



**Testimony of Fran Freedman, Deputy Commissioner for External Affairs
New York City Department of Consumer Affairs**

**Before the
New York City Council Committee on Consumer Affairs**

Intro Number 1295

June 19, 2013

Good afternoon, Chair Garodnick and members of the Consumer Affairs Committee. I am Fran Freedman, Deputy Commissioner for External Affairs for the Department of Consumer Affairs. Commissioner Mintz has asked me to thank you for the opportunity to comment on Intro. No. 247-A, a bill to disclose ticket availability at entertainment venues.

Intro. No. 247-A is aimed at ensuring that the general public has an opportunity to purchase tickets for limited engagement performances and events at face value prices instead of competing with the secondary market of ticket resale agencies, ticket brokers and promoters. We have reviewed this draft legislation and would use this opportunity to pose our questions and concerns about the bill as written.

First, definitions regarding a number of key components of the bill lack sufficient clarity. We are unclear as to whom this bill does and does not apply, for example. And who is actually responsible for complying with the disclosure requirement: the operator, the building manager, the production company, or the public relations team? For the Metropolitan Opera, is compliance the responsibility of Lincoln Center? The opera company itself? Does the bill apply to both producers of events and owners of the venues where events occur for less than a week whether or not some tickets are available by subscription and some by individual sales?

Like many entertainment events at different venues, baseball games are daily events. Are the Yankees, the Mets, their minor league teams, and the Parks Department each subject to the requirements of this bill? They sell season and individual tickets. Does that mean that for each and every home game each club would have to purchase ads that disclose the total number of seats available, which we do not believe is current business practice? And, in those ads, would the ball clubs disclose just the numbers of non-subscription, non-corporate, and non-giveaway seats? Further, in a World Series, a club might not know 48 hours prior to the sale date where or whether they are playing in the City, so fulfilling the requirement to place ads would be impossible. Are multiple ads required or will just one per event suffice? Putting aside for the moment whether the requirement to advertise 48 hours prior to the sale date for each event places an undue burden on event producers or operators, will a single ad for just the sale date fulfill the requirement, or are multiple ads required on multiple days?

The bill's definition of "place of entertainment" is a venue that has permanent seating capacity in excess of 3,000 persons. Does this definition purposefully exempt venues like Lincoln Center's Avery Fisher Hall and the NY State Theater, Carnegie Hall, BAM, Beacon Theater, and Lehman Center for the Performing Arts...all with seating capacity under the threshold? Similarly confusing, Flushing Meadow Park qualifies to be subject to the requirements of this bill by the sheer number of its seats (22,547), but the U.S. Open, which runs for two weeks, would be exempted under the bill as written.

We are also unclear about what the number of tickets referred to in this bill draft means. Does it mean the number of tickets available not counting tickets already sold through subscriptions, corporate purchase, free giveaways, or tickets already purchased by the secondary market?

Second, we wonder how such a disclosure achieves the presumed purpose of the bill. How would such a disclosure somehow prevent bulk purchases?

Third, how would enforcement work? We don't understand how records required to be maintained, which do not include the advertisements with the ticket number disclosures, would be of use for compliance purposes.

Finally, even with presumably complaint-driven enforcement expectations, we simply do not see how DCA would be able to satisfy the Council's or the public's expectations of a change in the ticket marketplace with this bill, at least as written. These are serious questions that we believe call for careful consideration. We recommend, therefore, that the Council work with industry members and representatives to understand more specifically the realities of this marketplace, the impact on this marketplace of the concerns sought to be addressed by this bill, and the appropriate balance between the free market and public desires.

I am happy to answer any questions.

FOR THE RECORD

New York Yankees

RANDY LEVINE
PRESIDENT



EXECUTIVE OFFICE
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I appreciate the opportunity to submit testimony to the Consumer Protection Committee on behalf of the New York Yankees in regard to the very important issue of ticket inventory disclosure and suggested changes to State law in relation to the transferability of tickets.

First and foremost, I want to make clear that our primary interest is in protecting the consumer and giving the fans the best experience possible, from the time they purchase their ticket through the moment they leave Yankee Stadium.

With that being said, we cannot support the proposed legislation in its current form as we feel it will have the opposite effect. We believe it will give an unfair advantage to ticket resellers, and will end up hurting the fans and consumers instead of having the stated desired effect of helping them.

The reality is that the ticket resale business is a multibillion-dollar business and the parties who engage in the resale practices are incredibly good at what they do. They have very sophisticated operations and employ tactics that the average consumer has no way of competing against. While they often portray themselves as altruistic and consumer-friendly through such entities as the "Fan Freedom Project," which was created by and is funded by StubHub, the truth is that they are the ones responsible for fans being denied access to concerts and events due to their practices related to ticket resale. There is nothing fan-friendly about what they do. They hide behind the fans and use them as a decoy, all the while inflating ticket prices to make it seem as though if the fans don't hurry up and buy the tickets from them, they'll lose their opportunity to get tickets at all. It's a self-perpetuating, dishonest practice and unfortunately, if this legislation were enacted it would only embolden these resellers more.

If we had to disclose how many tickets were on sale in a particular section of the Stadium for a particular game, who would this benefit? It would not make it any easier for the fans to purchase the tickets, but what it would do is signal to the reseller exactly how much they can charge for the resale of that ticket based on supply and demand. Therefore the reseller will now be able to scoop up a cluster of tickets in a desirable seating section for a particular game. They can then by whatever means they employ, leave fewer, if any, tickets available for the average fan at face value. The fan will then have no choice but be forced to purchase the ticket from a

COMMENTARY

reseller at an unreasonably marked-up price. This, undoubtedly, is not the end result that either we or this committee want for our fans, the very ones you seek to protect.

We do believe that there are approaches to achieve the goals stated in the legislation before us that are fair and equitable which we would be happy to discuss at some point, but we do not think that this proposal achieves that. We think the opposite effect would occur, and that the ticket resellers would be given an unfair advantage over the average fan, which in the end harms the consumer.

In relation to the proposed amendments to the State ticket resale law, we agree that there are changes that need to be made in order to strengthen the consumer protection provisions which currently exist in regard to the transferability of tickets. We look forward to being a part of whatever discussions take place at the State level on this very important topic.

Testimony of
Sally Greenberg
Executive Director
of the National Consumers League on

Proposed Int. No. 247-A

**A Local Law to amend the administrative code of the city of New York, in relation
to the sale of tickets to the general public by operators of theater, music, or sporting
events taking place in New York City.**

**Before the Committee on Consumer Affairs
of the
New York City Council**

June 19, 2013

Introduction

Good afternoon, Mr. Chairman, and members of the committee. My name Sally Greenberg and I am the Executive Director of the National Consumers League (NCL).¹ I appreciate this opportunity to appear before the committee to speak in support of Proposed Int. No. 247-A and I applaud you for considering this pro-consumer bill.

Founded in 1899 by Florence Kelley here in New York City, NCL is the nation's pioneering consumer organization. Our non-profit mission is to advocate on behalf of consumers and workers in the United States and abroad. In 2009, we led a coalition of consumers and public interest groups, independent venue owners and promoters, secondary ticket sellers and more than 10,000 grassroots supporters in opposition to the Ticketmaster-Live Nation merger. Today, we continue to advocate on behalf of ticket-buying consumers nationwide.

New Yorkers Are Harmed by Anti-Consumer Ticketing Practices

The live event market today operates in a largely opaque environment with consumers required to pay numerous add-on "order-processing fees," "convenience fees," and even fees to print off tickets at home. If you ask most consumers what their number one gripe is with the ticket-buying experience, they point to these extra and often seemingly redundant fees, added on to the price of the ticket, apparently for the purpose

¹ The National Consumers League, founded in 1899, is America's pioneer consumer organization. Our non-profit mission is to protect and promote social and economic justice for consumers and workers in the United States and abroad. For more information, visit www.nclnet.org.

of maximizing the profit of the ticket issuers, promoters, and venue owners. What choice do consumers have but to pay these fees? Absent true competition in the primary ticket market, companies like Ticketmaster are free to set add-on fees at whatever level they and their clients deem acceptable to the ticket-buying public.

It is the nature of the live event industry that Ticketmaster and their clients are free to set the price of their tickets. What Ticketmaster and others should not be free to do, however, is to distort the supply of tickets. Consumers are often unaware that they are competing with other ticket buyers for a shockingly small piece of the overall ticket pie. This is due to an industry practice known as holdbacks, or allocations. Undisclosed holdbacks are a little understood, but widespread problem that we believe plays a significant role in the scarcity of face value tickets for the general public.

Examples of consumers being victimized by this practice abound. Sixty-eight percent of the tickets for Maroon 5's February 13 show in East Rutherford were held back.² Eighty-four percent of Pink's March 23 show -- also at the IZOD Center -- were held back.³ At Justin Bieber's January 18 show in Nashville, Tennessee 90% of the tickets were set aside so that, among other things, Bieber could make additional money by scalping his own tickets on the secondary market.⁴ At a 2009 Taylor Swift show in

² Atkinson, Claire. "Why can't you score concert tix? Maybe because as many as 80 percent of seats are never put on sale," *New York Post*. May 31, 2013. Online: http://www.nypost.com/p/news/business/music_fans_not_with_the_band_4iWWg1QNQ21flhyJqcBUpK

³ *Ibid.*

⁴ Williams, Phil. "Documents Show 'Bieber is Scalping His Own Tickets,'" Newschannel 5 WVTF-TV (Nashville, TN). September 24, 2012. Online: <http://www.newschannel5.com/story/19616981/is-justin-bieber-scalping-his-own-tickets>

Nashville, only 1,600 of 13,300 tickets were made available for general public sale.⁵ Similar incidents have occurred during tours for music stars Keith Urban,⁶ Miley Cyrus,⁷ and Katy Perry.⁸ Make no mistake; this is a practice that almost certainly occurs in New York City as well.

New Yorkers believe that this practice is wrong and that steps should be taken to better protect consumers. A Zogby poll released this week found that more than half of New Yorkers have tried to buy tickets online only to have the event sell out within minutes of the event going on sale. More than 60% of those surveyed were not aware that an event producer may hold back more than half of the house for a particular event and more than 70% believe that this practice is unethical. Eighty-six percent of New Yorkers believe that the number of tickets to be made available for a given event should be posted when they go on sale, particularly for events at publicly subsidized venues such as Madison Square Garden, Yankee Stadium, the Barclays Center and Citi Field.⁹

The concert industry's use of undisclosed holdbacks penalizes consumers three times over. First, it hurts consumers who have spent their personal time trying to buy a small number of tickets under the erroneous assumption that they have a chance at buying most of the seats in a venue. It hurts those consumers a second time when they then can't

⁵ Branch, Alfred. "Ticketmaster, Taylor Swift and Keith Urban ticket holdbacks exposed," *TicketNews*. November 11, 2009. Available at: <http://www.ticketnews.com/news/Ticketmaster-Taylor-Swift-and-Keith-Urban-ticket-holdbacks-exposed11091198>

⁶ *Ibid.*

⁷ Crockford, Petrina. "Ticketmaster goes 'paperless,'" *TicketNews*. May 16, 2008. Available online: <http://www.ticketnews.com/news/Ticketmaster-goes-paperless58167813>

⁸ "Drivers Beware: Don't Stare at Katy Perry," *The Smoking Gun*. May 19, 2011. Online: <http://wwwNew.thesmokinggun.com/documents/celebrity/katy-perry-concert-ridcr-138490>

⁹ "Council Members Margaret Chin and Brad Lander Rally With Communications Workers of America to End Tax Loopholes For Madison Square Garden," Press Release. June 18, 2013

buy the ticket they are seeking, and are forced to go to the secondary market and pay inflated prices based on the hype created by the artificially engineered sellout. And all too often, a consumer who does pay a premium for a ticket on the secondary market is hurt a third time when tickets to the allegedly “sold out” show are later made available once the promoter realizes that she held back too many tickets.

Proposed Int. No. 247-A Would Give New Yorkers a Fair Shake in the Ticket Market

NCL supports Proposed Int. No. 247-A, which seeks to create greater transparency in the primary ticketing market and protect consumers’ rights.

The disclosure requirements in §20-825(b) of the bill would do much to respond to consumer demand and address the often-confusing nature of the ticket-buying process. Given adequate information, consumers are able to make more informed marketplace decisions. By requiring disclosure of the total number of tickets to be made available to the general public, this bill will help address the issue of ticket holdbacks. Consumers should be made aware of their chances of getting tickets when they go on sale to the public. If they knew that a large number of tickets would be set aside for fan clubs, promoters, radio stations and the like, they might decide to wait and see if they can buy the ticket on the secondary market at face value or less.

Conclusion

The National Consumers League supports efforts to make the live event market more transparent and consumer-friendly. Proposed Int. No 247-A will ensure that consumers benefit from increased transparency and the consumer protections that give them greater confidence when buying tickets.

Thank you, Mr. Chairman, for giving the National Consumers League this opportunity to speak in support of this pro-consumer bill. We applaud your leadership in this area and look forward to answering any questions you or other members of the committee may have.

Testimony of Kim Knox

Before the New York City Council Consumer Affairs Committee

June 19, 2013

Good afternoon Chair Garodnick and Members of the Consumer Affairs Committee, my name is Kim Knox and I have been a live event producer for over 14 years and my main reason for pursuing that profession has been my love of the live show. I have created and produced event marketing concepts, working with major recording artists, music labels, corporations and charities.

Over the course of my career I have had the pleasure of working with organizations and companies such as Keep a Child Alive, Toyota/Scion, Trace Magazine, Afropunk, BAM, Red Bull, TBWA/Chiat Day, Urban Spectrum Network/Warner Bros, Harlem Stage, GEN ART, Dubspot, Littlefield, AFI, Giant Step, The World Beatbox Association and others.

Growing up in NYC I have been blessed with seeing some of the most amazing concerts that have truly shaped my passion for presenting artists. From my first concert, Menudo at MSG when I was 9 years old to everyone from Janet Jackson, Tina Turner, The Black Crowes, Lenny Kravitz, Whitney Houston, Prince, etc. I have always been a fan first.

In recent years I have noticed the shift in the concert going experience and I feel that it is quite tragic. The live arena is the last true bastion of direct contact between an artist and their fan base. The concert has always been the reward to the fan for supporting an artist's career. Unfortunately, due to rampant ticket hold backs, exorbitant fees, competition from automated "bots," and unrealistic "will-call-only" rules, the regular consumer at large is either priced out or made to jump through all kinds of hoops to partake in the live concert/ sporting event experience.

I believe transparency is very necessary so that people are aware that for the most part, the cards are stacked against the consumer. Hopefully this will force ticketing giants, concert promoters, artist management and industry executives to play fair so that the fan does not always come away with the short end of the stick. Thank you.

June 19, 2013

FOR THE RECORD

New York City Council Consumer Affairs committee

Re: Proposed Resolution 1295-A

Testimony for the Record

Alan Zwirn, Rockaway Beach, Queens, NY

I use a mini season plan to the Yankees for personal as well as business purposes. If I don't have individual game tickets in hand to share with clients, that hurts my marketing. I also enjoy gifting tickets to friends or family, or selling them at face value to cover a portion of my costs. I'm sure there are thousands of others who employ the use of event / sports / concert / theater tickets, etc, in the same manner. Without actual tickets in hand to pass along, my privilege to share or sell is severely limited. If I lose this privilege, I'll be forced to give up my ticket plan.

Unfortunately, I see the concept of "Ticket - less Entrance", which depends on "ID" confirmation, being pushed by large ticket vendors like Ticketmaster, as a pure power and money grab for total control of who enters a venue. Not only will this limit small players like myself, it will disconnect untold numbers of fans who would love to see a game, concert, or show, but have no means to purchase a ticket once they get boxed out in the mad computerized rush for initial ticket sales. The law needs to be changed to look out for us.

The Ticketmaster plan means the "little guy" takes it on the chin again!" Please stand up for the "little guy", and tell Ticketmaster and its "big time player" allies, "NO!", "NO WAY!", and "NO!" again.

FOR THE RECORD

June 19, 2013

New York City Council Consumer Affairs Committee

Statement of Louis Perlam, Fresh Meadows:

Every March, I go to at least one of the Allman Brothers concerts at the Beacon Theater. Since I have a knee problem, it really helps me to be able to get an aisle seat, so I can extend my foot. This year, I was on Ticketmaster at exactly 9:00 AM, when the tickets went on sale. But by 9:01, there weren't any aisle seats left. Since I was going with my son, I was able to sit sort of sideways, with my foot in front of his seat. But otherwise, I would have had to stand for the entire concert. Where do all the tickets go so fast? I think we deserve to know why and how many tickets are held back so a regular person like me can get tickets to see my favorite band.

Thank you.

**Testimony of Noah Budnick Before The
New York City Council Committee on Consumer Affairs
June 19, 2013**

FOR THE RECORD

My name is Noah Budnick. I am a Brooklynite, avid music fan and concert-goer, when I can make it. I like to support local bands when possible, and I'm proud to support local music venues around the five boroughs, which I imagine fuel a thriving economy, supporting 1,000s of jobs. Of course, I can only do this if it's convenient to buy concert tickets.

I would like to share my story about how restrictive ticketing took this joy away from me, plus \$50, plus the enjoyment of other New Yorkers and money from a local business:

I received an e-mail from the band Yo La Tengo on April 1, 2011 about their May 10 and 11, 2011 concerts at the Bell House in Brooklyn. I was at work, about to go into a meeting, so I immediately e-mailed my wife and asked her to buy two tickets to both shows. She bought four tickets through TicketWeb.com: two for the show on Tuesday and two for Wednesday. The total cost was \$113.50—that's \$25 per ticket and \$13.50 in "Service Fee" charges.

I was really looking forward to the shows!

On May 3, I found out that I couldn't attend the May 11 concert and immediately contacted friends who might be interested in the two tickets for that show. \$50 is no small amount of money, so I asked my friends if they could pay me back at face value.

By May 10, a few friends had expressed interest. Since TicketWeb did not mail me paper tickets or e-mail me printable tickets, we had not made firm plans for them to buy the extra tickets off me.

I went to the show that evening with a friend, and we went to the will call window to pick-up the tickets. There, I learned that there were no paper tickets for either show. I was asked to present my credit card and an ID to gain admission. Fortunately, my wife and I have a joint credit card, so the number on my card matched the card she used to buy the tickets. Imagine if it didn't! The ticket purchase was crossed off the list, and the person at the will call window stamped my wrist and my friend's wrist and said we could go in.

I asked the person at the will call window if I could grab the tickets for tomorrow night's concert. They said that there were no paper tickers and that I would have to go through the same procedure to get in tomorrow night. Unfortunately, since I wasn't able to go to the next night's show, there was no way for anyone to gain admittance, and I was out \$50 plus the difference in the "Service Fee" for the two unused tickets.

Not only was I out 50-plus dollars, but two less people were able to enjoy Yo La Tengo's concert on May 11 at the Bell House in Gowanus, Brooklyn. This hurt me. It hurt the fans of Yo La Tengo, who weren't able to enjoy the show, and it hurt the band, tearing them away from their audience. It also hurt the Bell House and the New Yorkers who work there because two fewer people experienced the venue and spent money there during the concert.

The restrictive ticketing practice used at these concerts hurts fans, bands and local venues and their employees. This resolution will help to eliminate this will-call-only loophole and Introduction 247 will add some much needed transparency to the New York ticket market. I urge the City Council to support consumer rights and keep restrictive ticketing out of New York City. Thank you.

FOR THE RECORD

Testimony of Mike Pascuzzi, Kew Gardens, NY

Consumer Affairs Committee, New York City Council

June 19, 2013

I have been purchasing tickets to concerts, sporting events and Broadway shows for the last 44 years, and I can say there certainly have been a lot of change through the years, and not all for the better. Gone are the days when you could get in line at a box office hours or even days before an event went on sale, and you would be able to get the best seats if you were in the front of that line. Even then we had to fight to make sure that line crashers would not cut into the front of the line. Sometimes we were successful, other times not.

Many an overnight at Madison Square Garden we were actually protected from line crashers by the police, but sometimes they were not assigned this duty and scalpers would cut the line supported by several muscle bound guys who would facilitate their doing so.

The best experience in the early days was waiting on line for Eric Clapton tickets at the Garden. Arriving the day before they were to go on sale, the line was orderly and by late in the evening, police were monitoring the line. At midnight someone from the Garden distributed numbers to those on line, and we were told to come back in the morning and we would get our place back in line. I ended up with third row center tickets. Other times these lines were a free for all. In later years the lines would be filled with homeless people, paid by the scalpers to wait in line and buy tickets for them. Just before the box office would open someone would come by and give these people an envelope filled with cash to purchase the tickets. Today you can't get tickets for most shows at the box office the first day they go on sale as the venues do not want to deal with these problems.

Tickets were also reasonably priced. Back then the alternative to waiting at the box office was Ticketron, which tacked on a nominal fee. Now the Ticketmaster fees are more than the tickets themselves used to cost. Now that Ticketmaster seems to have a monopoly on selling tickets, it has become extremely difficult, if not impossible for the average fan to purchase any seat at all sometimes, let alone the best seats to a major event.

I am a big music fan and buy a lot of concert tickets, usually just a pair, and even when I am on line at the exact time tickets go on sale, many times after clicking through there are no tickets available. How can it be that a venue like Madison Square Garden with almost 20,000 seats be sold out within a minute of going on sale?

This has only seemed to have gotten worse with the advent of the many pre-sales now available for most shows. The pre-sales have created a very uneven playing field for the average ticket buyer. I have been very lucky with many pre-sales, but for some of the really big shows like the Rolling Stones for example, it was still almost impossible to get tickets. Yet the scalpers continue to have an ample supply of tickets.

There is a belief amongst many that since the computerized selling of tickets on line that it has become easier for scalpers to get tickets and harder for true fans to do so. It certainly seems to be the case. Some venues, or concert promoters are offering "club" memberships where you can get access to the

best seats before the general public, further enabling scalpers. The Rolling Stones shows in Brooklyn and New Jersey last December were especially difficult to get tickets for, unless you were able to spend \$750 on a ticket. After getting through on line and selecting two of the cheaper - \$250 – seats, the computer does its thing and several minutes go by, and finally the message comes up that no tickets are available at the price chosen.

Another belief is that since the tickets are sold via computer it is easy for many tickets to be held back, diverted to dealers or third party re-sellers. This was the case for several Bruce Springsteen shows where Ticketmaster actually diverted fans to another site (actually owned by Ticketmaster) to purchase tickets at a mark up. The whole thing is disgusting. Scalping has been going on for years, and it does not seem that anyone can stop it. In this day and age, there should be controls put in place to make it a fair and even playing field, so true fans have access to tickets. Fans should know if tickets are being held back so we know if we should even bother trying to get tickets to a show that we really have no chance of getting.

FOR THE RECORD

Statement of Lori Lerner
New York, NY

New York City Council Committee on Consumer Affairs – June 19, 2013

Resolution 1295

I have bought tickets on StubHub that I otherwise could not get. I've also sold tickets when I was sick and could not attend an event. If I am paying my fees to Ticketmaster when I buy them in the first place especially, or even if I have season tickets to somewhere, it is my money and my tickets and I should be allowed to do with them what I want. We have to make sure that the law lets us transfer tickets.

FOR THE RECORD

New York City Council Committee on Consumer Affairs

June 19, 2013

Thank you members of city council for allowing my testimony to be put on the record, my name is Mario Asaro and I am from Queens.

My testimony will focus on two main issues: transferability and transparency.

I have lived in NYC for close to 50 years and have been an avid concert and sports fan for over 30 years. I remember buying tickets for concerts and sports events for \$5 each face value and I remember lining up to get tickets to my favorite events the day before they would go on sale. In those days we knew who the brokers and scalpers were because they and their workers stood on line with us. We also knew when the ticket agency would take tickets for themselves, because without virtual sales it was easy to figure out that a 40,000 seat event should not sell out within an hour of going on sale.

Today in the wired world, we pay a lot more to attend our favorite events, the brokers and scalpers have high tech methods to get more than their fair share of tickets and more and more teams and promoters and ticket agencies are illegally holding back tickets for higher resale or dumping blocks of tickets at below cost when the market will not bear the inflated price for the event.

Transferability:

If New York were to allow a paperless restrictive ticketing system which would not allow me to give away or resell my tickets directly I would have to give up my season tickets. I sat behind home plate in Loge throughout the 80's for \$13 a game and slowly watched it go up to \$60. With the advent of the new stadium, ticket prices sky rocketed and many of us working class fans moved to the upper decks. We were told when we bought our plans that we would have the right to resell them on the secondary market or give them away.

We, the fans, own the tickets that we buy. That's the way it's always been, and the way it always should be. I often give my tickets to my friends and relatives or anyone who would be willing to see my sorry Mets. Can I sell an occasional game for a slight profit, yes but most times I lose money or break even. It works both ways, I have paid \$150 for a sold out game/concert that I wanted to see and I have also paid \$5 for a meaningless game that would cost me and my family \$20 or more each to attend.

I consider myself part of the 99% and am not a big fan of capitalism and the current trend of overpricing everything in this city, but the free market system has to work for all of us and not just teams, promoters and ticket agencies. Reselling tickets is not the problem; we need laws and safeguards that will stop brokers from illegally getting large blocks of the best seats. When there is a 4 ticket limit for a high demand event, it is outrageous to find blocks of 5 or more seats for sale on secondary networks. Clearly it should be impossible for anyone to have more than 4 seats together.

EVERYONE should have an equal chance to buy tickets to in demand events; we need to stop punishing the fans who are trying to afford a chance to see their teams and entertainers.

Transparency:

I am not naïve enough to think that brokers are the only problems, Ticketing Disclosure and transparency is essential to consumer fairness. Until artists, promoters and venues as well as primary and secondary ticket selling agencies agree to disclose exactly how many tickets are available to the general public and where all their tickets are going; consumers will never have adequate information when purchasing tickets.

Stubhub, while providing a valuable service, makes an obscene amount of money without any risk (15% of the sale from the seller and 10% of the sale from the buyer). The fans are the ones who lose out when they can't resell a ticket or get what they paid for it back. Stubhub and many teams are now partners and this has led to a disturbing reverse trend. When a team is not doing well, we find large blocks of tickets for sale at drastically reduced prices.

I have seen this for the Mets, where my upper deck tickets cost me \$30 each and when I go to sell 2 of them I cannot even get close to my money back. Not because the Mets are doing so bad but because an entire row (24 tickets) in front of me is for sale at 50% off the price I paid for the ticket. So if I need to recoup \$30 for a ticket, I need to list it at \$34 but there are 24 tickets a row in front of me for sale for \$15. Stubhub says they can't tell me who posted the tickets and the Mets front office says it is not them. I do not expect myself or anyone on the council to believe that some savvy broker is buying blocks of tickets to the Mets in the nosebleeds for \$30 each to resell them at 15. I speculate that whoever is posting these tickets is buying them from the Mets at a big discount and the Mets rationalize that getting \$5 a ticket is better than having large blocks of tickets remain unsold.

But who does this really hurt, it hurts the everyday fan and working season ticket holder who buys tickets from the Mets at inflated face value only to have the club who begs for their loyalty and patronage under sell them. So while their sales pitch to buy season tickets is that you can resell games you can't go to on the secondary market, the secondary market is being unfairly manipulated to make many tickets worthless. I have no problem with a true fans secondary market setting the price for a ticket but if clubs, promoters and ticket agencies are underselling their own product, it should be investigated and disclosed to consumers.

As a New Yorker, I love baseball and specifically the Mets, I have sat at Shea and Citifield almost every Sunday for the last 25 years, I want to pass my love of the game and our team down to my kids, I beg the council to not let greed and a corrupt ticketing process take away my and many other fans right to root for the Home Team.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 247A Res. No. _____

in favor in opposition

Date: 6/19/2013

(PLEASE PRINT)

Name: HAR-UN CHTDI
Address: 418 ST JOHN'S PLACE, 1C BK, NY 11238
I represent: CWA DISTRICT 1
Address: 80 PINE STREET, NY, NY 10005

**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: 6/19

(PLEASE PRINT)

Name: Kimberly Knox
Address: 416 Ocean Ave
I represent: FANS
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: 6/19/13

(PLEASE PRINT)

Name: Tony Fangel
Address: 33 Third Ave
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: 6/17/13

(PLEASE PRINT)

Name: Elissa Verrilli

Address: 409 E. 90th St. #8

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: Sally Greenberg

Address: 1701 K Street NW

I represent: National Consumers League

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: Fran Freedman

Address: DCA

I represent: Deputy Commish

Address: _____

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