superintendents or other low-paid employees to show apartments, resulting in less professional service and decreased availability of viewing times.
 - Increased rental prices as landlords incorporate the cost of commissions into monthly rents, ultimately burdening renters.
 - A decline in the visibility of available apartments as landlords attempt to rent properties independently, making it harder for renters to find suitable housing.
4. **Economic Realities of Renters:** The majority of renters in New York have starting salaries exceeding \$100k per year. They often view multiple apartments before making a decision, expecting these services to be free. While they desire to live in Manhattan and want rents they can afford, there are affordable options in areas like Queens and Brooklyn, where both rents and commissions are lower. However, they often choose not to live there and instead complain about the high prices and high commissions in Manhattan.
5. **Personal Experience:** As someone who transitioned to real estate after struggling to find a job in another industry, despite holding a bachelor's degree from Hunter College and a Paralegal Diploma from NYU, I can attest to the importance of this profession. Real estate has provided me with the opportunity to support myself in a way that other jobs could not, given my strong accent and lack of familial support in the USA. Like many others, I live in Queens due to the

high cost of living in Manhattan, and I believe others in similar situations should consider doing the same.

6. **Consequences of Past Legislation:** In 2019, the New York government introduced several quick and poorly considered laws against the advice of the real estate community. As a result, rents increased, rent-stabilized apartments disappeared from the open market, and apartments were not being renovated. Unqualified renters, who previously could prepay rent in advance (money that is not lost), now have to pay an equivalent of one month's rent to companies like Guarantors or Insurent to serve as guarantors (money that is lost). All the laws implemented then backfired, and the same will happen with this new proposal.

In conclusion, real estate brokers provide indispensable services that justify our commissions. The proposed legislation fails to acknowledge the hard work and dedication of brokers, as well as the potential negative consequences for the rental market. I urge you to reconsider this bill and recognize the vital role that brokers play in helping people find homes.

Thank you for your time and consideration.

Sincerely,

Renata Tomaszek

A black rectangular redaction box covering the signature area.

Hearing: Committee on Consumer and Worker Protections

Date: June 12th, 2024

Subject: written testimony

I, Roxana Perez, want to express my support for the Fare Act.

I think it's just fair for whoever hires the broker pays for it.

I don't see why the tenants have to pay for a broker that is not representing their interest.

Kind Regards

Roxana Perez

June 10th, 2024

My name is Ryan Welish and I am a resident of Hell's Kitchen, Manhattan.

Thank you Chair Julie Menin, Council Member Chi Ossé, and the members of the Committee.

I support the FARE Act because I should not have to pay for a broker I did not hire.

I moved to Manhattan in 2021, at the time rates were beginning to rise again after the dip from COVID. I could not choose to live with a roommate because I was immunocompromised after taking medication. At the time, there were units near my price range that quickly became way too expensive with a 15% broker fee tacked on. In all of those units that I visited, the broker purely opened the door for the full house. I did not get a choice of broker and would still have been forced to pay the several thousand dollar fee. It pushed many units out of my price range.

The FARE Act would help many New Yorkers, like myself. Having to pay an upfront cost can make it hard for us to find housing and remain in the City and it is unfair for us to have to pay for a service that we did not use or pay for representation that is not ours. We are your neighbors and your friends and we want to be able to continue to remain, live, and grow in the City for as long as we can.

I urge the Council to make our real estate transactions more FAIR and to pass the FARE Act now.

June 13, 2024

Subject: Testimony for the FARE Act Hearing: Sarah Farma Written Testimony

To Whom It May Concern:

I'm Sarah Farma, a resident of Brooklyn, and I work in tech marketing. I stand in firm support of the FARE Act based on my direct encounter with broker fees.

In 2023, I undertook the process of moving into my Brooklyn apartment, which came with a significant financial burden. My moving expenses amounted to \$10,300, out of which \$4,000 was going towards the broker Jackie Betesh, affiliated with Marquis Real Estate Group.

I originally got in contact with Jackie by wanting to view an apartment that I found the listing for on Street Easy. We scheduled a viewing and he didn't even have access to the building which resulted in us watching him buzz other tenants and hoping someone let us into the building. Furthermore, despite not being the party that sought out the broker's services, I found myself obligated to cover their fee for the apartment I needed to rent. When I attempted to bypass this by paying my first month's rent and security deposit directly to the management, I was met with a firm refusal. Kathy Baldwin, associated with Abeco Management, let me know that they wouldn't accept my payments without including the broker's fee.

This incident shed light on a concerning reality: tenants like myself are often left at the mercy of agreements made between management and brokers, with no say in the matter.

The FARE Act is a crucial measure to address this imbalance in the rental market. By shifting the responsibility of paying broker fees to the party that actually hires them, this bill would provide much-needed relief to tenants who are frequently blindsided by these unexpected costs. It would instill fairness and transparency in the rental process, ensuring that tenants are not unfairly burdened with fees they did not agree to. And to add, there would also need to be a lens shed on the possibility of rent increases in tandem with tenants not being responsible for the broker fees.

Passing the FARE Act would mark a significant step towards establishing a more equitable rental market in Brooklyn and beyond.

Thank you for your time and consideration.



Sarah L [REDACTED]

(no subject)

Sarah L [REDACTED]
Draft

Thu, Jun 13, 2024 at 9:41 AM

The New York City Council must pass the FARE Act. There is a massive housing crisis in this city, and we need to take any and all steps possible to alleviate it. Removing the burden of paying a broker's fee from the tenant and placing it on the landlord—who has practically all the power in this dynamic—is a good place to start. According to StreetEasy, the average upfront cost (brokers fees included) to move into a rental reached \$10,454 in 2023, a 29% increase. With so many of our neighbors struggling due to stagnant wages and greedflation, how is anyone supposed to be able to afford a roof over their head in this environment? My hope is that the City Council will take a first step towards housing justice by passing this legislation. Thank you for your time and consideration.

--

Sarah Lovett

[REDACTED]

From: Pemberton, Sarah [REDACTED]
Sent: Wednesday, June 12, 2024 2:15 PM
To: Testimony
Subject: [EXTERNAL] Broker Fee Bill - please do not pass

[REDACTED]

Hi,

It is really scary that the government can abruptly change how a whole industry and hard working people make their living. Nothing is free and obviously the tenants will still pay a fee... it will just be baked into the rent. Seems like its just a headline that you want passed, not an actual solution. It will also limit the amount of rent stabilized apartments on the market.

My best,

Sarah

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[REDACTED]

From: Towbin, Sephrah <Sephrah.Towbin@corcoran.com>
Sent: Friday, June 14, 2024 12:17 PM
To: Testimony
Subject: [EXTERNAL] Testimony

[REDACTED]

I am writing as a concerned constituent to urge you to oppose Intro. 360, the "FARE" Act, also known as the "Broker Fee Bill."

Hello, my name is Sephrah Towbin, and I live in SUNSET PARK and work in Brooklyn & Manhattan. I am here today to share my perspective on Intro 360 and its impact on our community and ME and my family.

I AM:

- Your constituent.
- The fourth generation of woman in my family to live in Brooklyn, raising the 5th.
- A mother of a child who is diagnosed with ASD & Dyslexia who attends public school.
- The sole provider of the cost of living for my sister who is dying of ALS and doing hospice at home.
- A wife of a wonderful man who worked in the restaurant industry up until covid shut the businesses down and I have been a single earner since 2020.
- An owner of a rescue dog who was recently hospitalized, costing me \$10,000+ at VERG.

I AM:

- Your constituent.
- A landlord. My home is a 2 family and I rent out the apartment slightly below market.
- A licensed Real estate salesperson.
- Commission only. I do not earn a salary. My base income is \$0.00.
- My income is about 25% from residential rent broker fees paid to THE BROKERAGE for services I provide.
- I am not: A lockbox.
- I am not: An invisible person who collects forced fees.
- I am not: A door opener.

My first point to this city council is:

Do better !

Targeting the brokerage community to solve the problem of affordable housing is ultimately a FAIL.

Targeting the brokerage community to address transparency is placing the burden in the wrong place.

StreetEasy & AI will take over the entire Real Estate industry in NY and you will be beholden to them. Who do you think we already pay our feed to? Why do you think they are in support of your bill? Do you want to have a conversation with real people who pay real city and state tax here in NY or do you want to have your back against the wall trying to bargain with a corporation that will hold the entire city and state and its residents hostage with their fees. Tell me, please.

The time spent on this bill could have been spent on SO MANY other things that address consumer protection, advocacy and safety.

It's appalling that this council would use their time and my tax dollars to DO LESS.

The service fee is a fee for service. It is not a forced fee. Stop lying to people with tag lines an hot topics to guarantee your seat. DO BETTER.

The entire city's economic circumstances are not my burden to carry, solve or even consider until you present something worthy of considering and this is NOT that.

Sunset park has more illegal rentals than any other part of Brooklyn. More investor buyers are buying in my neighborhood and on my block and illegally chopping up the homes against DOE code and renting rooms to low-income undocumented people and families creating indentured servitude as well as nightmarish living conditions for all. This issue removes free market homes for your friend looking for a "no-fee" apartment, not the current policy. This has not been addressed by the current administration and not one person on either side of this bill brought it up at the hearing. I have reported illegal short term rentals repeatedly to 311 and NOTHING has been done about it. NOTHING.

These homes are often the homes of e-bike riders who store illegal counterfeit e-batteries inside their homes.

If these homes could be and should be for owner occupants and free market and legal rentals. They would be less hazardous and more homes would be available. SUPPLY!

DO BETTER!

The political optics of this HOT TOPIC may help you on The Daily Show, but they will not help your legacy when we've asked and expected you to DO BETTER. You are not serving the people and you are no better than anyone who holds a seat or opposes you.

Thank you for the opportunity to testify today.

Best,
Sephrah

SEPHRAH TOWBIN

Licensed Real Estate Salesperson
Licensed as: Sephrah Claudia Towbin



794 Union Street
Brooklyn NY 11215
sephrah.towbin@corcoran.com
[Covid and Fair Housing](#)
[My Corcoran Profile](#)

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[REDACTED]

From: Insana, Shannon <Shannon.Insana@corcoran.com>
Sent: Thursday, June 13, 2024 3:02 PM
To: Testimony
Subject: [EXTERNAL] Testimony OPPOSING Intro 360

[REDACTED]

Honorable Members of the New York City Council,

Thank you for allowing me to share my testimony in opposition to Intro 360. My name is Shannon Insana and I live in Park Slope, Brooklyn. I am deeply involved in the real estate sector here in NYC as a Licensed Associate Real Estate Broker with The Corcoran Group. I was at the City Hall hearing yesterday and inspired to write my own testimony based on what I saw.

Simply put – if put into effect, Intro 360 will increase rent immediately. Intro 360 effectively places the burden of the broker fee on landlords. I have handled dozens of rental transactions for small landlords who do not have the margins to absorb a broker fee whenever they have a vacancy. The broker fee will 100% be incorporated into the rent, you can count on that. We will see rents begin to rise the very day of enforcement if this misguided bill is voted into being.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of agents like myself. I am a middle class worker with two children who rents while trying to save for my family's future. We are not all wheeling and dealing multi-millionaire brokers as seen on TV. Real estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only exacerbate the challenges agents face, potentially driving them out of the industry altogether.

Additionally, the bill could have unintended consequences for the accessibility of housing. With landlords likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, exacerbating the city's housing crisis.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only serve to further complicate an already challenging housing landscape, disproportionately impacting working-class New

Yorkers in your district and beyond.

Thank you for the opportunity to submit my testimony.

Sincerely,

Shannon Insana

Shannon Insana

Licensed as Shannon Insana
Licensed Associate Real Estate Broker
The Corcoran Group | 794 Union Street, BK, NY 11215

██████████ | o 718.832.4187
shannon.insana@corcoran.com



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Shannon Rose

[REDACTED]
New York, NY 10024
[REDACTED]
[REDACTED]

June 12, 2024

New York City Council
New York City Hall
City Hall Park
New York, NY 10007

Dear New York City Council,

I am writing to provide testimony in support of the FARE Act. As a resident of the Upper West Side, I believe it is crucial to share my perspective on this matter.

I'm not against broker fees in theory, but I am against broker fees being paid by the people who did not hire the broker. Under the current system, we are paying thousands of dollars to someone who we did not hire, and who actively has someone else's best interests in mind – in this case, the landlord.

If a tenant wants to hire a broker, then they should be able to. But there should not be a required fee in the many thousands of dollars to rent a decent apartment. There are very, very few apartments that don't require a broker's fee and even if they're listed as no-fee, there is often a fee once you inquire.

If the broker is representing landlords' interests, then the landlords should pay the fee. I doubt that this is new information to any of you but asking tenants to foot these bills isn't right and is an active barrier to housing for New Yorkers. Once we've paid exorbitant broker fees there is also no guarantee that landlords won't raise the rent to a point that forces tenants out and into paying yet another broker's fee. It's not sustainable for tenants and it's not right.

If landlords want to hire brokers for these services, they are more than welcome to, but I do wonder if they would pay 15% or more of a year's rent to do so, which in my case was over \$6000. Especially if they have no guarantee they won't have to keep paying this every year as tenants rotate out. Why should tenants assume basically this same risk and cost when they have, in most cases, significantly fewer resources than landlords?

The idea that broker fees keep rent affordable is sort of ridiculous. I believe NYC is one of the few (if not the only) city that does broker fees this way and still has one of the most inaccessible housing markets and highest rents in the world.

Thank you,
Shannon Rose

If the service provided by real estate brokers in the rental market is indeed as valuable as they content, landlords will not hesitate to pay for the service and all will continue as before, but with the party hiring the service paying for it. What could be simpler?

I have been both a tenant and a landlord in NYC and from both perspectives I can say that the current arrangement makes no sense.

The opposition of the real estate industry to this bill reveals that they KNOW the current system is predatory and unfair and has allowed them to inflate the cost of their services by working for one party but collecting their fee from the other.

The current system is nonsensical and has to be fixed. The FARE act is a great step in the right direction.

Thank you,
Skye Steele
Brooklyn

Testimony of Sommer Omar in Support of the FARE Act

We're living through the most profound housing affordability crisis of this generation.

Each day a new headline sounds the alarm about the depth and severity of this crisis:

- More than half of renters are rent burdened
- A majority can't pay rent and make ends meet to put food on the table, move around this city and just live their lives with some measure of dignity

Each new fact and figure about how punishing this city is becoming should inspire bold, courageous action. We can't afford for things to get even worse before the politicians we put in office step up.

Through the FARE act, Councilmember Osse is answering that call to action.

And you can see through all this testimony that clearly New Yorkers are glad that somebody has the audacity to stick their neck out for *us*, not for lobbyists, not for special interests, but for the people that you all have the privilege and obligation to actually represent.

I am hopeful that this bill will pass, and I am also optimistic that for every other council member that's watching this unfold, you're inspired to similarly steel your backbone, appreciate the gravity of the moment we're living in and fight for us.

My name is Stephanie Pottinger, I was born in Brownsville, raised in Flatbush, and now live in Prospect Lefferts Gardens, and work as a resident physician. When people hear physician, they think I'm raking it in. I started my residency training in 2020 making \$68k while working 80 hours per week during the height of the pandemic. When I transferred residency programs in 2021, I was faced with looking for new housing. I want to address the REBNY leadership's insinuation that exploitative and prohibitive broker fee situations are exceptions to the rule or carried out by rare bad actors by sharing my experience in seeking housing.

I have seen over 30 apartments over the past few years. Most of these listings were found on streeteasy and the broker was NOT present when I viewed. A code to a lockbox was the better end of what I experienced; I have often been told to ask to wait until someone comes out of the front door and I can let myself into the building. I have been asked for broker fees at 12% and 15% of ANNUAL rent rates. I have applied for no-fee apartments and then been told to offer to pay the broker fee in order to "sweeten the deal" and sway the landlord. I have been asked to BID on rent on properties in which I would have no equity. In one instance I was told about a stabilized apartment whose preferential rent was set to be \$1,500 due to having been occupied by a single tenant for decades prior. I was asked to pay \$12,000 in a broker fee for this apartment. The broker told me on the phone he and the landlord had calculated by multiplying the monthly difference between what the apartment would rent at market rate and the preferential rent by 12 in order to "recoup their losses". Needless to say, I could not afford this, and was horrified by the clear collusion of landlord and supposed broker, and passed on the apartment. Many real estate workers who testified today suggest that passage of this bill would lead to "bait-and-switch" techniques. These techniques already rampant, and this is a disingenuous argument. It is also a disingenuous argument to suggest that landlord payment of the broker fee will somehow force the hand of landlords to jack up their rent prices, and that this cannot be somehow regulated. Why is it that the tenants—those without the upper hand in this situation—must meekly shoulder this cost? Perhaps REBNY could bring half of the energy that they do to this fear mongering and begin to help regulate the astronomical and unregulated rents demanded by landlord in non-stabilized buildings. As I wrote before, BIDDING on rent has become common practice. When it comes to arbitrary inflation of rental pricing, the train has long past left the station. We cannot reject this good faith step toward protection for tenants for fear of angering landlords into hiking rents. As a next step we must introduce common-sense legislation to regulate these already in effect practices.

As the council member noted, finding an apartment has turned into a hunger games-like scenario, with lines wrapping around blocks, bidding on rents, etc; I have hired someone to stand on a line for me given I could not get the time off of work. I have since settled on a TINY studio apartment that is 1 hour from the job at which I frequently work 12 to 24 hours shifts. I learned of this apartment through a friend-of-a-friend who was the current tenant and breaking her lease. She showed me the apartment, which was never listed. I directly contacted the management company; I met the broker only when I went to their office to sign the lease on the apartment that they NEVER had to photograph, or list, and handed them a money order for 12% the annual rent at that time. I do not mean to diminish the value of anyone's work, as has been suggested by REBNY of those in support of the passage of the FARE Act. However, this person's work in this instance (opening their door on a Saturday for a lease signing, processing, and passing on my information) was contracted by the landlord and was largely in service of the landlord. There is no justifiable reason for me to have paid for this.

I completed medical school in Chicago where a broker who showed me around all of his listings, offered me water, and a customized experience never charged me a dime stating, "why would I charge you a fee? The landlords hired me."

I am a native New Yorker, living paycheck to paycheck, and hanging on despite my childhood friends' often laughing at my commitment to staying here despite the ridiculous housing costs, including the broker fees discussed today. I am here because I love this city, it is my home, and I am committed to caring for its residents. I give my unwavering support to this bill as a SMALL step forward in rectifying the vulturous real estate industry's actions against tenants in this city. And I want to thank the brokers from the bottom of my heart who are facing intimidation from REBNY today in order to speak in support of this Act.

In about a year I will be done with training and at a significantly higher income and not as pinched by these demands, however I will continue to remain supported to this cause. This is a small step toward what is moral and just for the hardworking tenants of our city.

[REDACTED]

From: Stephanie Tiboris <stephaniet@ccrny.com>
Sent: Friday, June 14, 2024 10:48 AM
To: Testimony
Subject: [EXTERNAL] Intro 360

[REDACTED]

Hello-

Thank you so much for taking the time to consider my email regarding 360. I have no doubt you all are being inundated with emails and there is a lot of passion on both sides.

My name is Stephanie Tiboris and I am a 16 year NYC real estate salesperson.

I work with a little Mom and Pop landlord on the Upper East Side. A job that is demanding and difficult, but one that I love. And one that has allowed me to be home with my two young daughter (5 and 7).

I am here to convey the real life implications of passing 360.

I work hard. I take care of every aspect of listing, leasing, moving in, lease negotiations, repairs for my clients. Just last weekend, I was at Turtle Back zoo for a 5 year old birthday party when a client and now tenant of ours was locked out. I took the call, and got him the locksmith. My job is FAR beyond opening doors. I scheduled walk thrus when I was in ACTIVE LABOR!

I can confidently say that if you asked every tenant of mine over the least 2 years if paying my fee was worth it, every single one would say yes. I am a luxury service, but I can promise you we price our apartments knowing there is a fee. I just rented a little two bedroom for \$2700 with a fee. Without a fee we would have charged \$3200. I price the apartments, I promise rents will sky rocket. Its the only way my small landlord will stay afloat. We want long term tenants (also, if you pay the fee once, you can move to any apartment of ours forever and never have to pay again!) I was in our building for 13 years lived in 4 apartments and paid one fee...once.

I speak with parents, grandparents, nervous recent grads. I help negotiate renewals, and help people find tenants if they have to break their lease.


There are bad apples in every industry. But you dont punish the entire dental community for one bad root canal.

I understand people dont want top pay fees. I get it! There are SO many things I dont want to pay for (ex: preschool!) but that doesnt mean I dont see the value in it.

And we have SO mant no fee listings. There is no "enforced fee". If you dont want to pay my fee. I totally understand. You dont have to, you can find one of the other 600 no fee units on the Upper Easi Side alone.

I am here humbly asking for you to consider what something like this would do to myself and my young family.

Thank you for your time-

Stephanie
Stephanie Tiboris | Real Estate Salesperson
City Connections Realty
71 West 23rd | New York, NY 10010

www.ccrny.com

Honorable Members of the New York City Council,

My name is Taylor Campbell, and I am here today to express my strong support for the passage of the FARE (Fair and Reasonable Engagement) Act, which seeks to regulate broker fees in the rental housing market. This act is crucial for ensuring fair practices, protecting tenants, and promoting a more equitable housing market in our city.

The Current Situation

The current rental market in New York City is fraught with challenges for tenants, particularly when it comes to the exorbitant broker fees that are often imposed. These fees, typically equivalent to one month's rent or more, create significant financial burdens for renters, many of whom are already struggling to afford the high cost of living in our city. This situation is particularly dire for low- and middle-income families, young professionals, and students who are disproportionately affected by these fees.

Economic Impact on Renters

The financial impact of broker fees cannot be overstated. For many New Yorkers, these fees can amount to thousands of dollars, a sum that could otherwise be used for essential expenses such as healthcare, education, and savings. By requiring tenants to pay these fees, we are effectively placing a barrier to accessing housing, which exacerbates economic inequality and limits social mobility.

Economic Impact on Landlords

While an additional fee will be passed on to the landlords, the economic impact on landlords will be minimal. As it currently stands, landlords are not incentivized to find an alternate route to leasing their units. With the passage of this act, landlords will seek more cost effective methods to lease their units, as compared paying what was the usual broker fee 1:1. These alternatives could be posting, advertising, and showing the units themselves or allowing the free market and New York City innovation to take hold and develop a more cost effective method of leasing their units.

Need for Regulation

The lack of regulation in broker fees has led to inconsistent and often predatory practices within the real estate industry. Tenants are frequently left in the dark about the necessity and justification of these fees, leading to a lack of transparency and trust. The FARE Act proposes a fair and reasonable approach to regulating these fees, ensuring that tenants are not unduly burdened and that brokers are compensated fairly for their services.

Promoting Housing Stability

Housing stability is a cornerstone of a healthy and vibrant community. When residents are able to secure housing without facing undue financial stress, they are more likely to invest in their

communities, participate in local activities, and contribute to the local economy. By passing the FARE Act, the City Council can take a significant step towards promoting housing stability and fostering a sense of community among New Yorkers.

Encouraging Fair Practices

The FARE Act will also encourage fair and ethical practices within the real estate industry. By setting clear guidelines and limits on broker fees, the act will help to eliminate exploitative practices and promote a more transparent and trustworthy market. This, in turn, will benefit both tenants and brokers by fostering a more competitive and fair marketplace.

Conclusion

In conclusion, the passage of the FARE Act is not just a matter of financial relief for renters; it is a step towards a more just and equitable housing market in New York City. It is an opportunity for the City Council to demonstrate its commitment to protecting the rights of tenants, promoting fair practices, and ensuring that all New Yorkers have access to affordable housing without undue financial strain.

I urge the members of the City Council to consider the profound impact that the FARE Act will have on the lives of countless renters in our city. By passing this legislation, you will be taking a bold and necessary step towards a fairer, more inclusive, and more equitable New York City.

Thank you for your attention and consideration.

Respectfully,

Taylor Campbell

Proud Brooklyn Resident

Hi!

I'm a nine-year resident of New York City writing in support of the Fairness in Apartment Rental Expenses (FARE) Act.

A year and a half ago, my wife and I moved into our current apartment, which had been listed by a broker who was hired by our current landlord. We did not hire the broker—we found the apartment ourselves, online.

For us to move into this apartment, on top of the high costs associated with moving in this city, we had to pay the broker fee for the professional our landlord had hired. Her fee for our one-bedroom basement apartment was \$5,580, which was nearly as much as the first month's rent and security deposit combined.

We were moving at a time of economic instability, as we both recovered from industry layoffs and pandemic-related unemployment. Paying the broker fee for a professional we had not hired and who had not found us this apartment in the first place wiped out what precious little savings we still had.

We love our home. We even love our landlord, if you can believe it! But forcing would-be tenants to pay exorbitant broker fees on behalf of the landlords who hire them is unconscionable, especially considering the extraordinary financial burden of simply moving in the first place, and the position of vulnerability shared by many who are searching for housing. I absolutely support the Fairness in Apartment Rental Expenses (FARE) Act, which would mean that if/when we move again, we don't have to throw away several months' rent on a fee that should never have been our responsibility to pay. My wife and I were lucky to be able to pay the broker fee at all—I can't even imagine the impact that our current system has on New Yorkers more financially vulnerable than we are. It shouldn't be this way.

Thank you for considering this testimony.

Taylor VanBuren

Hello, my name is Tegan.

Thank you Selvena Brooks-Powers, and the members of the committee, for convening the hearing and accepting comments from those of us who couldn't be there in person.

I live in Hell's Kitchen, but have lived in crown heights, williamsburg, lower east side, and nolita.

I have paid two brokers fees on apartments, but most recently I paid \$2700 or 10% (of a years rent) brokers fee, which is below the typical fee lately (15% of a years rent). For this apartment, the broker knew almost nothing about the apartment/building, and lied to me about multiple things in lease riders that ended up costing me extra money in the long run.

In any other place in the country, the landlord either shows apartments themselves, or hires and pays for someone to do it for them. Why is it on tenants to foot the bill in NYC, when the brokers are providing little service to us other than unlocking a door? The brokers service is to the landlords, finding them a new tenant, therefore the landlords should be paying the brokers fees.

Ban brokers fees. Make the legislation direct and clear, that they can only force prospective tenants to pay absurd fees if the tenant specifically asked them to find them a place in general, not if the tenant reached out about a listing they put up on streeteasy/renthop/etc. If the landlord does not want to do the leg work to find new tenants, they must pay the broker to do it for them.

Thank you for hearing these comments.

June 9th, 2024

Tiffany Mathias
PO BOX 70348
Brooklyn NY 11207
[REDACTED]

Dear Members of the City Council for the City of New York,

I appreciate this opportunity to provide written testimony on housing and housing fees in New York City. I am a lifelong resident of this remarkable city. Growing up in Brooklyn and later Queens, my five siblings and I were raised by lower working-class parents. We often lived in the less desirable neighborhoods simply because that was all they could afford.

In the late 80s and early 90s, one of our homes was on Pacific Street between Franklin and Bedford Avenues, directly across from “The Armory” men's homeless shelter. This was during the height of the crack epidemic, and it was not an ideal place to raise children. The situation culminated in the tragic murder of my cousin in March of 1994. As a young girl, I spent many nights staring out my window, hearing gunfire and sirens, and witnessing addicts roam the streets. I longed for the day we would move to a safer place.

Fast forward to 2020, I am now a wife, mother, grandmother, and part of the working middle class. Despite the high cost of living, my husband and I work tirelessly to provide a home for our multi-generational family in Crown Heights-Weeksville. We even aspired to purchase a home. Beyond that, we started a non-profit organization to serve our community, offering free afterschool programs, summer camps, mentorships, and performing arts education. We wanted to give back to the city we love and support other families just like ours. However, the COVID-19 pandemic brought significant challenges. Like many, we lost jobs and struggled to keep up with bills and rent, yet we continued our work with the community. This was not for financial gain but because it was the right thing to do. After eight years, we had to vacate our home and search for a new place to live.

In our personal struggle to find affordable housing, we faced numerous obstacles. The process was daunting, with our large family needing more space than most apartments offered. The criteria used by landlords and brokers—combining income, credit score, and a bit of luck—made it seem nearly impossible to qualify. Our last move cost us \$9,000. Although my daughter found the apartment online, the broker—who also had a vested interest in the property, as she had sold the landlord the property and was at the time, negotiating the purchase of his next property—charged US a \$3,000 fee.

The average New Yorker does not have \$10,000 in savings plus the funds it takes to maintain current rent, bills and expenses. I understand wholeheartedly that landlords and management companies are in the real estate business. However, there has to be a way for them to maintain their business without passing the expense onto their tenants.

Last year, I saw a listing for a two-bedroom apartment on my childhood block. The rent was \$3,500 per month, and the application fee was \$50 for per person over the age of eighteen. For my family that totaled \$150. The broker's fee was 12% of the annual rent, amounting to \$5,040 just to open the door to an apartment we found online. Including the security deposit and first month's rent, the total cost to move in was \$12,190. And that was to live across from a homeless shelter.

Many families in New York City face similar challenges. We work in various sectors, from restaurants and retail to civil service and non-profits. We are the backbone of this city, yet we struggle to afford living here. While we cannot control inflation and rising cost of living, we implore you to prevent landlords and management companies from transferring their business expenses onto our already bent necks and burdened shoulders.

Thank you for your time and consideration.

Sincerely,

Tiffany Mathias

Written Testimony for 6/12 hearing - Committee on Consumer and Worker Protection
Tracy Soren
917-873-2231

Hi, my name is Tracy Soren and on February 23rd of this year I was displaced by a fire in my apartment building. My fiancé and I woke up at 4:00am to an alarm and escaped barefoot with just our phones and coats through a smoke-filled hallway to realize we could no longer live in our beloved Astoria apartment. Like many displaced New Yorkers, one night I went to sleep with a home and the next morning I woke up without one.

I am Queens born and bred, so my fiancé and I were lucky enough to stay with family and I am privileged enough to not only have had renters insurance but had the support and time to deal with bureaucracy and quite frankly, the scams that happen when you lose your apartment to a fire but for that's for another committee meeting.

Most displaced people do not have immediate access and ability to afford the thousands of dollars required to move in this city. I understand there are city resources for different circumstances but if you want to find a new apartment in this city there is an extreme cost before you even get the keys.

The NYC rental market is absurd and maddening. And one of the most maddening parts, outside of the rental prices, is having to hand over thousands of dollars to someone *you never hired, didn't vet and that does not actually work for you*.

Many of us have had the experience of meeting the broker that comes with the apartment after you do all the work to find the place. You go inside with the broker (sometimes, they're not even there!), tour the apartment for a total of 7 minutes (if you're lucky) and if you want to apply, you need to rapidly send in every bit of your sensitive information. Tax returns, paystubs, w-2s, 10-99s, bank statements, rental history, employer information (everything short of a vial of blood!) to a stranger that you *did not hire and does not work for you* so they can share all of that with someone or some entity that actually owns property in this city.

And if you are lucky enough to bypass identity theft and you actually want to ask a question about the property, inquire about the lease, or god forbid, negotiate something - good luck because the realtor is actually working for the landlord and you'll never know if you're getting the truth! I've had realtors straight up lie to me about the property I was moving into and I only found out after I moved in. Because the goal of most rental brokers is to satisfy their actual client, the landlord.

And all of this hinges on one of the most important aspects of our lives, our homes. Housing, *which should be a right*. We aren't talking about picking out a mascara, we are talking about something incredibly crucial. But in the hunger games of the NYC rental market, you essentially throw a hail mary pass, hope you don't get a dud, and pay your landlord's bill on the way in. It's insanity, which is why most places in the country don't do it this way.

And when we try to have some protections for the renter, like rent stabilization, you have realtors asking for a 15% broker fee of the annual rent. I inquired about a rent stabilized apartment in Jackson Heights and that's what I was told, 15% of the annual rent. Rent stabilized apartments are coveted so that people aren't at the whims of greedy landlords. They're coveted because maybe they're actually affordable, but wait, you have to pay 15% of the annual rent to even try to snag one. For what? What is this broker actually doing for you, THE TENANT? It's a disgrace.

To go from escaping a literal fire into the pits of the NYC rental market is taking a toll. This madness needs to stop. Please pass this act. Whoever hires the broker, pays.

Thank you.

My name is Veronica Rose and I am writing in support of Int. 360, which fairly places the responsibility to pay brokers on the party who hired them. I am currently an attorney but when I was in my second year of law school my elderly father and I learned that the apartment we were living in at the time had an illegal gas hookup, and we were given an order to vacate by DOB. Given that my father was retired and disabled, and I was a full-time student, our finances were limited and we were under a tight deadline to find somewhere to go or face being moved to a homeless shelter.

When pooling our finances, we were fortunate enough to still afford the monthly rent in our area, but still faced another problem; every landlord was asking for the first month, security, and on top of that, a broker's fee. Trying to come up with three times the amount of rent to hand over right away was incredibly difficult, on top of the already expensive process of moving. We were incredibly lucky at the time, when a friend of my father's happened to know of an open apartment in the building next door. The landlord just purchased the building and was trying to fill it as fast as possible, so we got to speak with her directly and skipped the broker's fee all together. Getting to move without needing to pay the extra equivalent of a month's rent meant we had less debt following the move; our money went further to cover the expenses of hiring someone to help with moving our furniture, something the two of us with no driver licenses or car between us could manage on our own.

A few years later, when it was time to move again, it was incredibly frustrating to have to pay an additional broker's fee when it was my landlord who hired him. It was that much more money that couldn't go to moving expenses and it resulted in larger debt following the move, which took a couple years to pay off.

The financial hurdle of a broker's fee discourages people from leaving dangerous, bad or harmful situations and adds an extra expense and source of stress on top of an already challenging process. Landlords are in the business of housing, and if they want to hire someone to assist their business, they should pay for it, not the tenants. We're an unfortunate minority in the United States that has this kind of system. If almost everywhere else can get it right, why not New York?

I am writing to support Intro. 360, the FARE act, which will prevent landlords from forcing tenants to pay the fee of the broker hired by the landlord. Why should I have to pay the fee of somebody I had no say in hiring?

My name is Veronica Schanoes and I am a single mother. My son is nine years old. I am also a tenured professor at Queens College, CUNY, so I should make enough money to support us. And yet, as we look at having to move next summer due to an increase in rent for our current home, I am faced with once again turning to my parents, who are retired, for help—and I'm fortunate to have them to turn to. First month's rent and security deposit together are several thousand dollars, and then the broker's fee on top of that is usually even more than a month's rent, a few thousand dollars more! I simply don't have enough money in my savings to cover that expense, especially when there's no guarantee I won't have to move again in a few years when the rent goes up yet again.

I do not hire brokers and it seems entirely unfair to me that I should have to pay for one who is actually working for the landlord. NYC is one of the ONLY cities in which a tenant pays the broker fee even when they didn't hire the broker – and it's just not right. When I was growing up in this city, my father, working on the railroad, supported a family of four. With housing the way it is here, I just don't see how that's possible nowadays. Rectifying this unjust situation by passing Intro. 360, the FARE Act, would be a step in the right direction, one that would make next summer's move much less intimidating for me and others like me. Thank you.

Victoria Alexander
Principal
Realty Collective
351 Van Brunt Street
Brooklyn, NY 11231
6/14/2023

New York City Council
New York, NY 10007

Dear Council Members,

I hope this letter finds you well. I am writing on behalf of Realty Collective to address the ongoing discussions regarding Intro 360, the proposed legislation concerning broker fee regulations in New York City's rental market.

At Realty Collective, we deeply value our community's stability and affordability, and we appreciate your efforts to address the pressing issues in our housing market. During a recent meeting with Council Member Aviles, we discussed several critical topics, including the impact of large corporations acquiring significant real estate in NYC, which has resulted in the displacement of small landlords and increased rent burdens for tenants. This phenomenon underscores the urgent need for thoughtful and effective regulation.

We recognize the importance of regulating broker fees to alleviate some of the financial pressures on tenants. However, we believe that any new legislation should align with the principles of the Good Cause Eviction bill, ensuring a fair and balanced approach that protects both tenants and small landlords.

The Good Cause Eviction bill sets a strong precedent by establishing clear and justifiable reasons for evictions, thereby preventing arbitrary displacement of tenants. Similarly, we advocate for a standard that requires landlords to pay broker fees, thereby reducing the financial burden on tenants and promoting housing affordability. This approach would also help small landlords who struggle to compete with larger corporate entities, fostering a more equitable housing market. Exempting the smallest buildings, which have the lowest eviction filing rates, are often managed by owners who are not full-time professional property managers, and often provide some of New York City's least expensive and most stable housing. We want to protect these property owners and reward them for keeping rents low for

their tenants that most often have a personal relationship with and value that over higher rents.

It is crucial that Intro 360 incorporates these standards to maintain consistency and fairness in our housing policies. By aligning with the Good Cause Eviction principles, we can ensure that the new broker fee regulations provide comprehensive protection for tenants while also supporting the sustainability of small landlords in our community.

We look forward to further discussions on this matter and hope to collaborate closely with your office to refine Intro 360 in a way that best serves the interests of all New Yorkers. Thank you for your attention to this important issue and for your continued commitment to our community.

Sincerely,

Victoria Alexander
Realty Collective

Good morning council. My name is Vincent Paladino. I am a resident in Queens. I am here speaking today in strong support for the FARE act.

I understand that many real estate agents are here in opposition to this bill, worried about its impact on their business. And this is a very reasonable concern.

Today in NYC landlords can hire brokers to list their property and vet tenants at no cost to themselves. Instead, they pass the cost onto the future tenant, even though the broker works for the landlord and the tenant **did not** hire the broker.

This bill will make it harder for these agents because landlords will no longer be able to pass the broker's cost onto tenants. As a result, landlords may be less likely to hire brokers. That is why these agents oppose the bill. Claims that the bill will cause rising rents or other issues are simply attempts to mislead NYC residents. These agents are not here out of concern for renters; they are here to protect their own business interests.

The reality is that this bill will align NYC with every other city in the United States. This is how business works everywhere else and how it should work here. This bill is not a "broker fee ban." It simply ensures that the person who hires the broker pays the broker—it's that simple.

Of New York City's 8 million residents, the vast majority of them rent. This legislation objectively helps New Yorkers by removing an unfair financial burden and promoting a fairer housing market.

I urge you to stand with the millions of renters in this city and support the FARE Act. Together, we can make housing more equitable and affordable for all New Yorkers.

[REDACTED]

From: Vivian Ducat [REDACTED]
Sent: Thursday, June 13, 2024 9:24 AM
To: Testimony
Cc: Vivian Ducat
Subject: [EXTERNAL] The broker side of real estate fees

[REDACTED]

I write to describe a broker's position on the fees. My current agency is Brown Harris Stevens. I hold a MA in Real Estate Development from Columbia University's Graduate School of Architecture, Planning and Preservation. I have been a NYS sales agent for 16 years.

As a general statement, I have always felt that the reason that people in political office blame brokers is that we are on the bottom of the pecking order. Developers and landlords make large donations to many political campaigns. Most of us don't make enough to do something like it.

There are many reasons why a broker is needed, and like anything else, we should be entitled to be paid for our work.

I have worked on several occasions with people with cognitive disabilities and the agencies that support them trying to find housing for them as there is a movement away from group homes. It is a laborious process, because of having a social service organization as your client, or having nervous parents as your client, and as a rule, landlords are suspicious and often don't comply with the law vis a vis housing people with disabilities. We brokers become the go-between, we need to set up numerous visits for the agencies and their staff and there is no way that a landlord would be reachable to make this process possible without an agent.. I have two sons with autism and one of them is capable of living on

his own in a rental studio, and I personally relied on a broker whom I paid in order to secure my son an apartment. She knew the landlord and knew that this apartment belonged to a landlord who would accept payment from a social service agency. I needed her to walk me through it as much as people on the outside need an agent who knows the landlord and knows where it is worth applying and what needs to be said about this applicant.

Landlords often rely on their own brokers to represent properties because they don't have the staff to represent them. Those brokers know who butters their bread and they obfuscate and will not answer questions that tenants themselves have. It takes a renter's agent to know that what is being asked is illegal and that it is important to move on, to not go with that particular property and to find a place that is managed and held by more honest owners. Renters rely on the experience of agents like me who know whom to avoid and where to turn. Here's a perfect case where it is the landlords who need to be policed and not the agents.

Rentals are particularly time consuming from a broker's point of view because there is a lack of housing in NYC, and in certain seasons, everything is already "taken." Who does a tenant have to turn to for suggestions or to walk them through multiple applications. If the tenant is working, when will they have the time to do all this work?

I think it is ignorant and short sighted to blame agents for problems of finding and affording housing in New York City. It is such a complex system here and without knowing how to navigate it, it is much harder for the average person to find housing. We spend hours doing work for people, using our connections when so many property agents won't answer their phone, won't look at what they are handed. We should be paid for our time just like anyone else who works should be entitled to payment.

Many thanks for hearing another side of the story.

Vivian Ducat

Vivian Ducat

[REDACTED]

[REDACTED]

Honorable Members of the New York City Council,

Thank you for allowing me to speak today.

As a New Yorker deeply involved in the real estate sector in New York, I am here today to express my strong opposition to Intro 360.

Intro 360 is fundamentally unfair both to real estate agents like me and to the renters it aims to protect. I implore you to consider the detrimental effects this legislation would have on the housing market in New York City.

First and foremost, the assertion that this bill would alleviate burdens for renters is flawed. In reality, this bill will likely lead to higher rents for tenants. By shifting the responsibility of broker fees solely onto landlords, the inevitable outcome would be increased rental costs for tenants, especially upon lease renewal.

Furthermore, the proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, the incentive to provide comprehensive support and guidance throughout the rental process diminishes. This ultimately leaves renters at a disadvantage, devoid of the expertise and advocacy that agents traditionally offer.

Moreover, the bill jeopardizes the livelihoods of hardworking agents, many of whom are working-class New Yorkers themselves. Real estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only exacerbate the challenges agents face, potentially driving them out of the industry altogether.

Additionally, the bill could have unintended consequences for the accessibility of housing. With landlords likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, exacerbating the city's housing crisis.

In conclusion, while I share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would only serve to further complicate an already challenging housing landscape, disproportionately impacting working-class New Yorkers in your district and beyond.

Thank you for the opportunity to testify today.

6/12/24.
Wassim fakhereddine

Hello Chair Julie Menin, Council Member Chi Ossé, and the members of the Committee. My name is William Menges and I am a resident of Manhattan.

I support the FARE Act because I believe one should not have to pay for a broker they did not hire. New York prides itself on attracting the best and brightest the world has to offer. Having to face large upfront costs including the first month of rent, the last month's rent, security deposit, and a broker's fee, many people find it difficult to pursue residency or relocate in New York City. The FARE Act would help ameliorate this situation, particularly for those who are most vulnerable.

I urge the Council to pass the FARE Act now.

Good morning Members of the City Council,

My name is Yvette Vasquez, and I am the Queens Political Organizer at 1199SEIU. I would first like to thank you for the opportunity to provide testimony today. I am here on behalf of 1199SEIU to urge the City Council to pass the Councilmember Osse's bill, the Fairness in Apartment Rental Expenses Act (FARE Act).

There are so many issues that come with renting an apartment in New York City. From increasing rental prices to spacing concerns, renting an apartment has grown increasingly difficult. Landlords often times request first months rent and a security deposit, in addition to this, they are now requiring incoming tenants to pay the brokers fees resulting in a total of three months rent or more.

I recently began an apartment search that lasted over half a year. Almost all of the apartments I looked at utilized a broker. The broker was always the main point of contact and in many instances the fee was an entire month rent, sometimes more. According to the Real Estate Board of New York (REBNY) more than half, around 54%, of current apartment listings in the city include a broker fee. That means in order to have a chance at renting half of the available apartments in this city, you must be able to afford three months rent upfront.

Unfortunately, in some cases, the broker fee is higher than a month's rent. During my apartment search I found a rent stabilized apartment that was being listed through a broker. It was a nice sized apartment, reasonably priced, however the broker required an \$8,000 fee on top of the first months rent and security deposit to the landlord. It is very unreasonable to expect that someone has over \$10,000 on hand to pay to move into an apartment.

Rent is already extremely high in this city and wages have not risen to match the cost of living. There are brokers taking advantage of the fact that there is no cap on their fees, and they are charging multiples months' worth of rent for their services. 1199SEIU represents many different titles in high demand healthcare industries, including homecare, nursing homes and care for those with developmental disabilities. Although these workers are providing life sustaining care to the vulnerable New Yorkers who need it, they are inadequately compensated. We have had members deal with issues of homelessness, unjust evictions, and other housing problems. There is no reason that hard working New Yorkers are living in the shelter system because they are unable to afford thousands of dollars in upfront rental costs.

Requiring broker fees to be paid by those who have procured the broker is the first step in addressing housing costs in New York City. The FARE Act will ensure

tenants are not burdened with the costs of broker services they did not acquire. Working New Yorkers and their families are unable to afford the enormous upfront costs to moving into new rental units in the city which has forced many people to leave New York altogether.

We need to work together to create an affordable New York City with equitable and reasonably priced housing. We are urging the Council to pass the FARE Act to ensure no one is burdened with unreasonable costs while trying to find a place to live.

Hello,

My name is Zach and I'm writing to you as a resident of City Council District 3, I moved to New York City last August. I couldn't begin to tell you how excited I was when I learned from my job that I would be working at the Hudson Yards office. I researched the various neighborhoods, learned the entire subway system and the history behind the lines and would watch youtubers talk about this great city for hours. My research led me to deciding that Hell's Kitchen would be the neighborhood I wanted to live in first. I came to the City for the first time back in June and stayed in a dingy hotel for a week while I scoured the neighborhood for an apartment. The apartment I found was (barely) in my price range, it's in the heart of the neighborhood and the building fit right in as a quintessential "New York Apartment". While I was the one who did the research and gathered documents that would make an identity thief's day, part of my contract required me to hand over \$5,000 to a real estate broker. While the broker was nice, the service she offered was buzzing me in to view the apartment with several other people and again later to allow me to measure the unit. That's it, I wasn't assisted in finding the place, she didn't assist me with forms or give me a leg up on other applicants. So, a young person, fresh out of college, paid more than a month's salary for maybe 30 minutes of work from a real estate broker. The money I gave her meant I had to eat ramen and cheap eats for a bit while I made that money back. The payment for her "services" made me feel extorted and made this beautiful city seem scary and mean. If I hurt myself moving in or needed to go home to see family, I'd have to take on debt. As a young person, I'm not flush with cash, but I make up for it with an unstoppable drive to make this city my home and a better place for others who wish to make it theirs. I'm sure the many real estate brokers present will give you compelling arguments that without broker's fees, rents will skyrocket due to the landlords passing off the fees to tenants but with many new yorkers moving every year or two, an increase in rent of \$200 would have saved me over \$2,000 if I chose to leave my apartment after the first year and several hundred if I choose to stay for two. At the end of the day, I ask you this: Is New York City, the city of dreams, the city that greets its next generation with open arms and tells them that while it may be tough and unpleasant at times, if you work hard and connect with your neighbors and build community, you can do anything that you set your mind to; or is it a city for sale, capitalizing on people's dreams to make a start here and extorting them for a free month of rent income in exchange for "services"?

Dear Members of the City Council,

I am writing to express my concern about the uncapped broker fees that renters in our city face. As a resident who has struggled to find housing within my budget, I find these fees to be not only unfair but also predatory, especially during this ongoing housing crisis.

Broker fees, in theory, compensate real estate agents for their work in helping tenants find homes. However, the lack of regulation and cap on these fees has led to many brokers charging exorbitant amounts, often equivalent to more than one or even two months' rent. This practice imposes a significant financial burden on renters, who are already grappling with high rental prices, stagnant wages, and the economic repercussions of the pandemic.

The current housing market is highly competitive, and finding affordable housing has become increasingly difficult. Renters, especially those with limited financial means, are placed in an untenable position when forced to pay these excessive fees. This situation exacerbates the housing crisis, as it limits access to housing for a significant portion of our community, furthering inequality and contributing to housing instability.

Uncapped broker fees disproportionately affect low-income individuals and families who may already be on the brink of financial distress. These fees can consume savings for security deposits, moving costs, or basic necessities. In many cases, the choice is between paying the broker fee or securing a safe and stable place to live. This is a choice that no one should have to make.

Moreover, the lack of transparency and regulation in broker fee practices can lead to exploitation. Renters often feel pressured to agree to whatever terms are presented to them, fearing that they will lose out on much-needed housing. This power imbalance is a hallmark of predatory practices, which the city must address and rectify.

I urge the city council to consider implementing regulations that cap broker fees at a reasonable amount. Such measures are necessary to protect renters from financial exploitation and ensure that housing remains accessible to all members of our community. Other cities have successfully enacted similar regulations, proving that they are a feasible and effective solution.

In conclusion, uncapped broker fees are an unfair and predatory practice that exacerbates the housing crisis and places undue financial strain on renters. I implore you to take immediate action to cap these fees and protect the residents of our city from further exploitation.

Thank you for your attention to this critical issue. I look forward to seeing positive changes that will benefit all renters in our community.

Sincerely,

Zamani Berry-Amin

Since I was a young child in Michigan, I dreamed of living in the big city. Eight years ago, I moved to NYC. I lived with roommates for 7 years, but finally moved into my own place last year. I was shocked to learn that I had to pay a \$3000 broker's fee when all the broker had done was let me in to see the apartment. For most of the years that I've lived here, I only made \$30,000 per year, which is something like \$18,000 after taxes. \$3000 was a huge sum of money for me, when I felt like I did all the work myself - searched for listings, and emailed and called dozens of available apartments every single day. I wished I'd had a choice about hiring this broker - and that's exactly what the FARE act does. It gives tenants like me, who can't afford a broker, a choice about whether to hire one. All we want, is a choice. The icing on the cake was when my broker couldn't even meet me to give me the keys - she left them at a restaurant for me to pick up. Thank you for your time.

To whom It may concern

Last months I had to move to a new apartment. I did not hire a real estate company, the landlord from the building I applied to did. The whole application process was a nightmare. The broker kept changing the rent price and using dishonest methods to try to increase the price. When we managed to find an agreement, the broker mentioned that there was 10% broker fees just before signing the lease. It was never mentioned before. I was very unhappy with the whole process but because the market is so tight at the moment, I had no choice to accept. Landlords who are the one that hire real estate compaignies should be the one paying for this service, tenants that did not ask anything from them shouldn't have to. That's pure logic.

I am testifying in support of the FARE act (intro 360). Just this last year, I moved into an apartment with my partner. We were so excited to move in and begin our lives together. We found a unit in Sunnyside, Queens with rent just barely in our budget. At \$2350 a month, we were shocked to find that our fees in total amounted to \$8000. Our broker fee was a huge blow to our savings and has essentially stranded us within the unit. Our landlord is negligent, with more than thirty 311 complaints against them this year alone. Our broker was never in the building with us, never handed over keys, and failed to share any details with us about the unit, and yet we had to pay them over three grand simply because our landlord chose not to pay for a sub-par contractor. Broker fees should be the responsibility of the individual who hired them.

The FARE Act cuts through the confusion and creates a transparent system. Tenants will no longer be burdened with a significant upfront cost for a service they might not have chosen. This puts the financial responsibility on the party actively seeking the broker's help, whether it's the landlord looking to fill a vacancy quickly or the tenant seeking specific assistance in a competitive market. The Fairness in Apartment Rental Expenses Act fosters a fairer and more equitable rental process for everyone.

Broker fees exploit renters and service the landlord, who actually hire them. Brokers already try to charge more than 15% which favors those who can pay to play. Brokers have asked me to pay a larger fee to make my application more competitive. Last week a broker asked me to pay 15k on a 1200 a month lease. I've never hired a broker, yet I'm the one paying them thousands.

Dear Honorable Members of the City Council,

I am writing to you today to express my strong opposition to Intro 360.

I want to start by saying that I am not only a real estate agent but also work at a bar five nights a week just to pay rent that I can barely afford. **I, too, am a working-class citizen of New York.**

If this bill passes, I fear that rents will increase, and I will no longer meet the income requirements of 40 times the monthly rent, thereby limiting my options even more.

The claim that this bill would ease burdens for renters is flawed. In reality, this bill will likely lead to higher rents for tenants, like myself. By placing the responsibility of broker fees solely on landlords, the inevitable outcome would be increased rental costs for tenants, especially when renewing leases.

The proposed legislation undermines the role of real estate agents in advocating for renters. If agents no longer have a financial stake in assisting tenants, their incentive to provide comprehensive support and guidance throughout the rental process diminishes. This leaves renters at a disadvantage, without the expertise and advocacy that agents typically offer.

Real estate agents play a crucial role in facilitating transactions and supporting their clients, often at great personal expense and risk. The passage of Intro 360 would only worsen the challenges agents face, potentially driving them out of the industry altogether.

Furthermore, the bill could have unintended consequences for housing accessibility. With landlords likely passing on broker fees to tenants through increased rents, many prospective renters may find themselves priced out of the market entirely, exacerbating the city's housing crisis.

In conclusion, while I without doubt share your concerns about the high cost of housing in New York City, I firmly believe that Intro 360 is not the solution. Instead, it would further complicate an already challenging housing landscape, disproportionately impacting working-class New Yorkers in your district and beyond.

Thank you for the opportunity to testify today.

I have paid thousands and thousands of dollars over my 16 years in NYC to brokers who I did not hire, but who were instead hired by a landlord who for whatever reason didn't want to or can't show the apartments themselves. It makes absolutely no sense that I, the tenant, should have to take on the cost of a broker who I did not hire (and who often simply just unlocks a door to an apartment) just to have the privilege of having a place to live. It is a choice made by the landlord to incur this fee - not my decision. If landlords feel that broker fees are too much for them to cover, by that logic it's absolutely too much for the tenants (who almost always have less means and financial resources) to cover. Landlords should be responsible for their own choices. There is also no other major city that allows this because it is NONSENSICAL and frankly, exploitative of tenants trying to find a place to live in a wildly unaffordable housing market. On top of having to submit every piece of personal and financial information I have (enough to have my identity stolen tenfold), I paid nearly \$9000 to move into my current apartment between deposit, first months rent, and the broker fee. Many New Yorkers do not have that cash on hand, including me, and I had to borrow about half of that just to make sure I had a place to live. And I'm one of the lucky ones who COULD borrow that money. Enough is enough. If landlords don't want to pay for a broker to show their apartment, perhaps they should do it their dang selves. We have had enough of paying for other peoples' comfort and convenience.

I've been living in NYC for 8 years. In that time, I've paid \$6,513 to brokers I did not hire. That's \$814 a year that I could have spent in my community, instead of paying someone who I did not ask or want to do business with (and who, in many cases, did not do their job well). Even the one time I *did* hire my own broker, I still had to pay an almost equivalent fee to the broker hired by the building management company. They chose the broker, they agreed on the fee, but I had to pay it? How does that make any sense? I was thankful to find a rent stabilized apartment in my last move, but still: I paid a broker fee.

Brokers and landlords have tried to claim that passing the FARE Act will lead to increased costs for renters. First off, this is entirely false in cases like mine. My landlord cannot raise the price on my rent stabilized apartment to make up for a broker fee they chose to take on. They say that "renters can already choose no-fee apartments" — why not make every apartment no fee, then? Would these imagined increases not be present in the existing market of no-fee apartments? Of course not, because they are exactly that: imaginary. New York and Boston are the only major American cities where tenants pay fees for a broker they didn't hire. And yet, housing is more affordable in every other city. These "passed on fees" are not going to the renters there. Why would they here? We need to do everything we can to address our housing affordability crisis. Forced fees are part of that crisis. Even if rents *did* somewhat increase, a small monthly rent increase is more manageable than a massive upfront fee. But again, based on the success of other cities I see no evidence for the real estate lobby's claims.

Additionally, disincentivizing landlords hiring a broker will disincentivize forcing out a tenant and finding a new one. Staying in their homes is in tenants' best interest!

We need fair fees. We need the FARE Act!

My name is Mary Sommerville and I am writing to express my strong support for the proposed FARE Act.

During the summer of 2022, my partner and I experienced firsthand the unfair burden that broker fees place on renters. We found what we thought was a no-fee apartment on StreetEasy and met with the broker hired by the landlord. We applied for the apartment and were approved. However, nearly a week passed without us receiving the lease to sign. When we followed up with the broker, we were informed that the landlord had decided to switch to a different real estate agency that would charge a fee.

At this point, we were about ten days away from having to move out of our current apartment. We were essentially given an ultimatum: either reapply for the same apartment and pay a 15% broker fee—amounting to \$5,700—to a broker we had never met and who didn't assist us at all during the process, or start our apartment search over from scratch. This put us in an incredibly stressful and precarious situation, with very little time to make a decision.

This experience highlighted how broker fees can create unnecessary financial strain and instability for renters, especially when they are unexpectedly imposed. It is unjust to require tenants to shoulder these fees, which often amount to thousands of dollars, simply to secure a place to live.

I urge the City Council to pass this bill to ensure that broker fees are the responsibility of the landlords who hire them, who are in a better position to absorb these costs. This change would provide much-needed relief to renters and contribute to a fairer and more equitable housing market in our city.

Thank you for your time and consideration.

Subject: Support for Requiring Brokers to Charge Client

Date: 06/12/2024

Dear Members of the New York City Council Committee on Consumer and Worker Protection,

Thank you for the opportunity to provide testimony on the critical issue of broker fees and the financial burden placed on renters in New York City. My name is Hanah Billups, and I am a concerned Brooklyn resident. I am writing to express my strong support for the proposed legislation that would require real estate brokers to charge the party that hires them, rather than shifting this financial responsibility onto renters.

New York City is renowned for its vibrant culture, diverse communities, and economic opportunities. However, the high cost of living, particularly the exorbitant housing expenses, poses significant challenges for many residents. One of the most pressing issues is the burden of broker fees that renters are often compelled to pay when securing an apartment. These fees, which can amount to one month's rent or more, create a substantial financial barrier for individuals and families seeking housing in an already competitive market.

The current practice, where renters bear the cost of broker fees, is fundamentally unfair and inequitable. Renters often have no choice but to engage a broker to find housing, yet they are required to pay for a service they did not solicit. This practice disproportionately affects low- and middle-income residents, exacerbating economic disparities and contributing to housing insecurity.

Beyond the immediate financial strain, broker fees have a prohibitive effect on renters' ability to move to new apartments. The substantial upfront cost makes it difficult for renters to relocate, even when their current living situation is unsuitable or unsafe. This financial burden restricts mobility, trapping renters in suboptimal housing conditions and limiting their access to better opportunities, such as proximity to employment, education, and essential services.

Moreover, after paying these hefty broker fees, many renters find themselves struggling to afford basic living expenses. The depletion of their savings to cover broker fees can lead to difficulties in paying bills, buying groceries, and meeting other essential needs. This situation exacerbates financial stress and can push already vulnerable individuals and families closer to economic instability.

By shifting the responsibility of broker fees to the party that hires the broker—typically the landlord or property owner—we can create a more equitable housing market. This change will not only reduce the financial strain on renters but also promote transparency and fairness in real estate transactions. Landlords and property owners, who directly benefit from the services of brokers by filling vacancies quickly and efficiently, are better positioned to absorb these costs as part of their business expenses.

Furthermore, this legislative change aligns with broader efforts to protect consumers and ensure fair business practices. It is a necessary step towards leveling the playing field and ensuring that all New Yorkers have equitable access to housing.

In conclusion, I urge the New York City Council Committee on Consumer and Worker Protection to support and advance the proposed legislation requiring brokers to charge the party that hires them. This policy change is essential for promoting fairness, reducing economic burdens on renters, and fostering a more just housing market in our city.

Thank you for considering my testimony. I am confident that this reform will significantly benefit countless New Yorkers and help create a more equitable and inclusive city.

Sincerely,

Hanah Billups

I am a resident of New York City, and have had to navigate the rental market in this city. Having to pay the broker's fee for an apartment has made moving in the city extremely prohibitive. In order to secure an apartment in my price range, the average amount I would need to put down on an apartment was about ~\$12,000, just to move in (deposit, first month's rent, broker's fee). That amount would have been about half without the broker's fees. In the community of people I know, almost no one has that amount of money to secure an apartment.

Many broker's will argue that the cost will still be put on the tenant in the form of higher rent. This would not necessarily be the case in all apartments, but even if it was, this would be easier for tenants to handle than the current system. I may be able to pay a few hundred more in rent per month, but I don't necessarily have \$6,000 to pay a broker right at this moment.

Many brokers are saying that 50% of units don't require a broker's fee. In my experience, that has not been the case. The vast majority of units I find on Street Easy require a broker's fees. It is possible that they are talking about high rise apartments since I know they don't often have broker's fees, but those apartments are way out of my budget. Brokers may argue that my rent will become expensive like the high rises if the FARE act passes, but I think it is pretty obvious that those apartments are more expensive because they are nice, new high rises with many amenities as opposed to my pre-war walk up without amenities.

At the end of the day, I believe that whoever hires the broker should pay the broker. That is how all other services operate and that is how all other cities operate.

Hello,

I am a New York City resident currently residing in Staten Island! I have been in the city for over 5 years and my partner was born and raised here. We have both tried to make our way in the city as young adults and this included trying to live in our own apartment. We set aside money, asked family to help us with co-signing, and stayed afloat through the pandemic. But as our rent increased and the economy tightened everyone's wallet we were unfortunately unable to continue living on our own and had to move back in with my partner's parents. We personally have never hired a broker, but would turn up to apartments listed online only to find out they were now out of our price range because of broker's fees we would be forced to pay even though we did not hire or know about said broker before showing up to the apartment. Even my friends have locked themselves into leases where they may not be 100% happy with their place because it beats having to look for an apartment at a decent move in price in this city. As a former and hopeful renter in this city, we need to have more acts like this so regular New Yorkers aren't further pushed out of their neighborhoods by high prices. Even here in Staten Island my partner and I have had trouble finding decently priced apartments and my partner's entire family was already priced out of Brooklyn years ago. The FARE Act is a good first step in assuring that all tenants know what they're paying for when trying to look for a new place. Thank you for listening/reading.

As a seasoned real estate professional in New York City, I am deeply concerned about the implications of the FARE Act, which mandates that landlords bear the full responsibility for broker fees. While the intent to alleviate financial burdens on tenants is commendable, the unintended consequences of this legislation are significant and far-reaching.

Firstly, shifting the financial responsibility for broker fees entirely to landlords could lead to increased rents. Landlords, facing higher upfront costs, are likely to offset these expenses by raising monthly rental rates, thus negating any intended financial relief for tenants. This is particularly problematic in a city where housing affordability is already a critical issue.

Secondly, the FARE Act could exacerbate the housing supply shortage. Landlords, deterred by additional costs, might become more reluctant to list their properties through brokers, reducing the visibility of available rentals. This could result in longer vacancy periods and a less efficient rental market, ultimately disadvantaging both landlords and tenants.

Moreover, the quality of tenant placement services might decline. Brokers, who play a crucial role in vetting and matching tenants with suitable properties, might see reduced incentives to provide high-quality services if their fees are constrained by what landlords are willing or able to pay. This could lead to higher tenant turnover and associated costs, further destabilizing the rental market.

In conclusion, while the FARE Act aims to support tenants, it risks creating a ripple effect of negative outcomes that could undermine the stability and affordability of the New York City housing market. It is imperative that policymakers reconsider this approach and seek solutions that balance the interests of both tenants and landlords to ensure a fair and functional rental ecosystem.

What's worse than an upfront broker fee? **An unexpected broker fee.** In 2022, I moved from Crown Heights back to Flatbush to escape a less-than-ideal living situation. After preparing for the expected first month's rent and security deposit, I was met with two unexpected fees. The first fee was to hold the apartment while my application was being processed. This fee was fine, as it would go towards first month's rent. I submit my application, pay the hold fee on the spot, and soon hear that I've been approved.

Excitement quickly turned into frustration when the broker (hired by the landlord) unexpectedly mentioned "a small broker fee" that I needed to pay. I knew this was a "no fee" apartment on Street Easy. I went back to check the listing, and it still said "no fee," so how was I being charged a broker fee? I brought this up to the broker, but there was no way out of it and he knew it was unlikely someone would decline so far into the process with hopes of getting keys as move-out/move-in day approaches. It was a disgusting act and brokers should not be able to get away with this. Broker fees in general are significant hindrances to moving and with rent already through the roof, why put another undue burden on consumers?

I am writing in support of the FARE Act, legislation that I think is critical to pass in the search for more affordable housing for renters and greater protections.

I want to submit testimony from my apartment search in NYC in 2021.

In my search, I found a rent controlled apartment that was listed as a no-fee apartment and even had a large sign on the building that indicated it was no-fee. When I arrived, the broker I was put in contact with through streeteasy said he couldn't make it but that the apartment was open and we could just let ourselves in. We did so, and while the apartment had no shower head, reeked of urine, and clearly had a lot of previous damage, it was in the area we wanted to live in and was all we could afford at \$1900 in a rent controlled building.

As is always the case we were asked to put down a \$1000 deposit on the spot and sign documents the next day. Before the signing we were informed (after giving a deposit) that we owed a brokers fee of 15% the total years cost of the apartment (at it's market rate), \$4860, and first month, last month, and a security, or \$10560.

I had no indication that we could negotiate this amount and was taken totally off guard. We had stopped looking at other apartments because we had put the deposit down and were only in town for 3 days so had no way to back out without losing our housing back in our home city.

This is absurd.

We paid thousands of dollars to a person we never even met for an apartment I was only able to stay in two years because the living conditions were so bad.

It was due to this experience and massive loss of funds I eventually had to leave NYC.

I loved this city. It was my home. And I would not wish this experience on my worst enemy let alone my wonderful neighbors.

While I am no longer a resident I think this legislation is critical to protecting vulnerable New Yorkers and I hope the council stands with tenants.

The New York City Council must pass the FARE Act. There is a massive housing crisis in this city, and we need to take any and all steps possible to alleviate it. Removing the burden of paying a broker's fee from the tenant and placing it on the landlord—who has practically all the power in this dynamic—is a good place to start. According to StreetEasy, the average upfront cost (brokers fees included) to move into a rental reached \$10,454 in 2023, a 29% increase. With so many of our neighbors struggling due to stagnant wages and greedflation, how is anyone supposed to be able to afford a roof over their head in this environment? My hope is that the City Council will take a first step towards housing justice by passing this legislation. Thank you for your time and consideration.

Esteemed members of the New York City Council,

I'm a fourth-generation New York City resident. I've benefited immensely from the privilege of generational wealth, back when my grandparent's home cost them double their annual income, whereas now buying a home costs five to seven times my annual income.

As a result, for the millions of people who live here, buying a home is unattainable. This leaves renting as the only option. New York City is one of the few cities in the country that forces renters to pay broker fees.

Broker fees are an unnecessary obstacle that renters face in their struggle to find affordable housing in a city notorious for being expensive. The renter also pays first month's rent and a security deposit up front, which already takes great care to save for. A broker fee, sometimes as high as 15% or more, puts affordable apartments out of reach for otherwise hard-working and earnest renters.

Forcing renters to pay broker fees most exclude economically disadvantaged groups, including Black, indigenous, people of color, immigrants, trans people, and families working minimum wage. These groups define and contribute to the glorious tapestry of our city, and we are failing them.

Keep in mind that banning renters from paying broker fees does not make them go away. Landlords will try to pass the broker fee on to renters by simply adding it to the rent. The city must pay considerable attention to prevent this from happening, because rent is already extremely high in this city.

We do not currently cap broker fees, leaving renters even more at risk of being taken advantage of. If the broker fee is passed on to the landlords and real estate conglomerates, these powerful groups have more leverage to negotiate broker fees than renters currently do. This path forward will help us all win against the currently unregulated wild west of broker fees.

Ban broker fees for renters, prevent landlords from passing the fee back on to the renter, and place a common-sense cap on broker fees.

Thank you.

Fairness in Apartment Rental Expenses Act ([Intro 0360](#))

The genesis of ***tenant-paid broker fees*** is that the landlord is seductively induced into sort-of-believing that the services of the broker are costless: ***what-the-heck***.

However, one is always advised to remember the famous economist, Lord John Maynard Keynes, who said “there is no free lunch”.

No matter how much one pushes around these sorts of fees, shedding them from one party to the other, somebody is going to pay: and that person is in all likelihood the tenant.

Councilman Chi Ossé is really addressing a question of ethics and business process. After all, we’ve all learned a lot in recent weeks about the cutting of false checks - all 34 of them.

Ossé tells us that ***he who retaineth the broker*** shall cut ***the check to payeth the broker***: what could be simpler? Let’s get on with it and stop fooling ourselves!

PS: Thank you Nicole Rosenthal at Patch for bringing this to our attention.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Anna Klenker

Address: (50)

I represent: Self / Broker

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Samuel Stein

Address: _____

I represent: Community Service Society

Address: 633 3rd Ave, 10th fl

**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: JEFFREY HANNON

Address: _____ NY NY

I represent: SELF (COUNCILOR) / BROKER

Address: _____ NY NY

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

THE COUNCIL
THE CITY OF NEW YORK

6

Appearance Card

I intend to appear and speak on Int. No. INTRO Res. No. 360

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Bess Freedman

Address: [REDACTED]

I represent: BHS

Address: 445 Park Ave

THE COUNCIL
THE CITY OF NEW YORK

5

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No.

☐ in favor ☒ in opposition

Date: 6 June 2024

(PLEASE PRINT)

Name: Barbara Ann Rogers

Address: [REDACTED] BK 11238

I represent: myself & DERBY - Comm

Address: various

THE COUNCIL
THE CITY OF NEW YORK

4

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. 360

☒ in favor ☐ in opposition

Date: 6/12

(PLEASE PRINT)

Name: Celia Weaver

Address: [REDACTED] BK 11238

I represent: Housing Justice for All

Address: 495 Flatbush Ave 11235

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: 6/12/2024

(PLEASE PRINT)

Name: Sharon Brown

Address: 130-10 140 Street Suite 1

I represent: Rose of Sharon Enterprises

Address: Jamaica NY 11436

**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: Amber Guroth

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

20/2/2
I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Benjamin Best

Address: [Redacted] Eastern Parkway

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0360 Res. No. 2024

☐ in favor ☐ in opposition

Date: 12 Jan 2024

(PLEASE PRINT)

Name: Justin D. Gullino

Address: 5 W 37th St Fl 12

I represent: Real Estate Brokers

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Gordon Lee

Address: 1 Saint Pauls Court Suite 1K (For Nixon Protest)

I represent: All coalitions

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Eric Ross

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

105

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

104

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: _____

Address: _____

I represent: _____

**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: _____

Address: _____

I represent: _____

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK 102

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: John Willis

Address: [REDACTED] Brooklyn, NY 11221

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK 101

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Gali Dvavar

Address: [REDACTED]

I represent: Mobilization for Justice

Address: 100 William 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: 6/12/24

(PLEASE PRINT)

Name: Gabrielle Guerrero

Address: _____

I represent: myself

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

99

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Clare Bigina

Address: [REDACTED] Brooklyn NY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

98

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Nina Leigh

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

97

Appearance Card

I intend to appear and speak on Int. No. 12 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Rebecca Medman

Address: [REDACTED] Astoria NY 11003

I represent: _____

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: 6/12/2024

(PLEASE PRINT)

Name: Sharon Brown

Address: 130-10 140 Street Suite 1

I represent: Rose of Sharon Enterprise

Address: Jamaica NY 11436

**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: Ranty Dora

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: DEEB SINDHAR

Address: [REDACTED]

I represent: LITON NY

Address: 225 W 35th St NY NY

**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: 12/6/24

(PLEASE PRINT)

Name: Selenia Nelson

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 390 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Boaris Yusefow

Address: [REDACTED] Brooklyn, NY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Brendon Griffith

Address: 350 West 31st St

I represent: NYC Central Labor Council AFL

Address: 350 West 31st St '650

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

**THE COUNCIL
THE CITY OF NEW YORK**

90

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Elvin Raytman

Address: [REDACTED] Brooklyn, NY 11201

I represent: Myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Dolores Masal

Address: [REDACTED]

I represent: B

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Amber Guidotti

Address: [REDACTED] Cornelia St

I represent: _____

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: MOREOM PERVEN

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: June 12, 2024

(PLEASE PRINT)

Name: Andrew Funk

Address: [REDACTED] Flushing Ave. [REDACTED]

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK 85**

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Jordan Melkin

Address: [REDACTED] Brooklyn, NY 11220

I represent: myself, pro-FARE Act Real Estate

Address: professional

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

**THE COUNCIL
THE CITY OF NEW YORK**

84

Appearance Card

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

☐ in favor ☐ in opposition

Date: 06/12/24

(PLEASE PRINT)

Name: Galloway

Address: _____

I represent: The Ali Forney Center

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

FAREACT

Date: _____

(PLEASE PRINT)

Name: Nadia Swanson

Address: _____

I represent: The Ali Forney Center

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

82

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: PHILIP A JOHNSON

Address: [REDACTED] Christopher St [REDACTED]

I represent: MYSELF

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Logan Phares

Address: [REDACTED] BROOKLYN NY

I represent: Open New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: NICKI THOMPSON

Address: [REDACTED] NEW YORK, NY 10003

I represent: Open New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Julia Salazar

Address: [REDACTED] Brooklyn, NY 11221

I represent: _____

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. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CONTROLLER BOARD LARSEN

Address: 1 Centre St

I represent: the people of the City of NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

77

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Anna Gardner

Address: [REDACTED] Brooklyn, NY 11221

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

76

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Motos

Address: [REDACTED] BROOKLYN, NY 11268

I represent: Myself

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

75

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6.12.24

(PLEASE PRINT)

Name: Judith Goldner

Address: _____

I represent: The Legal Aid Society

Address: 40 Worth St NY NY

THE COUNCIL
THE CITY OF NEW YORK

74

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Blanca Perez

Address: [REDACTED] 11215 Brooklyn

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Gladys Bugliac

Address: _____

I represent: MAKE THE ROAD NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6-12-24

(PLEASE PRINT)

Name: Agustina Velez

Address: [REDACTED] 92 St.

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Annie Abreu

Address: [REDACTED] Brooklyn, NY 11220

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Amy Blumsack

Address: 2094 Fulton St Brooklyn NY 11233

I represent: Neighbors Together

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK 69

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: TOTAL MON

Address: [REDACTED]

I represent: CORCORAN

Address: 157 COLUMBUS AVE #2L

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: Brian VITALE

Address: [REDACTED] white Plains

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK 67

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Yvette Vasquez

Address: [REDACTED] NY 10462

I represent: 1199 SEIU

Address: 498 7th Ave, N.Y.N.Y. 10018

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. 300

☒ in favor ☐ in opposition

Date: 10-12-24

(PLEASE PRINT)

Name: Tiffanie Burt

Address: [REDACTED] Saratoga Ave

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

65

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6/12/2021

(PLEASE PRINT)

Name: Shasta Soria

Address: [REDACTED] Ave Apt 2K

I represent: MEC Council

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Atusa Mozaffari

Address: 153-10 Jamaica Ave 202 Jamaica NY 11432

I represent: The Legal Aid Society 8 ALAA 2325

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. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6-12-24

(PLEASE PRINT)

Name: Adam Taha

Address: [REDACTED] Staten Island NY

I represent: Myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Esteban Biron

Address: [REDACTED]

I represent: Crown Heights Tenant Union

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Adam Graubart

Address: [REDACTED] Brooklyn

I represent: Crown Heights Tenant Union

Address: [REDACTED]

Brooklyn, NY 11216
Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

60

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: BOND RICHETTI

Address: BOND

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: McKENZIE RYAN

Address: DOUGLASSMAN

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JASON RHINTER

Address: COMPASS

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: KEYAN SAWAT

Address: DOUGLAS ELLMAN

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JASON HARPER

Address: COMPASS

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ANTHONY DOMATHOTI

Address: EXIT REALTY (NYSAR)

I represent: _____

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: _____

Name: DANZILLE LEWIS MCLAURE (PLEASE PRINT)

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

Name: MELISSA GOMEZ (PLEASE PRINT)

Address: FRA REAL ESTATE (NYSAR)

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

Name: BRIAN MOURICAN (PLEASE PRINT)

Address: BOND

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: HAL GAUTZIE

Address: DOUGLAS FLEMING

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: DOUGLAS WAGNER

Address: BOND

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JIMMY BROWN

Address: _____

I represent: _____

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. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Arturo H. Enarado Jr

Address: [REDACTED] Brooklyn

I represent: PSC-CUNY

Address: 2001 Oriental Blvd,

**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: RYAN MONELL

Address: REBNY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: BRIAN PHILLIPS

Address: DOUGLAS FULTMAN (NYSAR)

I represent: _____

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: SARAH SALTZBERG

Address: BOHEMIA

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: BESS FREEDMAN

Address: BHS

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Brooklyn Borough President Antonio Reynoso

Address: _____

I represent: _____

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: GARY MALIN

Address: CORCORAN

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Destiny Cruz

Address: 4240 Vireo Ave Bronx, NY 10470

I represent: NY Working Families Party

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: 6-12-24

(PLEASE PRINT)

Name: Keyan Sanai

Address: [REDACTED]

I represent: DE

Address: 575 Madison

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: 6/12/24

(PLEASE PRINT)

Name: Michael Collet

Address: [REDACTED] NY 11205

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JORDAN SILVER

Address: BROWN HARBOR STEVEN S

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: BILL ABRAHAMSON

Address: _____

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

38

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lynn Craig

Address: [REDACTED]

I represent: to speak Douglas Elliman

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

37

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ahmed Tigani, First Deputy Commissioner

Address: _____

I represent: HPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: 06/12/2024

(PLEASE PRINT)

Name: Sean Davis

Address: [REDACTED]

I represent: Myself; ~~HPD~~

Address: same as above

**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: June 12, 2024

(PLEASE PRINT)

Name: Christina Kremidas

Address: [REDACTED]

I represent: Brook Community - Douglas Elliman

Address: 140 Franklin St NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 300 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: McKenzie Ryan

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: JOHN PRESTON

Address: [REDACTED] cngp94 NY

I represent: _____

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

32

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: NANCY ELTON
Address: [REDACTED] NY, NY 10003

I represent: BOND NEW YORK, SELF

Address: 810 7th Ave, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: DONNA STARK
Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Mia McDonald
Address: [REDACTED]

I represent: Communication Workers of America, D1

Address: 80 Pine St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Katie Shane

Address: _____

I represent: Local 338 RWDSU/UFOW

Address: 1505 Kellum Pl

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ALLIA MOHAMMED

Address: _____ Brooklyn 11232

I represent: openigloo

Address: 67 35th St, Brooklyn NY 11232

**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: Jordan Silver

Address: _____

I represent: Brown Harbors Jordan Silver

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK 26

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Bruno Ricciotti

Address: _____

I represent: BOND NY

Address: 810 7th Ave

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: Sheila Carroll

Address: _____ NY NY

I represent: CARROLL GROUP (COI)

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Iris Corcos

Address: _____ F.H. NY 11375

I represent: BOND NY

Address: 810 7th Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Brian P. Hourigan

Address: _____

I represent: Bond New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK** 22

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Paizile Jacobs

Address: _____ Bklyn, NY 11233

I represent: I'm an agent with exp Balty.

Address: 300 Culman Plaza Wbst

**THE COUNCIL
THE CITY OF NEW YORK** 21

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 360

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Michael Jacobs

Address: _____

I represent: City Wide

Address: _____

THE COUNCIL
THE CITY OF NEW YORK 20

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 360

☐ in favor ☒ in opposition

Date: 6/12/64

(PLEASE PRINT)

Name: William Abramson

Address: 1 Union Sq W.

I represent: Buchbinder & Warner Realty Corp

Address: 1 Union Sq W

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: Naomi Gidycz

Address: [REDACTED]

I represent: living w/

Address: 225 W 35

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: Eum BSU

Address: [REDACTED]

I represent: Real Estate Agents

Address: 225 W 35th St

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: 6/12/24

(PLEASE PRINT)

Name: Jed Wilder

Address: [REDACTED]

I represent: Brokers - living NY

Address: 225 W 35

**THE COUNCIL
THE CITY OF NEW YORK**

16

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Andrea Joseph

Address: _____

I represent: United Auto Workers Region 9A

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

15

Appearance Card

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

☒ in favor ☐ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Rob Solano

Address: _____

I represent: Churches United for fair Housing

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

14

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: Jesse Rhinier

Address: 425 W 46th

I represent: Compass / REBNY

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: DOUGLAS WAGNER

Address: [REDACTED] BROOKLYN 11210

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Jason Haber

Address: [REDACTED] NY, NY 10023

I represent: self

Address: 104 74

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. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Parah Ballenberg

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/2024

(PLEASE PRINT)

Name: Melissa Gomez

Address: 251-02/ 80 Avenue, Bellerose, NY 11426.

I represent: NYSAR.

Address: Albany, NY

**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: Shawn Smith

Address: Frederick Douglass Blvd

I represent: NEW YORK NY 10026

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

9

Appearance Card

I intend to appear and speak on Int. No. 360 Res. No. _____

☐ in favor ☒ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: HAL D. GARZIE

Address: _____

I represent: DOUGLAS ELLINGH

Address: 5750 MADISON AVE

**THE COUNCIL
THE CITY OF NEW YORK**

8

Appearance Card

I intend to appear and speak on Int. No. 306 Res. No. _____

☐ in favor ☒ in opposition

Date: 06/12/24

(PLEASE PRINT)

Name: ANTHONY DOMATHOTI

Address: 813 MORRIS PARK AVE

I represent: NEW YORK STATE ASSOCIATION OF RAC

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

7

Appearance Card

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

☐ in favor ☐ in opposition

Date: 6/12/24

(PLEASE PRINT)

Name: GARY MAHN

Address: 216 E 68TH NY NY

I represent: CORSON

Address: _____

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