

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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November 13, 2014
Start: 11:31 a.m.
Recess: 1:04 p.m.

HELD AT: Committee Room-City Hall

B E F O R E:

JUMAANE WILLIAMS
Chairperson
ROSIE MENDEZ
Acting Chairperson

COUNCIL MEMBERS:

Antonio Reynoso
Daniel R. Garodnick
Ritchie Torres
Ydanis A. Rodriguez
Robert Cornegy
Rafael Espinal
Stephen Levine
Helen Rosenthal
Karen Koslowitz
Eric Ulrich

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COMMITTEE ON HOUSING AND BUILDINGS

CHAIRPERSON MENDEZ: Sergeant, can you tell me if we're ready? Still waiting, okay, thank you.

[Pause]

CHAIRPERSON MENDEZ: My colleagues, we're having some technical difficulties, so thank you for your patience while we get that rolling.

[Pause]

CHAIRPERSON MENDEZ: Right. [gavel] Good morning. I am Council Member Rosie Mendez and I am the ranking member of the Housing and Buildings Committee. Council Member and Chair Jumaane Williams hopefully will make it here today. He had a family emergency to attend to.

So we are here today to vote on two pieces of legislation: Proposed Intro Number 345-A, sponsored by Council Members Reynoso and Garodnick, and Proposed Intro Number 348-A, sponsored by Council Member Torres.

Proposed Intro Number 345-A will make several alterations to the Alternative Enforcement Program, also referred to as AEP. AEP requires HPD to identify at least 200 distressed multiple dwelling buildings meeting the criteria for AEP work with the

1 owners of such buildings to correct Housing
2 Maintenance Code violations. As of January 31st,
3 2014, 1,200 buildings have gone through at least 12
4 months of the AEP program and 633 buildings were
5 discharged. Last year, however, HPD was unable to
6 find 200 buildings which met the criteria for
7 inclusion in the AE Program. This legislation would
8 alter the AE Program by providing HPD with discretion
9 to determine the criteria for buildings to be
10 included in the AEP program and by requiring HPD to
11 identify at least 250 buildings that meet such
12 criteria. It would also require owners of buildings
13 in the AEP to post a notice informing tenants of this
14 building's participation in the program.

16 Now, Proposed Intro Number 348-A relates
17 to inspection fees for certain recurring violations
18 of the Housing Maintenance Code. Currently, in New
19 York City, if an owner of a multiple dwelling
20 building is issued a third immediately hazardous
21 violation for failing to provide heat and hot water,
22 as required by law, HPD may charge a \$200 fee for
23 each subsequent inspection that results in a
24 violation. This bill will allow HPD to charge an
25 inspection fee of \$200 for each inspection that

1 results in a violation where HPD has previously
2 performed two inspections in the same dwelling unit
3 within a 12 month period issued a hazardous or
4 immediately hazardous violation at each of those
5 inspections and did not receive Certificates of
6 Correction for at least one of those violations.
7

8 I will ask my colleagues who have
9 introduced the legislations to say a few words,
10 Council Member Reynoso, followed by Council Member
11 Garodnick on Intro 345-A, and then Council Member
12 Ritchie Torres on 348-A. Council Member Reynoso.

13 COUNCIL MEMBER REYNOSO: Thank you,
14 Chair. I just want to also thank Council Member Dan
15 Garodnick for all the help. We floated a lot of
16 numbers and we got to a good place and I think a very
17 informed place. I want to thank HPD actually and
18 Vito Mustaciuolo, who really cares about these issues
19 in a really honest way, which is not what I
20 considered... well, it is what I consider rare. I also
21 want to thank Make the Road New York. Council Member
22 Ritchie Torres is my partner in crime regarding the
23 housing bills. The Quality Housing Act is something
24 that we thought about a while back and it's just
25 really putting in pieces of legislation that are

2 going to address the every day issues that our people
3 are facing as tenants and I feel like these two bills
4 being the beginning of that act is very good and
5 strong, so I'm extremely grateful to have you as a
6 partner in doing that. Make the Road New York,
7 another community organization that is also there
8 helping us out and this legislation is going to allow
9 for an increase from 200 to 250 of the worst
10 buildings in the city of New York to allow itself to
11 enter itself into the AEP program and the AEP program
12 will then make the repairs or HPD will make the
13 repairs to these buildings and then the owners would
14 foot the bill or they would have to pay for the
15 repairs that are done. If they don't do it, there's
16 consequences, but what we're seeing is or what we're
17 going to be doing is getting at least 50 more
18 buildings a year. We're going to see buildings where
19 some conditions are unlivable to give people an
20 opportunity to stay home and live in conditions that
21 are good. So thank you again and I encourage
22 everyone to vote aye on this bill. Thank you.

23 COUNCIL MEMBER GARODNICK: Thank you,
24 Madam Chair. I want to thank you for the opportunity
25 to say a few additional words on 345-A. It has been

1 a great pleasure for me to work with my colleague,
2 Council Member Reynoso on this AEP bill and I also
3 want to congratulate Council Member Torres for his
4 very important bill on inspection fees and thank him
5 for his support. We had a number of meetings with
6 HPD on both of these bills and I think that we came
7 to a very, very good place. You know, too often,
8 some of the most vulnerable New Yorkers are forced to
9 live in hazardous conditions in their buildings,
10 which are left uncorrected for far too long and to
11 deal with this, the Council, back in 2007, created
12 the Alternative Enforcement Program and has had a
13 very successful track record in improving the lives
14 of tenants by fixing up the very worst buildings that
15 are out there and with today's vote, we are going to
16 take a step forward in strengthening and expanding
17 that important program. And today, we're sending a
18 message to negligent building owners that if you
19 allow your property to fall into disrepair, we're not
20 going to sit back and let it happen in those worst
21 cases and today, even more broadly defined, New York
22 City will muscle in and repair the buildings, improve
23 the lives of residing tenants and send you the bill.
24 These are among some of the changes that we had
25

1
2 advocated for in the report, "The Ghosts of the
3 Housing Bubble," which we released earlier this year
4 and with the impetus of this Council adding nearly a
5 million dollars into the budget for this program in
6 the current fiscal year. These problems are also
7 frequently the consequence of overleveraged
8 buildings, where owners take out far too much debt
9 and either try to increase the income by taking aim
10 at rent-protected tenants, as they have done in
11 Stuyvesant Town, or they reduce their costs by
12 starving their properties from repairs, as they've
13 done in so many other areas of the city. Legislative
14 fixes to deal with this is an important plank of our
15 citywide Coalition Against Predatory Equity, which I
16 have the privilege of co-chairing with Chair Williams
17 and Council Member Torres. This is an important vote
18 that can greatly impact the lives of New Yorkers
19 living under unacceptable conditions, so I want to
20 join my colleague, Council Member Reynoso,
21 encouraging our colleagues on this committee to vote
22 yes and again, I thank my colleagues and all the
23 folks who Council Member Reynoso had cited,
24 particularly HPD and their support of this bill.
25 Thank you.

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COMMITTEE ON HOUSING AND BUILDINGS

CHAIRPERSON MENDEZ: Council Member
Torres.

COUNCIL MEMBER TORRES: Thank you. I
want to thank... first, I want to thank the
Chairperson, Jumaane Williams for... Council Member
Williams for allowing these bills to advance and I
want to express my gratitude to Council Member
Reynoso and Council Member Garodnick for just being
wonderful partners in advancing the Housing Quality
Act. The two of you are probably the council members
with whom I work most closely on a wide range of
issues and if that's a problem, it's a good problem
to have because I enjoy every moment of our
collaboration. And I've long said that you know, I
often feel that the discussion around housing is
skewed toward affordability, but we have to expand
that conversation to include quality housing and the
Council has certainly taken a lead in improving the
quality of our housing stock and I think some of the
best tools that we have for enhancing Housing Code
Enforcement are tools that were created by the City
Council, like the Alternative Enforcement Program or
the underlying conditions order, which we're going to
strengthen. And inspection fees, I feel, represents

2 a new model of enforcement. You know, when there's a
3 problem like harassment or mold, our inclination is
4 to increase penalties, but the trouble with penalties
5 is that HPD seldom collect these penalties because
6 you can only collect them in court and HPD seldom
7 goes to court; brings landlords to court. These
8 inspection fees are going to be imposed with much
9 greater frequency and are going to affect far more
10 people, far more cases and they're going to create an
11 incentive in every case for landlords to make repairs
12 in their apartments, so I feel that the Three Strikes
13 Law in many ways is pioneering a new model of code
14 enforcement that we extend elsewhere. So it was an
15 honor to work with everyone and I look forward to
16 passing the bill today. Thank you.

17 CHAIRPERSON MENDEZ: As acting Chair, I
18 recommend an aye vote on both bills. May the clerk
19 please call the roll?

20 COMMITTEE CLERK: William Martin,
21 Committee Clerk. Roll call vote Committee on Housing
22 and Buildings, Introductions 345-A and 348-A.
23 Council Member Mendez.

24 CHAIRPERSON MENDEZ: I vote aye on all.

25 COMMITTEE CLERK: Rodriguez.

1 COMMITTEE ON HOUSING AND BUILDINGS 10

2 COUNCIL MEMBER RODRIGUEZ: [off mic] Aye.

3 COMMITTEE CLERK: Cornegy.

4 COUNCIL MEMBER CORNEGY: Aye.

5 COMMITTEE CLERK: Espinal.

6 COUNCIL MEMBER ESPINAL: Aye.

7 COMMITTEE CLERK: Levine.

8 COUNCIL MEMBER LEVINE: Aye.

9 COMMITTEE CLERK: Reynoso.

10 COUNCIL MEMBER REYNOSO: Aye.

11 COMMITTEE CLERK: Rosenthal.

12 COUNCIL MEMBER ROSENTHAL: Aye on both.

13 COMMITTEE CLERK: Torres.

14 COUNCIL MEMBER TORRES: I selfishly vote

15 aye for my own bill and aye on both.

16 COMMITTEE CLERK: By a vote of 8 in the

17 affirmative, 0 in the negative and no abstentions,

18 items have been adopted.

19 CHAIRPERSON MENDEZ: We're going to leave

20 the roll open and we will close voting in how long?

21 At 1:00, okay. Thank you very much, members.

22 [Pause]

23 COMMITTEE CLERK: Continuation of roll

24 call Committee on Housing and Buildings. Council

25 Member Koslowitz.

1 COMMITTEE ON HOUSING AND BUILDINGS 11

2 COUNCIL MEMBER KOSLOWITZ: I vote aye.

3 COMMITTEE CLERK: The vote now currently
4 stands at 9 in the affirmative.

5 [Pause]

6 COMMITTEE CLERK: Continuation of roll
7 call Committee on Housing and Buildings. Council
8 Member Ulrich.

9 COUNCIL MEMBER ULRICH: I vote aye on
10 all.

11 COMMITTEE CLERK: The vote now currently
12 stands at 10 in the affirmative.

13 [Pause]

14 COMMITTEE CLERK: Continuation of roll
15 call Committee on Housing and Buildings. Council
16 Member Williams.

17 CHAIRPERSON WILLIAMS: Thank you. As a
18 former tenant organizer, these bills are really
19 important and I wish I had them when I was an
20 organizer. It would have made life a lot easier. I
21 want to congratulate my colleagues, Reynoso and
22 Torres for these bills. I vote aye and I close the
23 vote right now.

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COMMITTEE ON HOUSING AND BUILDINGS

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COMMITTEE CLERK: Final vote on committee on Housing and Buildings is 11 in the affirmative, 0 in the negative and no abstentions.

CHAIRPERSON WILLIAMS: And a great thanks to Rosie Mendez, who chaired the hearing in my absence. The hearing 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 11/14/2014