

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HOUSING AND BUILDINGS

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January 18, 2012  
Start: 11:18AM  
Recess: 11:30AM

HELD AT: Council Chambers  
City Hall

B E F O R E:  
ERIC MARTIN DILAN  
Chairperson

COUNCIL MEMBERS:  
Gale Brewer  
Leroy G. Comrie, Jr.  
Elizabeth Crowley  
Lewis A. Fidler  
James F. Gennaro  
Robert Jackson  
Letitia James  
Brad S. Lander  
Melissa Mark-Viverito  
Rosie Mendez  
Joel Rivera  
Jumaane D. Williams  
Eric A. Ulrich  
James S. Oddo

2 CHAIRPERSON DILAN: Good morning,  
3 everyone. My name is Erik Martin Dilan. I'm the  
4 chairperson of the City Council's Committee on  
5 Housing and Buildings and today the Committee will  
6 conduct a hearing for the purposes of a vote on  
7 proposed Intro 501-A, which is a local law that  
8 would amend the Administrative Code of the city in  
9 relation to the notification by mortgage  
10 commencing action to recover real residential  
11 properties or foreclosures. In short, proposed  
12 Intro 501 will require that any mortgagee that  
13 commences an action to foreclose a mortgage on a  
14 residential property located within the city of  
15 New York provide notice to New York City's  
16 Department of Housing, Preservation and  
17 Development within 15 days. The mortgagee must  
18 also notify HPD within 15 days of either the  
19 discontinuance of the action, the issuance of a  
20 judgment or the sale of real property as a result  
21 of the action. The mortgagee must also provide  
22 HPD notice for actions commenced on or after  
23 February 13<sup>th</sup> of 2010, which is within one months  
24 of the bill's effective date. Failure to provide  
25 HPD with notification would subject the mortgagee

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2 to a civil penalty for up to \$1000 for each week  
3 that there is a failure to notify. The specific  
4 information that's required in the notification.  
5 Some of the things that are required are the name,  
6 the mailing address and telephone number and the  
7 e-mail address of the mortgaging plaintiff that is  
8 commencing the foreclosure action, including when  
9 applicable the corporate office's name and contact  
10 information of the defendant in the action, also  
11 includes the identification of the real property  
12 subject to the action identified by street address  
13 and block and lot number, and the date the action  
14 was commenced, and the court in which the action  
15 was commenced. Additional information may be  
16 required by HPD by rule and we'll keep an eye on  
17 that process to make sure that it is indeed a fair  
18 process, and I believe it will be. In the event  
19 that HPD does require this information, the  
20 Council will work with HPD - - and stakeholders to  
21 ensure that such additional information is  
22 necessary to achieve set forth by the law that is  
23 not unduly burdensome. The bill's reporting  
24 requirements aim to keep the public aware of which  
25 neighborhoods have suffered the most from the

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2 foreclosure crisis and to that degree, HPD must  
3 post on its website the number of actions  
4 commenced on a quarterly basis in each community  
5 district across the city, as well as the total  
6 number of actions pending in each community  
7 district. HPD must post also on its website an  
8 update on a monthly basis information about  
9 buildings with 20 or more units which has received  
10 a notice of foreclosure. Finally the bill would  
11 require the foreclosure information provided to  
12 HPD be made available to other agencies that HPD  
13 determines are responsible for the investigation  
14 and enforcement of legal conversions of  
15 residential property, such as the Department of  
16 Buildings. Inside the Committee Report, there is  
17 a list of all the amendments that were made to the  
18 bill following its initial hearing on April 14<sup>th</sup> of  
19 2011, and with that, I'd like to urge my  
20 colleagues to vote in favor of the bill. I would  
21 like to ask the clerk to call the roll.

22 COMMITTEE CLERK: Kevin Pin,  
23 Committee Clerk, roll call in the Committee on  
24 Housing and Buildings, Intro 501-A. Dilan?

25 CHAIRPERSON DILAN: I vote aye.

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COMMITTEE CLERK: Oddo?

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COUNCIL MEMBER ODDO: Yes.

4

COMMITTEE CLERK: Rivera?

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COUNCIL MEMBER RIVERA: I vote aye.

6

COMMITTEE CLERK: Brewer?

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COUNCIL MEMBER BREWER: I vote aye.

8

I'd like to add my name to the bill and in

9

addition, I just want to mention that in some

10

situations where there's a foreclosure, the rent

11

stabilized or rent regulated apartment is being

12

part of that foreclosure in terms of the banks

13

thinking of it as an asset, and so there's a lot

14

of issues here that still need to be addressed.

15

It's getting worse and worse. Thank you very

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much. I vote aye.

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COMMITTEE CLERK: Comrie?

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COUNCIL MEMBER COMRIE: Aye.

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COMMITTEE CLERK: Fidler?

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COUNCIL MEMBER FIDLER: Aye.

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COMMITTEE CLERK: Jackson?

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COUNCIL MEMBER JACKSON: Aye.

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COMMITTEE CLERK: James?

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COUNCIL MEMBER JAMES: Aye.

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COMMITTEE CLERK: Mark-Viverito?

2 COUNCIL MEMBER MARK-VIVERITO: I  
3 vote aye.

4 COMMITTEE CLERK: Mendez?

5 COUNCIL MEMBER MENDEZ: Aye.

6 COMMITTEE CLERK: Crowley?

7 COUNCIL MEMBER CROWLEY: I vote  
8 aye, and I'd like to also add my name [off mic].

9 COMMITTEE CLERK: Lander?

10 COUNCIL MEMBER LANDER: I vote aye,  
11 [off mic] just want to add my thoughts [off mic].

12 COMMITTEE CLERK: Ulrich?

13 COUNCIL MEMBER ULRICH: I vote aye.

14 COMMITTEE CLERK: By vote of 13 in  
15 the affirmative, zero in the negative and no  
16 abstentions, the item has been adopted. Members,  
17 please sign the Committee Report.

18 CHAIRPERSON DILAN: Before I close,  
19 I was remiss in mentioning in my opening, but this  
20 is something that Council Member White asked that  
21 I take a look at and see to its closure, so I'm  
22 glad that we have the potential to do that today.  
23 With that, there are a few members who are  
24 outstanding. We'll give them a chance to come and  
25 vote and we'll keep the vote open for as long as

1  
2 the rules allow, and at that time, this Committee  
3 will be adjourned. If members could remember to  
4 sign the Committee Report...

5 [gavel]

6 COMMITTEE CLERK: Williams?

7 COUNCIL MEMBER WILLIAMS: I vote  
8 aye.

9 COMMITTEE CLERK: The vote stands  
10 at 14 in the affirmative, zero in the negative, no  
11 abstentions.

12 [pause]

13 CHAIRPERSON DILAN: This Committee  
14 on Housing and Buildings is now adjourned.

15 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Kimberley Uhlig

Date 2/1/12