

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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September 23, 2014
Start: 9:57 a.m.
Recess: 10:35 a.m.

HELD AT: Committee Room-City Hall

B E F O R E:
JUMAANE D. WILLIAMS
Chairperson

COUNCIL MEMBERS:
Rafael L. Espinal, Jr.
Rosie Mendez
Margaret S. Chin
Helen K. Rosenthal
Ydanis A. Rodriguez
Robert E. Cornegy, Jr.
Karen Koslowitz
Ritchie Torres
Antonio Reynoso

CHAIRPERSON WILLIAMS: [gavel] With apologies to my colleagues for the late start, good morning. My name is Council Member Jumaane Williams, chair of the Council's Committee on Housing and Buildings. I'm here today joined by Council Member Espinal, Council Member Mendez, Council Member Chin, Council Member Rosenthal, Council Member Rodriguez, Council Member Cornegy and Council Member Koslowitz.

We are here today to vote on three pieces of legislation, Proposed Introduction Number 129-A, sponsored by Council Member Chin and Proposed Introduction Number 472-A and Intro Number 474, which I sponsored jointly with the Mayor. I am the second prime also on the Council Member Chin bill.

In New York City, housing vacancies are at extremely low levels and some tenants... sorry, the New York City housing vacancies are at extremely low levels and some living in rent-controlled and rent-stabilized units are facing undue pressure to leave their apartments. Tenants have reported patterns of harassment, including receiving false notices of unpaid rent, accusations of illegal subletting and refusals to make repair. Since 2007, HPD reports that there have been over 3,000 cases of

1 tenant harassment. Proposed Intro Number 129-A is
2 intended to combat this harassment and reduce the
3 financial incentive to harass tenants out of their
4 homes. This bill would increase the maximum penalty
5 for harassment violations, create additional
6 penalties for repeat offenders and require the
7 Department of Housing, Preservation and Development
8 to post information about findings of harassment
9 online. I would like to emphasize that this creates
10 a range of penalties from \$1,000 to \$10,000. To be
11 clear, the intent is not that every bad actor that
12 has been found liable for tenant harassment should be
13 automatically fined \$10,000 for the first offense.
14 This is not just to gain more funds for the city;
15 however, it is intended to give judges charged with
16 enforcing the law the discretion to levy the fine
17 against the most egregious bad actors and deter
18 harassment. In addition, the Council intends to
19 monitor findings about harassment through the HPD
20 website in order to ensure that abusive or excessive
21 penalties are not being charged to landlords.
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23 As mentioned above, I am co-sponsoring
24 Proposed Intro Number 472-A and Intro Number 474 with
25 the Mayor. As you may recall, the city updates its

1 construction codes roughly every few years to reflect
2 changes in international construction codes. It was
3 for this reason that at the last session, the City
4 Council passed and the Mayor signed Local Law 141 of
5 2013, an almost 2,500 page law. Proposed Intro
6 Number 472-A will make various technical edits to
7 Local Law 141 and Intro Number 474 will change the
8 implementation date of Local Law 141 from October
9 1st, 2014 to December 31st, 2014. These changes will
10 clarify various provisions of the construction codes
11 and allow agencies and design professionals
12 additional time to gain familiarity with the new
13 codes.
14

15 I'd like to thank my staff for the work
16 they did to pull this hearing together, including
17 Nick Smith, my Legislative Director; Jen Wilcox,
18 Counsel to the Committee; Guillermo Patino and Jose
19 Conde, Policy Analyst to the Committee and Sarah
20 Gastelum, the Finance Analyst to the Committee. I
21 understand that Council Member Chin would like to
22 make a brief statement concerning her bill, so at
23 this time, I'd like to invite her to do so.

24 COUNCIL MEMBER CHIN: Thank you. Good
25 morning. I would like to thank my colleague, Chair

1 Williams and the Speaker for supporting this
2 important legislation. I would also like to thank Ed
3 Atkin [phonetic], Jen Wilcox and Kelly Taylor, our
4 excellent central staff, who worked on Intro 129-A.
5

6 This bill doubles the maximum fine a
7 landlord may be charged from up to \$5,000 to up to
8 \$10,000. I would like to clarify that this does not
9 mean that every landlord would have to pay \$10,000.
10 It broadens a judge's discretion to issue a fine up
11 to that amount in cases where a landlord is found
12 guilty of tenant harassment depending on how
13 egregious the situation is. The bill will also
14 increase the minimum fine for repeat offenders from
15 \$1,000 to \$2,000.

16 We view this increase in penalty range as
17 an essential means to deter landlords. Without the
18 increase, landlords may view current tenant
19 harassment fines just as a cost of doing business.
20 The bill will also create a public online list of
21 those landlords found guilty of tenant harassment.
22 When a landlord is found guilty of tenant harassment,
23 their company and the address of the building will be
24 listed with the violation on the HPD website. Each
25 year, our city loses too many rent-regulated

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2 apartments because of tenant harassment. We have to
3 make landlords see beyond just the money that can be
4 made by harassing seniors out of the homes they have
5 lived for decades. This bill is about making
6 landlords pay for the pain they willingly inflict on
7 tenants for the sake of profit. This bill is about
8 telling landlords, "We're not gonna [sic] let you get
9 away with it anymore. If you harass your tenants,
10 we're going to shame you so that everyone knows who
11 you are and we're gonna make you pay a real fine, not
12 something that you can dismiss as just a cost of
13 doing business."

14 I thank my colleagues who have already
15 signed on to support this bill and I urge all my
16 colleagues to vote in favor. Thank you very much.

17 CHAIRPERSON WILLIAMS: Thank you, Council
18 Member Chin. I feel that these bills address
19 important issues and I would like to encourage all of
20 my colleagues to vote in favor of these three pieces
21 of legislation. I thank you, Council Member Chin,
22 for also pointing out that the intent of the bill is
23 not to hit every landlord with a \$10,000 fine. I am
24 also a co-sponsor on that bill and with that said,
25 I'd like to ask the clerk to please call the roll.

2 COMMITTEE CLERK: William Martin,
3 Committee Clerk, roll call vote Committee on Housing
4 and Buildings, items are coupled. Chair Williams.

5 CHAIRPERSON WILLIAMS: I vote aye on all.

6 COMMITTEE CLERK: Mendez.

7 COUNCIL MEMBER MENDEZ: [off mic] I vote
8 aye.

9 COMMITTEE CLERK: Rodriguez.

10 COUNCIL MEMBER RODRIGUEZ: Aye.

11 COMMITTEE CLERK: Koslowitz.

12 COUNCIL MEMBER KOSLOWITZ: [off mic] Aye.

13 COMMITTEE CLERK: Cornegy.

14 COUNCIL MEMBER CORNEGY: Aye on all.

15 COMMITTEE CLERK: Espinal.

16 COUNCIL MEMBER ESPINAL: Aye on all.

17 COMMITTEE CLERK: Rosenthal.

18 COUNCIL MEMBER ROSENTHAL: [off mic] Aye
19 on all.

20 COMMITTEE CLERK: By a vote of 7 in the
21 affirmative, 0 in the negative and no abstentions,
22 all items have been adopted. Members, please sign
23 the Committee Reports. Thank you. [cheers]

24 CHAIRPERSON WILLIAMS: Congratulations,
25 Council Member Chin.

2 [Pause]

3 CHAIRPERSON WILLIAMS: Okay, so we will
4 leave the vote open for half an hour for anyone who
5 comes in after. With that, the meeting is adjourned.

6 [gavel]

7 [Pause]

8 COMMITTEE CLERK: Continuation roll call
9 Committee on Housing and Buildings. Council Member
10 Torres. [background voices]

11 COUNCIL MEMBER TORRES: I vote aye on
12 all.

13 COMMITTEE CLERK: Vote now stands at 8 in
14 the affirmative.

15 [Pause]

16 COMMITTEE CLERK: Continuation roll call
17 Committee on Housing and Buildings. Council Member
18 Reynoso.

19 COUNCIL MEMBER REYNOSO: I vote aye on
20 all.

21 COMMITTEE CLERK: Vote now currently
22 stands at 9 in the affirmative.

23 [Pause]

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COMMITTEE ON HOUSING AND BUILDINGS

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COMMITTEE CLERK: The final vote on
Committee on Housing and Buildings is now 9 in the
affirmative, 0 in the negative and no abstentions.

CHAIRPERSON WILLIAMS: Housing and
Buildings is now closed.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 09/24/2014