

**RICK D. CHANDLER, P.E.**  
**COMMISSIONER**  
**NEW YORK CITY DEPARTMENT OF BUILDINGS**  
**HEARING BEFORE THE NEW YORK CITY COUNCIL**  
**COMMITTEE ON HOUSING & BUILDINGS**

**December 10, 2015**

Good morning Chair Williams, members of the Housing & Buildings Committee and other members of the City Council. I am Rick Chandler, Commissioner of the New York City Department of Buildings (“Department”). I am joined by Deputy Commissioner for Enforcement Timothy Hogan and Deputy Commissioner for Legal and Regulatory Affairs Alexandra Fisher. We are pleased to be here to offer testimony on three pieces of legislation. This includes Introductory Number 794-A, which establishes a multi-agency task force to assess safety risks at construction sites, and Introductory Numbers 939 and 940, which respectively doubles the penalties for construction work performed without a permit from the Department, and work performed in violation of a stop work order issued by the Department.

The Department applauds the Council for pursuing remedies to enhance the safety of construction sites and we welcome the opportunity to share our perspective and engage in a productive dialogue.

Our mandate at the Buildings Department is as broad as it is deep. There are more than one million buildings and construction sites throughout the City that are governed by the City’s Construction Codes, Zoning Resolution, the State’s Multiple Dwelling Law and other

regulations. We enforce compliance with these laws through our examination of building plans, permitting, licensing functions and inspections. While our broad mandate certainly includes advancing development in the interest of creating jobs, schools and affordable housing, everything we do is conducted through the lens of safety. Safety on construction sites. And safety for all who traverse in and around buildings.

This year we have seen a disturbing increase in unsafe construction activity, an increase that outpaces the recent increase in construction activity. Through November of this year there have been 439 construction injuries, up 78% from 246 in 2014. Following a record-high 19 construction fatalities in 2008, during the six-year period between 2009 and 2014 there has been an average of 5.3 construction fatalities annually. In 2014 there were 8 fatalities. Through November of this year there have been 11 fatalities, five of which are still under investigation. The Department determines a fatality to be construction-related if it occurs on a construction site and was directly related to construction activity. The Occupational Health and Safety Administration (“OSHA”) within the United States Department of Labor also tracks construction fatalities however they define them more broadly. Their count is typically higher given that they include fatalities that are not directly related to work on a building construction site, such as infrastructure projects and construction work occurring off-site.

One construction-related fatality is too many. What we have seen this year is a call to action, from everyone involved in the construction industry. The fact is many of these construction accidents were easily avoidable, had workers or their managers followed the approved plans and not cut corners. Worker falls remain the primary driver of construction related deaths. The time it takes to clip in or ensure a railing is in place can be the difference between life and death.

Through education, oversight and Code reform, The Department makes every effort to promote construction safety. That said, the Department will issue more than 150,000 work permits this year alone – the sheer volume of construction in this City means that we cannot be at every construction site every day. Ultimately, contractors need to create a safe environment for their workers, and each person on a construction site needs to work together to ensure that work conforms to approved plans and is performed safely. Furthermore, while the Department regulates construction in an effort to protect the public by enforcing the safeguarding provisions of the Construction Codes, OSHA has jurisdiction over worker safety.

The Department is advancing a number of initiatives to protect the safety of workers and the public, all of which adhere to one of the core tenants of our *Building One City* plan, which is to take a more proactive approach to enforcement.

With additional resources committed by the Mayor and City Council in this year's budget, the Department is in the process of hiring nearly one hundred new inspectors. This significant increase in our inspectorial ranks, coupled with this week's launch of the next phase of Inspection Ready, which will equip inspectors with smart phones and tablets and optimizes their routing through the use of sophisticated software, will allow us to increase the number of inspections we perform and improve our response times.

This past July the Department released a first-of-its-kind Industry Code of Conduct. The Industry Code of Conduct is made available to all who interact with the Department, is issued to every licensee, and sets forth the standards to which professionals must adhere to promote safe construction sites.

The Department is undertaking a wholesale reengineering of our plan examination process with a focus on incorporating risk. Through this effort we will have a risk-based plan examination model which will determine how we allocate resources for plan reviews and enforcement inspections and will help determine which types of projects need extra scrutiny by our examiners and inspectors.

The Department has established its first ever Risk Management Office, which through the use of sophisticated data-analytics tools, works to identify sites that pose a greater threat to public safety and mitigate dangerous building and worksite conditions. As we continue to staff this Office, it has already proven effective in a number of areas including identifying and prioritizing inspections of buildings with potentially unsafe and illegal gas hookups, and working with industry to identify buildings that have a specific type of elevator with a potential defect for inspection.

Additionally, the Department is focusing more of its attention on buildings up to nine stories in height, where a disproportionate number of accidents occur. Construction superintendents are registered with the Department and are required on new building and demolition projects of up to nine stories. The Department has increased its enforcement presence at these buildings with an eye toward ensuring that construction superintendents are exercising appropriate oversight. Consistent with our approach to being more proactive with our enforcement, permit holders with a pattern of non-compliance on major alteration projects for buildings under nine stories will be required to have a construction superintendent on site. The Department is also exploring requiring construction superintendents on midsize alteration projects and to require their presence for certain critical operations.

Most importantly, the Department is now taking proactive enhanced disciplinary actions against construction professionals that habitually break the law. This effort not only removes from

construction sites problem professionals who put the safety of workers and the public at risk, but it also sends a broader message to the industry. Too many construction professionals choose to ignore violations issued by the Department, and where the law allows, the Department is now seeking other remedies to protect the safety of workers and the public. The Department now performs a more holistic review of problem construction professionals' performance. A pattern of disregard for the law will now result in our evaluating the fitness of the license holder. Our Legal and Regulatory Affairs Unit led by Deputy Commissioner Fisher has begun to send this message through a number of high profile disciplinary cases, a few of which I would like to highlight.

In April of this year, a worker at 19 Ninth Avenue was killed after construction site managers failed to ensure that walls were properly shored during an excavation, resulting in a cave-in. Harco Consultants, a general contractor, was the company responsible for allowing these unsafe worksite conditions. The Department began an investigation into the contractor's safety record, which showed they repeatedly flouted safety laws and frequently allowed hazardous conditions on their sites. Based on these findings the Department suspended Harco's ability to operate for thirty days, and placed them on five months' probation, during which time additional site safety personnel would be required on all of their jobs. This enforcement action was unprecedented in the Department's history. Last month, a similar action was taken against another general contractor, the Rinaldi Group, following the issuance of dozens of violations and a pattern of disregard for safety.

In September, the Department took action against another major contractor. After collaborating with the City's Law Department, the Department of Buildings revoked the registration of general contractor MRMD for amassing numerous violations. In addition, this contractor had breached

their agreement with the Law Department to pay previous penalties, accruing more than \$600,000 in interest and penalties on their previous debt. As a result, we placed stop work orders on more than 400 sites where MRMD held work permits, until a new contractor could be hired.

These are just highlights of the proactive enhanced disciplinary work that the Department is doing to influence change in industry practices every day. Our goal is not to punish workers on these sites, but to make clear to bad actors that there will be serious repercussions for reckless behavior.

The Department's increased staffing and crackdown on bad actors is in direct recognition of the recent increases in worker injuries and fatalities. It is time to move to a point where we are actively removing problem construction professionals from job sites. We will not tolerate the mindset that construction accidents, and any resulting violations or fines, are simply the cost of doing business.

With respect to the legislation before this Committee, I would like to begin by commenting on Intro. 794-A. This legislation establishes a task force to assess safety risks at construction sites, chaired by the Buildings Commissioner, and with the participation of a minimum of seven other agency heads. The task force will hold at least one hearing every six months and advise the Mayor and Council on building construction projects that may result in the disruption of the use of sidewalks and streets. The task force will study the safety record and Building Code compliance of construction companies over the preceding ten years and identify instances where their actions have caused harm, and study the condition of sidewalks and streets in the vicinity of

construction activity. Finally the bill requires an annual report be submitted to the Mayor and Council which evaluates the sufficiency of the existing regulatory framework, recommendations to improve safety, a list of construction companies that incurred repeated violations of the Building Code, and a list of locations where permitted construction activity has resulted in damage to the City's infrastructure.

The Department already performs much of the analysis sought by this legislation and consults regularly with our partner agencies, as the proactive enforcement I highlighted earlier demonstrates. Additionally, existing law requires the Department to review and update all of the Construction Codes on a defined schedule. As part of this process, the Department works with the Council and hundreds of other stakeholders devoting thousands of hours to exhaustive analysis on a myriad of construction issues, including safety. So while we appreciate the intent of the bill, we feel that a task force would duplicate and divert resources from the work we are already required by law to perform during the Code revision process.

In an effort to address unsafe construction, Intros 939 and 940 seek to double the penalties for construction work performed without a permit from the Department and work performed in violation of a stop work order issued by the Department. Specifically, Intro. 939 doubles the work without a permit penalty for one or two-family dwellings from four to eight times the permit fee and increases the minimum penalty from five hundred to one thousand dollars. For work performed without a permit on other than one or two-family dwellings, the penalty is doubled from fourteen to twenty-eight times the permit fee and the minimum penalty is increased from five thousand to ten thousand dollars. Intro. 940 doubles the penalty for performing work

in violation of a stop work order from five to ten thousand dollars for the initial violation and from ten to twenty thousand dollars for each subsequent violation.

The overwhelming majority of construction accidents occur on sites that have permits and are not working in violation of a stop work order. Therefore, while well-intentioned, we do not think doubling penalties for working without a permit or in violation of a stop work order is likely to have much of an impact on addressing unsafe construction. Furthermore, when considering adjustments to the penalty structure, it is appropriate we find the right balance between encouraging compliance with our laws, and not setting the penalties so high that they are ignored. If we set penalties too high, we also risk driving work underground, without the benefit of Department regulation, which may in turn result in more unsafe construction.

It is essential that we hit construction professionals who jeopardize the safety of workers and the public where it hurts, and we believe there are more effective ways to do so than increasing penalties. As explained earlier in my testimony, the Department is now pursuing a number of enforcement strategies that we believe are more effective. This includes hiring additional inspectors and outfitting them with technology, incorporating risk analysis into our enforcement, more aggressively suspending licenses and registrations, and attaching liens to property in the limited instances where we can. The Department supports amending State law to expand the City's lien authority to include more Department-issued violations.

Thank you for your attention and the opportunity to testify before you today. I welcome any questions you may have.





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Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President  
New York City Council Committee on Housing and Buildings  
Regarding Int. 794, Int. 939, and Int. 940  
December 10, 2015**

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My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you to Chair Williams and to the members of the Committee on Housing and Buildings for the opportunity to testify.

The question of how to strengthen the laws that deter unlawful behavior in construction-related activity and improve conditions on job sites to make them safer for workers, car traffic and pedestrians has been a difficult issue to tackle and only made more vexing with a construction boom igniting development across the five boroughs, most dramatically in Manhattan. Additionally as the City pushes for more units to meet its affordable housing goals, neighborhoods, residents and property owners unfamiliar with this scale of activity are coming to terms and responding with caution to what this means for the streetscapes that define their communities and what protections shield them from the worst effects of this wave. For those reasons and more, I want to commend the sponsors of these bills for laying out strategies to ensure our agencies are responding to the threats development can pose.

Though the Administration has already committed to an infusion of resources to transform the NYC Department of Buildings (DOB) into a more effective and responsive agency charged with reinforcing public safety through proactive enforcement and greater transparency, the changes to date have not spoken to the issues we're discussing today. The unprecedented level of development has come at a great cost to workers on these sites and communities that absorb the effects of construction-activity. We've seen an alarming increase in the rate of construction site incidents, injuries, and fatalities. According to federal OSHA statistics cited in the Daily News on October 18, 2015, eighteen workers died on construction New York City work sites from October 2014 through September 2015, compared to just twelve in the previous year, and seven the year before that. Instances of site debris falling on pedestrians and occupants of passing cars causing injury or death are documented regularly such as an incident in May of this year when an industrial air conditioner plummeted 28 stories from the top of a midtown building after a cable snapped, and 10 people were injured, including two construction workers. According to a Wall Street Journal analysis of DOB records "from 2008 through 2014, there were 96 construction accidents involving pedestrians and other passersby in New York City, resulting in 155 injuries. More than three-quarters of the accidents took place in Manhattan."

Coupled with the growing sense of safety concerns on construction sites is a sense that the regulations in place are insufficient and or ineffective. Community boards, housing advocates, neighborhood associations, and tenants regularly provide evidence about improper work ranging from unpermitted demolition to tenant protection plan violations. They have

testified in previous hearings before this body that citations from the City have been issued with less frequency than is required to mitigate the problems. Some offenders apply for permits for a very specific type of work, but will carry a more extensive work beyond the approved scope of construction activity. Ignoring stop-work orders and employing a “bait-and-switch” regarding the permitted work action puts at risk the structure of the building and the safety of those inside and outside the affected work site. In addition, when citations are issued, the fines or penalties for continuing work are factored into the “cost of doing business” by the developer or property owner. We cannot trust that the protections that allow construction in populated areas are effective unless they are adequate for protecting the public.

These problems are particularly acute in Manhattan and my office has been looking for solutions. In November we launched a Manhattan Construction Safety Working Group with representatives from the Building & Construction Trades Council, Building Trades Employers' Association, NYCOSH, the Manhattan District Attorney's Office, REBNY, Columbia University's Construction Engineering and Management Program, elected officials, community board leaders and others to study critical safety and health issues related to construction. In consultation with other industry professionals, policy experts and agency representatives we're reviewing a slate of issues and in Spring 2016 aim to provide the City Council with recommendations that we hope will inform any potential task force like the one suggested in Int. 794 and or any agency taking on the work to implement these reforms. The only modification we would suggest to Intro. 794 would be to consider including an assessment of the safety risks posed to residents by major renovations and other significant work in occupied buildings.

I applaud the sponsors of these bills for their commitment to making construction activity safer in our City. I am eager to work with the Mayor, members of the Council, building owners, community groups and worker organizations on these and other strategies to make sure that the continuing construction boom and related development activity is as safe as it can be.

Thank you.

## FOR THE RECORD

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December 10, 2015

My name is Marilyn Hemery. I am currently receiving chemotherapy and have trouble walking, so I cannot appear in person. I have asked Betsy Eichel of HCC to represent me.

Our building was purchased in November/December, 2013 by Sol Assa, Assa Properties. Since that time, our beautiful old building has been under construction/destruction by Mr. Assa and his construction crew. Domenica Vacca is the major tenant and we have been told is the manager of the building. We have seen nothing in writing to verify this. Our building is a rent control/rent stabilized building. Mr. Assa and his construction crew have lied on their permit applications and perform work outside the scope of the permits.

For instance, on March 17, 2014, DOB issued a permit (copy attached) for general construction of the lobby. When I came home from work in early July, I was shocked to see the complete change in the lobby. They turned it into a hallway. Our mailboxes were moved. See the attached photographs of how the lobby was and how it was up until a few months ago. Now, instead of walking down a small hallway, we have to walk much further to reach the elevator. We called 311 many, many times and no complaints were ever issued by the DOB. I have asked over and over for the DOB to audit this permit, but to my knowledge, it never was audited. Interesting enough, the permit for this work was NEVER posted in the lobby – it was held in the building office at 19 West 55<sup>th</sup> Street, our sister building. When the inspector came to the building to inspect, he was taken to management office in 19 and no DOB complaint was ever filed.

Last year, permits were applied for and issued for the “cosmetic” renovation of various apartments in our building. 2-bedroom apartments were converted to 3-bedroom apartments. 1 1/2 bathrooms were converted into 2-bathroom apartments. All the vacant apartments in the A and B lines of our building were converted. I believe these changes qualify for more than “cosmetic changes.” I requested audits of those permits, but never received them. And to this day, they are now 3-bedroom and 2-bathroom apartments – illegal conversions. The dining room area was converted into a bedroom. Complaints were filed with 311, inspectors came and no violations were issued for working outside the scope of the permits.

Last year, the landlord threatened and harassed me into allowing the electrician into my apartment to install new risers. So, under duress, I allowed them in. Just by chance shortly thereafter, I happened to sit in the lobby and was observing the permits. I noticed a “Stop Work” order issued for electrical risers in the building. I immediately notified the other tenants, not to

allow the electrician into their homes because the electrician was not licensed. To this day, I do not know if the work done in my apartment was done by a licensed electrician, or approved by Con Edison.

The DOB continues to issue permits apparently without reviewing the plans for construction work, or without reviewing the history of the owner or construction crew. Rarely, notices are given to tenants regarding repairs or water shut offs. I wish the requirements of the DOB would contain directives for owners to give tenants written notices of work being done. This landlord does whatever he wants, whenever he wants without notifying the tenants of what work needs to be done. Notices should be given tenants in writing at least the day before work is to be done.

A platform (which is the roof of Domenico Vacca's store, was built in what used to be a small courtyard between the Church and our building. The DOB allowed this to be built. The platform was built up to my windows in the back bedroom. I was worried about security because someone could easily break in. I had to install security bars in five windows. No notice was ever given to me that this work was being done. How could the DOB issue a permit for this? The building has not reimbursed me \$3000 for the security guards, however they did give me a one month rent abatement, which covers part of what I had to pay. The platform goes about 2 feet beyond the second floor up to my windows – if they even had a permit to do this, which I did not see. Or, if this was in their plans, the DOB should have alerted them not to build beyond the second floor.

Thank you for allowing me to present these comments to you for your consideration.

Respectfully,

Marilyn Hemery



*Louis J. Coletti  
President & CEO*

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# **TESTIMONY PRESENTED TO NEW YORK CITY COUNCIL**

## **Housing and Buildings Committee**

### **HEARING ON CONSTRUCTION SAFETY December 10, 2015**

**Submitted By**

**Building Trades Employers' Association**

Good morning Chairman Williams and members of the Committee. I am Louis J. Coletti, President and CEO, of the Buildings Trades Employer's Association (BTEA), an organization representing 27 contractor associations, and 2,000 union construction managers, general contractors and specialty trades contractors doing business in New York City. Thank you for allowing me the opportunity to testify today on these three bills.

First, I would like to address Intros 939 and 940. These two bills would raise penalties for the violation of 'work without a permit' and for 'work contrary to a Stop Work Order' (SWO). In Intro 939 working without a permit violations would increase from a multiplier of 4 times to 8 times of the initial permit fee for on-two family homes and from 14 times to 28 times on multifamily and commercial buildings. Intro 940 increases the first violation of work contrary to a SWO from \$5k to \$10k, and subsequent violations from \$10k to 20k. The contractors we represent at the BTEA build billions of dollars of high rise infrastructure and have outstanding safety records, these two violations would rarely occur on a BTEA contractor work site. On these bills, I would say we the proposed higher penalties may serve as deterrent to those who look to cheat the system, but must be paired

with the appropriate enforcement where these violations most often occur across the city, construction under 10 stories. With one caveat, in Intro 939 the 28 times multiplier should have a cap.

Intro 794 proposes the formation of a construction task force, headed by the Commissioner of the Dept of Buildings and comprised of other agency heads, which would study and assess safety risks and mitigation strategies at construction sites. Currently, the Commissioner of the Department of Buildings meets with contractors regarding safety strategies. We see no need for a separate entity without contractor representation.

Our member companies have deep roots in New York City, in some instances stretching back decades, or longer. These companies work under their company name all the time, and on multiple jobs across the City. These aren't entities that are formed for the building of one property and then close their businesses down, or continuously change names and owners to dodge liability on violations, accidents and insurance. BTEA members are innovators in new safety techniques (like extra netting and cocooning) which are not yet required by Chapter 33. It would be unfair to judge one company, as mentioned in subsection 7 and place

them on a list of repeat offenders, when in fact they are working more often and at more sites under the same company name.

Public and worker safety has always been, and will always be, the highest priority for BTEA contractors. Eighteen years ago it was the BTEA that brought together in the same room, for the first time, the NYC Buildings Department, Fire Department and federal Occupational Safety and Health Administration to seek ways to improve construction safety with the industry. Today, these agencies continue to meet every month in New York City, at the BTEA Safety Committee meeting, a lively discussion of construction safety means and methods.

Construction safety in our City has one glaring difference and that is the difference between skilled and trained union workers and those non-union contractors.

Here are the facts:

- 1) 75% of fatalities in 2014 were on non-union job sites, with a higher percentage so far in CY 2015. The federal fiscal year that just ended was up to 83%.
- 2) 65% of Stop Work Orders issued by the Buildings Department in 2013-2014 on projects over ten floors were to non-union contractors.



3) 61% of the accidents reported in 2014, in which the Buildings Department issued ECB violations — were on non-union job sites.

What is especially significant is the fact that BTEA contractor Site Safety Managers are required to report every single accident to the Buildings Department, from a trip, to a hang nail to a fatality. That is why you will often see the names of those contractors listed on a DOB incident report. I guarantee you non-union contractors are not demanding their site safety managers comply with that requirement — they don't want DOB and OSHA inspectors on their sites—we not only want them to inspect our sites—our personnel policies compel our supervisors to remove any worker from a jobsite where they cause an accident that endangers public or worker safety. What is important to note is that the statistics on the DOB website prove this difference, over 60% of the reported incident sites where DOB took “no action” (that is not issuing an ECB violation) were union job sites.

We do come here today with recommendations we urge you to adopt, that will provide higher standards of protection that ALL contractors, union and non-union alike. We recommend the City Council amend the Building Code by requiring the following mandatory provisions:

- 1) Installation of a cocoon or supplemental netting system for high rise concrete projects that will provide additional protection to the public from debris or material falls.
- 2) Mandatory drug and alcohol Testing performed by the contractor on projects over 10 stories.
- 3) For projects below 10 stories, a requirement that every worker have a 10 Hour OSHA Training card, just as is required on public works over \$250,000 in NYS and is required for projects in NYC 10 stories and above—and which we recommended to this Committee back in 2008.

Why do OSHA statistics show that 75% of construction fatalities in 2014 occurred on non-union sites? Because they do not train their workers, and they do not provide safety equipment to the same degree a union contractor does - and if that worker, in many cases a Latino immigrant worker, complains—they are fired.

Members of the Committee, now is the time to raise the bar of construction safety for all contractors—on all construction sites. City residents, workers and visitors to the city expect no less. Thank you.

Manhattan  
Legal  
Services

Legal  
Services NYC

**TESTIMONY OF LEGAL SERVICES NYC REGARDING INCREASED CIVIL PENALTIES FOR  
WORK DONE WITHOUT PERMITS AND VIOLATIONS OF STOP WORK ORDERS  
(INT. NOS. 939 AND 940)**

**New York City Council  
Committee on Housing and Buildings  
December 10, 2015**

My name is Cynthia Weaver and I am a staff attorney at Manhattan Legal Services. I am speaking on behalf of Legal Services NYC, the Legal Services Staff Association, and Local 2320 of the UAW's National Organization of Legal Services Workers. Thank you for the opportunity to give testimony before the New York City Committee on Housing and Buildings.

Legal Services NYC is one of the largest providers of legal services for low-income people in New York City. With five borough offices and numerous outreach sites, Legal Services NYC's mission is to provide expert legal assistance that improves the lives and communities of low income New Yorkers. Legal Services NYC annually provides legal assistance to thousands of low-income clients throughout New York City. Historically, Legal Services NYC's priority areas have included housing, government benefits and family law; in recent years, Legal Services NYC has vastly expanded services in areas of need critical to our client base, including consumer issues and foreclosure prevention, unemployment, language access, disability, education, immigration, and bankruptcy.

We thank the City Council for holding this hearing pertaining to Intros 939 and 940. We agree that the civil penalties imposed on landlords who perform work without proper permits, or who violate stop work orders issued by the New York City Department of Buildings, should be increased. We work closely with low-income tenants who suffer from regular harassment in the form of illegal construction. Illegal construction affects the individual on physical, emotional, and mental levels. We believe and support the increased penalties as a necessary first step to preventing tenant harassment through illegal construction, but urge that additional measures to be taken due to the pervasiveness and severity of this problem.

Landlords use illegal construction to hound and bully tenants in an effort to constructively evict them from their homes. It is often with illegal construction that structural supports and fire protection systems are deliberately destroyed, thus inviting the Department of Buildings to issue vacate orders for whole buildings. Landlords seek such vacate orders in hopes that tenants will not return to their apartments. Furthermore, when landlords start work without applying for permits, landlords do not provide tenant protection plans as part of their construction work; accordingly, construction sites are left unattended and unprotected with hazardous

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Peggy Earisman, Project Director

demolition debris traveling to common areas and tenant-occupied apartments. As a result, tenants' physical health is adversely affected from over exposure to airborne dust and dirt particles confined in tight spaces. Their mental health is also negatively affected by the instability of their building's lack of structural integrity.

Illegal construction is often accompanied by the denial of essential services to tenants as part of a broad campaign of harassment. As an example, in April of this year, my office, along with organizing assistance from the Asian Americans for Equality ("AAFE"), filed a group case against Dean Galasso, the landlord of 43 Essex Street in Chinatown. My client Chung Kiu Wong is a petitioner in that case and he will be providing you with details of his experience. Dean Galasso purchased Mr. Wong's building in December 2014 and immediately began gutting vacant apartments without securing permits. The tenants' apartments are still covered with lingering debris and dust from the demolition waste that was dumped into the building's airshaft. Despite several stop work orders issued, Dean Galasso continued to gut and renovate the vacant apartments without first installing temporary shoring or fire protection systems, both of which he had previously, deliberately removed while knowing that tenants still live in the building. Dean Galasso also illegally removed the heating system from the building. It was only this past Tuesday that he consented to installing a temporary external boiler to provide heat at 43 Essex Street.

The tenants at 90 Elizabeth Street are also experiencing the effects of illegal construction. A new landlord bought the building recently and promptly began renovating vacant areas without permits. Demolition dust quickly disseminated throughout the hallways and into each tenant's apartment. The thick dust clouds prevented tenants from breathing in their own apartments, forcing them to leave their homes to obtain relief. Our office, with organizing assistance from Committee Against Anti-Asian Violence ("CAAHV") and with co-counsel and organizing help from AAFE, filed a group case in September 2015 against this landlord, who has ceased conducting any illegal construction as a result of our collective efforts.

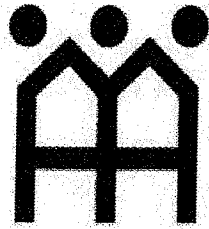
Our experiences show that often times, the threat or imposition of civil penalties in these situations has proved to be woefully inadequate in ceasing harassing behavior and protecting the rights of tenants to live with dignity, decency, and freedom from the arbitrary destruction and demolition of their homes. We understand that some landlords may treat civil penalties as simply part of the course of doing business. As an example, Dean Galasso has been unmoved by the threats of civil penalties and only with the threat of contempt and frequent return dates to court were we able to make progress. Therefore, we recommend that criminal penalties as well as a private right of action for damages be built into these two pieces of legislation. This would demonstrate to landlords that providing a safe and healthy home is not merely an isolated, business decision. They are also responsible for tenants' safety and lives.

We also want to emphasize that aggressive comprehensive enforcement is key to giving these code amendments teeth and meaning. We thank and praise the Anti-Harassment Task Force's inter-agency work, especially acknowledging the involvement of the Department of Buildings. It is clear that both the Department of Housing Preservation and Development and the Department of Buildings require additional funding to expand their enforcement efforts and that the Council should hold regular hearings to review the Task Force's progress.

Protection against the arbitrary destruction and demolition of one's home and other forms of harassment are essential to preserving affordable apartments and safeguarding tenants' lives. We thank the City Council and look forward to working with the Committee in addressing these serious issues.

Respectfully submitted,

Cynthia Weaver



亞洲人平等會

房屋及社區服務部

Asian Americans for Equality

Housing & Community Services

**STAND FOR TENANT SAFETY**

**STS COALITION**

**TESTIMONY**

**IN SUPPORT OF**

**INTROS. 0939, 0940 AND 0794**

**PRESENTED BEFORE:**

**THE COMMITTEE ON HOUSING AND BUILDINGS**

**PRESENTED BY:**

**DONNA CHIU, ESQ. & MS. XIU CHANG ZHANG  
DIRECTOR OF HOUSING AND COMMUNITY SERVICES  
ASIAN AMERICANS FOR EQUALITY (AAFE)**

**DECEMBER 10, 2015**



# **Asian Americans for Equality**

**111 Division Street, New York, New York 10002**

My name is Donna Chiu and I am the Director of Housing and Community Services at Asian Americans for Equality (AAFE). I am here with Ms. Xiu Chang Zhang, a long term resident of 211 Madison Street to testify in support of Intros 0939, 0940 and 0794.

We want to thank Councilmember Williams for scheduling this hearing and to the Councilmembers that introduced the legislation.

AAFE is a non-profit organization with a community office based in and serving Chinatown and the Lower East Side for over 40 years. AAFE is a member of the Stand for Tenant Safety – STS – Coalition. STS is a citywide coalition of community organizations working with residents to fight back against their landlords using construction as a harassment tactic. Through this community driven effort, we are seeking systemic reform of the Department of Buildings.

Construction as harassment is one of the most prevalent housing issues AAFE staff is confronted with on a daily basis. We are working with the residents to tackle this issue at 43 Essex Street, 135 Eldridge Street, 10 Montgomery Street, 211 Madison Street and 90 Elizabeth Street. We have seen the kinds of problems today's bills seek to address; owners engaging in gut renovation without any DOB permits at 43 Essex Street and 90 Elizabeth Street; owners creating gaping holes in apartments and then refuse to close them up at 135 Eldridge Street; and owners carrying out extensive work beyond the approved scope of work in DOB permits at 211 Madison Street.

We applaud the introduction of Intro 0794, but we believe this taskforce must also address the safety of tenants in their homes and not just pedestrian, construction and vehicular safety. At 43 Essex Street and 90 Elizabeth Street, I personally witnessed how a surprised inspection conducted by the City's Tenant Harassment Prevention Task Force that includes the HPD, DOB, DOH and DEP immediately shut down illegal and life threatening construction work.

I will now turn to Ms. Zhang, who would like to share with you her personal experiences living in an active construction site at her building.

## **Ms. Xiu Chang Zhang**

My name is Xiu Chang Zhang and I have lived at 211 Madison Street for over 13 years. Almost all of the residents are monolingual, Chinese seniors living alone or monolingual, immigrant families in rent stabilized apartments. There are 20 units in the building. The owner has successfully vacated 7 of those units.

About one year ago, my building changed ownership and soon thereafter the owner began an aggressive campaign to clear the building of rent stabilized residents. About six months ago, the owner began major construction at the building, first starting with concrete work in the basement, which it did not have any permit to do. The owner then engaged in gut renovation work in the vacant units, despite that the DOB work permits only allowed light carpentry work. The owner is currently changing the floor of the lobby because it is only covered by a thin wooded plank. If you look through the sides, you can see through to the basement below.

For many months, the construction caused the building to shake and vibrate. Needless to say, the noise was also unbearable. Many of my neighbors – who are very old – were afraid for their lives. We called 311 to file complaints, but we didn't see any change from those calls.

When the owner was gut renovating the unit above me, the ceiling in my bedroom collapsed on one occasion and my apartment flooded on another occasion. I went to complain to the contractors many times, but there was no change. Even now, every day there are small concrete pebbles that appear on my bedding, floors and bathroom window sill. I suspect these pebbles are coming from the vacant unit upstairs falling through the cracks in my window frames and ceiling.

What is most upsetting is we are forced to live in a construction zone with routine shut downs of essential services and constant demands on us to provide access for them to install equipments for unnecessary upgrades. The owner will force us to pay for these upgrades through an MCI. Despite repeated requests for proper repairs in our dilapidated apartments, those calls go unanswered.

We should not be forced to live like this. Thank you for your time and we look forward to the hearings for the rest of the STS bills.



## Urban Justice Center

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Direct: (646) 459-3000 • Fax: (212) 533-4598

### **Testimony of Harvey Epstein before the New York City Council Committee on Housing and Buildings**

*Thursday December 10<sup>th</sup>, 2015*

Good morning and thank you to Chairperson Jumaane Williams and the Committee on Housing and Buildings for the opportunity to testify today. My name is Harvey Epstein, and I am the Project Director of the Community Development Project at the Urban Justice Center. I am testifying in support of Int. 0939 and Int. 0940.

The Community Development Project (CDP) formed in September 2001 to strengthen the impact of grassroots organizations in New York City's low-income and other excluded communities by winning legal cases, publishing community-driven research reports, assisting with the formation of new organizations, and providing technical and transactional assistance in support of their work towards social justice. For more than 10 years, CDP has offered support on housing issues to community non-profits by providing legal representation for group housing cases, participating as a member in legislative campaigns, and conducting relevant research projects based on pressing housing issues. Our work is informed by the belief that real and lasting change in low-income, urban neighborhoods is often rooted in the empowerment of grassroots, community institutions.

CDP is a member of the coalition Stand for Tenant Safety, working to end the use of aggressive residential construction as a form of tenant harassment. We are excited that today two of the twelve bills in our legislative package are being presented at this hearing. These two bills, Int. 0939 and Int. 0940, will increase fines for developers and contractors who conduct work without a permit and who work while a stop work order is in effect, respectively. We see these bills as adding a true deterrent against rushed, unsafe, and illegal construction.

The sad truth is that opportunistic landlords taking advantage of the loopholes and lack of enforcement in construction work is not a new nor rare occurrence in our city. With this city's housing and displacement crisis, every unit of affordable housing is precious to local residents, and a potential gold mine for NYC landlords. Landlords take advantage of opportunities to evict tenants, be it through the harassment of nonstop eviction cases in housing court or through the harassment of nonstop construction work in their building. As a legal service organization, we have helped dozens of tenants in rent stabilized buildings where the landlord's use of gut rehabilitation construction in vacant apartments has risen to the level of harassment: relentless, aggressive construction in vacant units while adjacent units are still occupied is a form of constructive eviction.

The tenants that remain during this aggressive construction are usually long term residents of the neighborhood and have often already declined multiple buyout offers; these tenants are seniors, hard-working immigrants, and middle class and low income families. In our recent research report for Stand for Tenant Safety, we surveyed over 150 such tenants living in 57 buildings with aggressive, hazardous construction. The tenants surveyed predominantly live



in gentrifying neighborhoods, where long term residents feel persistent displacement pressures and landlords feel the greatest potential for profits. A majority of tenants surveyed (53%) were offered buyouts either before or during the construction and 71% reported that construction was a threat to their health and safety. Nearly three quarters of the tenants reported construction debris in the hallway which could create potential hazards as they entered and exited their homes (73%), that doors to the building were left open and unlocked creating a serious safety hazard for the remaining residents in the building (74%), and that there were cracks or holes in their walls due to the construction (73%).

The twelve bills in Stand for Tenant Safety's legislative platform will address the comprehensive needs and vulnerabilities of tenants facing construction as harassment. Council Member Reynoso's bills Int. 0939 and 0940 address the fact that opportunistic landlords take advantage of the low bar of punishment and enforcement to conduct hasty, aggressive construction work. Research on the 57 buildings identified in the tenant surveys showed that there were 197 documented complaints to the Department of Buildings (DOB) about construction work occurring without the proper permits and it took DOB on average 58.47 days to inspect this category of complaint. From the inspections that did eventually occur, only 12 complaints resulted in violations, on average leading to a mere \$2,529.03 in fines. The data on construction work happening while a stop work order is in effect is even bleaker: out of the 46 complaints for work occurring contrary to a stop work order, none resulted in any violation. In fact most complaints regarding stop work orders were simply closed because the inspector could not gain access. Of the 57 buildings surveyed, only 2 stop work order violations were issued that resulted in fines: disappointingly, each fine was a mere \$400 and both fines were unpaid at the time of the report release.

From CDP's Research and Policy team's research, CDP's Housing practice's litigation on behalf of tenants, and the organizing work of the housing advocates in Stand for Tenant Safety, it is clear that Int. 0939 and 0940 are necessary. These two bills help remind landlords that they cannot conduct illegal construction without facing serious consequences. We fully support Int. 0939 and Int. 0940, and we look forward to future hearings on the ten other bills in the legislative platform created jointly between advocates in Stand for Tenant Safety and our ten City Council sponsors.



**L E G A L  
S E R V I C E S**

**INCORPORATED**

**TESTIMONY  
IN SUPPORT OF**

**INTRO NO. 939: ON INCREASING THE PENALTIES FOR  
WORK WITHOUT A PERMIT**

**INTRO NO. 940: ON INCREASING THE PENALTIES FOR  
VIOLATION OF A STOP WORK ORDER**

**PRESENTED BEFORE:**

**THE NEW YORK CITY COUNCIL'S  
COMMITTEE ON HOUSING AND BUILDINGS**

**PRESENTED BY:**

**ARIANA MARMORA  
STAFF ATTORNEY  
MFY LEGAL SERVICES, INC.**

**DECEMBER 10, 2015**

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**MFY LEGAL SERVICES, INC., 299 Broadway, New York, NY 10007**

**212-417-3700 [www.mfy.org](http://www.mfy.org)**

## **I. Introduction**

MFY Legal Services, Inc. envisions a society in which no one is denied justice because he or she cannot afford an attorney. To make this vision a reality, for over 50 years MFY has provided free legal assistance to residents of New York City on a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy. We provide advice and representation to more than 10,000 poor and working poor New Yorkers each year benefitting over 20,000 individuals.

MFY annually serves more than 3,600 tenants, including more than 2,000 who are at least 60 years old. MFY is committed to working with the City Council to protect the safety and affordability of housing for low-income New Yorkers so they can continue to be an integral part of New York City communities.

## **II. Our Clients' Experiences**

Although there are currently laws in place that penalize building owners for engaging in illegal construction and violating stop work orders, the experiences of our clients suggest that the current scheme does not effectively disincentivize landlords from blatantly disregarding the law and building codes. Not only does this illegal activity jeopardize the safety of our clients, it also supports the dangerous notion that building permits and stop work orders are merely *pro forma* administrative procedures to which owners need not strictly adhere.

Further, unregulated illegal construction in rent regulated buildings is often part and parcel of a larger objective of tenant harassment. The tenants who seek help from MFY are frequently in grave danger of eviction or are living in unacceptable, often dangerous, housing conditions. Many are long-term rent-stabilized or rent-controlled tenants with affordable rents. Indeed, it is their continuing presence that represents much of the affordable housing in the city and also what makes them a target of construction harassment by landlords and investors looking for high rates of return on these apartments. Without an appropriate punitive scheme that is proportional to the danger our clients face when illegal construction occurs, building owners will continue to conduct construction projects that are unsafe and often aimed at displacing tenants by creating hazardous living conditions leaving them with no option but to move out of their homes.

MFY supports Intros Nos. 939 and 940—both of which are part of the coalition Stand for Tenant Safety suite of bills proposed to address issues of “construction as harassment.” Today, I present two examples that illustrate why the penalties for work without a permit and for violations of stop work orders should undoubtedly be substantially augmented, as proposed in Intro Nos. 939 and 940:

MFY’s client, Mr. R, a 20-year tenant in Washington Heights, lives in a rent-stabilized basement apartment with his wife, son and three year-old grandchild. When a new owner bought his

building two years ago, it began to construct illegal single room occupancy units in other parts of the basement—units without windows or adequate ventilation. This illegal construction, which continued despite stop work orders placed by the Department of Buildings (“DOB”), ultimately led to the blocking of my client’s emergency exit, and the placing of a vacate order for the client’s apartment. Not only was the landlord collecting rent on the illegal living units, but my client’s rent stabilized tenancy was jeopardized due to the illegal construction of units unfit for habitation. After filing suit against Mr. R’s landlord, MFY was able to compel the correction of the vacate order, and the restoration of Mr. R’s emergency exit. Although Mr. R and his family received a favorable outcome in this case, the dangerous conditions and life disruptions endured by his family came about *despite the fines incurred by his landlord under the current punitive scheme*. His story speaks to the desperate need for increased fines and a punitive scheme that actually deters illegal construction rather than being a mere cost of doing business.

The second example I’d like to share today is of six MFY clients living in a rent-stabilized building on Suydam Street in my neighborhood in Bushwick, Brooklyn. MFY is currently litigating a 7-A proceeding for this building based on the hundreds of violations placed by the Department of Housing Preservation and Development, and an ongoing and severe pattern of harassment by the landlord against our clients. The construction of illegal subdivisions and illegal alterations in occupancy in several apartments in this building also led to the placement of a vacate order, and left the building in a state of disrepair and chaos that was adequately described by one of my clients the first time I visited the building, when he simply said, “Welcome to Hell.” My clients were forced to live in a dangerous and unregulated construction zone for months without essential building services, and under threat of harassment which at its darkest moment involved attempted illegal evictions. The fines incurred by this building’s owner after initial stop work orders were placed were simply not enough to protect my clients. MFY hopes to oversee the appointment of a 7-A administrator in this case to reverse the results of illegal construction and neglect of our clients’ homes. Our clients’ story clearly demonstrates the need for increased penalties for illegal construction and a landlord’s blatant disregard of stop work orders.

As extreme as they may sound, these stories are not unusual. Every week, MFY hears from tenants facing illegal construction projects in their buildings—tenants who fear for the safety of their families and who often feel that they have no recourse but to consider vacating their affordable apartments or face even worse consequences.

### **III. Recommendations**

Owners disregard Department of Buildings mandates on construction work because the penalties are meager and often unenforced. Illegal construction is frequently dangerous because it can cause unhealthy conditions, such as improper abatement of asbestos and lead dust, and structural instability, but it also creates an environment of fear that disrupts the quality of life of our clients. The proposals in Intro Nos. 939 and 940 to double the penalties for work without a permit and to

double the penalties for violating a stop work order are critical to tenant safety and the preservation of affordable housing in our city.

#### **IV. Conclusion**

MFY Legal Services and our colleagues in the coalition Stand for Tenant Safety strongly support Intro Nos. 939 and 940, and commend the Council for its continuing efforts to curb abusive landlord practices. These bills are an essential step towards disincentivizing the blatant disregard for the safety of New York City tenants presented in the form of illegal construction. We are looking forward to hearings on the other bills in the Stand for Tenant Safety package.

Testimony from the Safety Professional Association to the New York City Council  
Committee on Housing and Buildings, Council Chambers – City Hall, 10 a.m.

On the package of bills before the Council Int 0794 creation of a task force to assess safety risks at construction sites, Int 0939 increasing the penalties for work without a permit and Int 0940 increasing the penalties for a violation of a stop work order.

My name is Michael Arvanites, and I am the President of the Safety Professional Association, we represent the 2,500 emergency preparedness, site safety, concrete and fire managers in New York City. Our training academy; the United Safety Academy is the only IACET certified training center in New York City. We handle roughly half the OSHA, buildings and fire certifications issued in New York City, while also teaching haz mat, hazwopper, active shooter and disaster drills. The Safety Professional Association working in concert with Human Condition Safety endorses personal protective and safety technology so that workers can seek safe solutions to their own unsafe environment.

In addition, the association is the Port Authority's independent monitor for all safety drills and training. I would humbly submit when the taskforce that Intro 794 becomes law and is created, the Safety Association perhaps should be a member of that taskforce.

First, allow me to congratulate Chair Williams and his ongoing commitment to safety and Council Member Reynoso for your desire to see everyone work in as safe an environment as possible, at the end of the day we all want to get home to our families safe and sound be we office workers or taking on some of the most dangerous jobs in the World, high rise construction.

The Safety Professional Association wholeheartedly supports this package of bills Intro 794, 939 and 940 because too often in the construction industry there are bad actors who consider the current fee structure part of doing business. They are willing to jeopardize the safety of not only their employees building the structure but the general public; who may happen by on our way to and from work or school. Falling debris like the bricks on the lower east side Monday or the cracked façade that killed poor Greata Greene all of 2 years old. Walking home from daycare.

Often stop work orders are giving and ignored after safety professionals inform their contractor or developer of dangerous conditions that are left unchecked like loose mason work or unevenly distributed or tied down loads. Safety Managers can shut a site down and often do, saving countless lives in the process. When a safety professional is neither present, because of no work permit a stop work order is the public's and employee's only hope at safe work conditions, to then go on and violate that is negligence and the new

higher fee is justified. When a Safety manager is simply ignored their only recourse is to shut the job down, on occasion, the work proceeds after they leave or the next day without them present.

We all know the recent Times and Crain's stories concerning the human and financial costs this has placed on our City and its residents. A small percentage of companies who flout the safety protocols are causing a great number of the accidents. Even though building sites of less than 10 stories, which do not require a site safety manager, represent 95% of the active job sites. We applaud the Department of Buildings recent efforts to crackdown on fake OSHA and scaffold training cards and to go after persistent and consistent violators, shutting down one notorious safety violator three dozen active building sites after violations were cited at every single one of them.

In addition to saving the limbs and lives of their employees, the additional cost of their insurance mod rates will skyrocket should they not follow the safety protocols this council put into place in 2008, during the last building boom. According to the NYC Building Congress, 2015 was a banner year for large scale building construction, but 2016 will be even greater surpassing \$40 billion for the first time ever. These large scale projects will be going further out of the usually cited skyscraper construction site of Manhattan and expanding into every single borough. These initiatives along with the Buildings Department's ongoing vigilance will ensure that Safety pays, it does not cost, with this package of bills being unsafe will cost even more.

Again, we applaud Chair Williams and Councilman Reynoso for their commitment to safety and the Council's efforts as a whole to increase safety. The Mayor will receive our memo of support to sign these bills into law. Thank you and be safe.

Testimony as Prepared

December 10, 2015

New York City Council Committee Housing and Buildings

Int. 0939 and Int. 0940

Good morning. Thank you to Chair Williams and the Committee on Housing and Buildings for the opportunity to testify today.

My name is Eric Alugas and I am a tenant leader with NYS Tenants and Neighbors, and a member of Harlem Tenants Against Tahl-Propp: a coalition made up of tenants in Harlem buildings owned by Joseph Tahl and Rodney Propp, and managed by Manhattan North Management Company.

I am a tenant at 1845-51 7<sup>th</sup> Avenue in Harlem. From 2004, when our new landlord, Joseph Tahl, bought the building, with his partner, Rodney Propp, there have been simultaneous construction projects, in these fully occupied buildings, in manners hazardous enough to warrant penalties, violations and Stop Work Orders. This has been the norm since 2004, and continues to this day—from being a rental building, to the conversion to condominium. This work has caused floors and walls to tremble—like when the entire lobby was taken up with sledgehammers-- floods, tools falling through ceilings, etc. When tenants questioned these practices, Mr. Tahl was known to make light of those concerns, and call them exaggerations, and even said, “Don’t worry, I’m not going to let the building fall down on you.”

In September 2007, a neighbor called and urged me to put on the TV news: a building at 305 West 150<sup>th</sup> street was being evacuated. The floors were trembling, and the Fire Department evacuated the building. The Work Permit stated that the building was vacant. Many of the tenants felt that this was harassment, to get them out. Many tenants ended up in shelters. This was, and is, a Tahl-Propp building. Now the building is a condominium, and none of those tenants who were evacuated that day in September 2007, are living there.

In January 2013, another Tahl-Propp building at 1890 7<sup>th</sup> avenue was evacuated: “workers doing construction on the third floor removed walls without bracing the structure, causing the fourth-floor bathroom to cave in to



the third floor.” One family in particular, was not allowed back into their apartment until the repairs were made.

1/22/2013: from <http://www.dnainfo.com/new-york/20130122/central-harlem/harlem-building-evacuated-after-bathroom-partially-collapses>

After months of living in a shelter, the affected family moved back in to their apartment at 1890 7<sup>th</sup> avenue, in August 2013. Shortly after, because of work being done on the unit above them, the ceiling collapsed—and injured a family member.

1890 is a condominium now.

In May 2014, a Stop Work Order issued for entire site of 1845-51, because of construction taking place without permits. Again, a month later, a Stop Work issued for work being done to structural walls without permit. Once again, in June, a Stop Work Order is issue, when Fireman and police arrive at 1845-51 and find that the workers are using a propane fueled machine, without permit, and smoking while using it. The Firemen stop the work, and make workers remove the machine, and all propane fuel.

The Stand for Tenant Safety Coalition, a group of organizations concerned with housing justice for New York City tenants, has worked with members of the City Council to submit several bills. As a member of Tenants & Neighbors and a coalition of Harlem tenants struggling to maintain quality of life in this city, we stand with them in support of Int. 0939 and Int. 0940.

Thank you very much for the opportunity to testify today.

## Testimony of DeV Vaughn Johnson – SRO Tenant at 469 West 147<sup>th</sup> Street

My name is DeV Vaughn Johnson and I have been a permanent, rent stabilized tenant at 469 West 147<sup>th</sup> Street – a residential SRO building – since January 1, 2000.

I am here today to testify in support of Intro 939, Intro 940 and Intro 794. I'd also like to thank Councilmember Williams for calling this hearing and thank the councilmembers that have introduced this legislation to help tenants.

My building was recently purchased by a new owner, who happens to have purchased numerous SRO buildings throughout Harlem in the past year. As soon as the new owner took over management of our building, construction began. We first found out about the construction by seeing it happen right in front of our faces. We never saw any permits posted anywhere in the building, and were never told by management that there would be construction taking place. All of a sudden, we found ourselves living in what felt like a construction zone.

One day, when I was going to the shared bathroom on my floor, I saw a construction worker adding another threshold to the shared bathroom. This door would give my neighbor exclusive access to the bathroom that we shared. I asked the worker what he was doing – and he explained that the owner was going to put up a wall, which would exclude me from the bathroom, and then the owner would remove me from my unit, and install a new bathroom in my room. I asked if they had permits, and the worker didn't answer. He just kept working.

The construction continued for months, and would begin very early in the morning. Every day, I would wake up to hear loud banging in the unit below mine, and the unit above mine. The workers would arrive before 6:00am every day and sneak their supplies into the basement, and begin working. Constant noise, dust, and debris and garbage would be left in the hallways. The workers would use our shared bathrooms, and leave them filthy. The workers would smoke in the building. Our hot water was constantly being shut off, and we would be forced to take freezing cold showers. In colder months, the heat would go out without notice, and during the hottest months of the summer, the heat would be turned on! The owner was doing work in the basement, and the boiler was always being tampered with.

I called 311 every time I saw the workers doing construction. Inspectors from the city finally showed up, but by that time, most of the work was done and the workers had left. The response time was so slow that the owner was able to get away with doing alterations to the building without a CONH and without the proper permits.

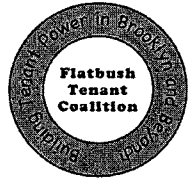
Eventually, my landlord was finally issued a violation. He did not show up for the hearing at ECB, and a judgment was entered against him. He was given a fine of a few thousand dollars. This is just a cost of doing business for this owner, who has made the lives of the remaining

tenants unbearable over the past year. It is important that the city council pass Intro 939 to increase fines to owners who do work without a permit, and Intro 940, making the fines an actual deterrent to doing work in violation of a stop work order.

Thank you for giving me the opportunity to testify before you today.

Respectfully Submitted,

DeVaughn Johnson  
Tenant  
469 West 147<sup>th</sup> Street



## **Flatbush Tenant Coalition**

*Building Tenant Power in Brooklyn and Beyond!*

Good afternoon,

I am Valerie Henriquez I live at 280 E 21st in the Flatbush area, and my building is owned by Coltown Properties. I am a tenant leader in my building and I am also a member of Flatbush Tenant Coalition. I am here to support the legislation being presented today, particularly Into 0939 and 0940 to stop the landlords from doing illegal work and to ensure that violations and orders levied against them are strongly enforced by the city and the Department of Buildings.

I am here today as a tenant leader, and as a tenant who feels vulnerable. I also speak for those vulnerable individuals who do not have a voice like the elderly and disabled residing in my building. We are vulnerable at the hands of our landlord who continues to put all our lives in danger as he continues to do illegal construction work in our building.

There is illegal construction work happening in my building by unlicensed contractors doing illegal subdivision of apartments. This work is done without permits and the extent of the work is reaching dangerous levels, where kitchens are being converted into bedrooms improperly. Of particular concern is my neighbor who is occupying one of these units where the kitchen is now her daughter's bedroom. She is constantly smelling gas emanating from her bedroom as a result of the gas lines not being capped properly and possibly other new underlying conditions that we are not yet aware of. There is a potential for a gas explosion, and the endangerment of 68 families in the building and the surrounding community.

The solution is to pass this legislation and deter landlords from continuing this form of illegal construction by increasing fines and violations when they do this work without a permit. We need to hold the Department of Buildings accountable to ensure landlords pay the due penalty and price for neglecting the safety of tenants. This does not end here, these two bills are just the beginning of the solution to this problem. We look forward to future legislation being passed that will increase the enforcement and oversight of our city agencies to preserve and protect our lives and homes from this type of endangerment and harassment.

I want to thank you for taking the time to listen to my story and my testimony. And I look forward to the passing of Intro 0939 and 0940 that will protect New York City residents from the perils of unscrupulous landlords committing these heinous acts.



# Cooper Square Committee

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## Testimony of Harriet Putterman, Cooper Square Committee, before the New York City Council Committee on Housing and Buildings

Thursday, December 10, 2015

Hello. Chairperson Jumaane Williams and members of the Committee on Housing and Buildings, thank you for creating the opportunity to discuss the vital issues addressed by Intro 0939, Intro 0940 and Intro 0794, each of which I'm here to support.

My name is Harriet Putterman. I'm a board member and organizer for the Cooper Square Committee. Our community covers Delancey to 14th Streets, Third Avenue to the East River, in Manhattan. Cooper Square has a belt with a notch in it for defeating Robert Moses. In the 1950's he planned to tear down a wide swathe of our neighborhood, build high rent housing, and for good measure, would have thrown in an 8 lane superhighway. We organized our community, defeated Moses, modernized the existing buildings, and 65 years later they still stand, affordable to low and moderate income families.

Today, though the details change, it's still the same story - wealth and power grasping underhandedly for more wealth and power. Today's predatory landlords are ironically using the very process of renovation as a technique to harass and frighten tenants into leaving their affordable apartments. Substantially increasing fines for devious construction practices such as working without a permit or ignoring a stop work order, would force landlords to indeed stop and make the raw financial calculation that it's too expensive to flaunt the law.

From 2008 -2009, Ben Shaoul and Westbrook Partners purchased 17 buildings in the East Village. At one point, 7 of the 17 buildings had stop work orders because of dangerous and illegal construction work. In addition, three of

**the 7 buildings were issued additional violations and fines for continuing work in spite of a stop work order.**

**It was clear that these landlords had no fear of Department of Buildings fines. They had figured out that the income from quickly renovating the units was far greater than the cost of accrued DOB fines.**

**At 22 East 12th St, an SRO building owned by Icon Realty, staircases were removed, load-bearing walls in empty apartments were pulled down, and multiple rent-stabilized SRO units were combined to form new luxury units.**

**While tenants complaints led to violations and fines, it did nothing to curb ongoing work. Construction work briefly hidden from inspectors resumed after a few days or weeks.**

**As significant as the bills are that we are supporting today, they are part of a 12 bill package sponsored by Stand for Tenant Safety, a citywide coalition of tenants rights and legal advocacy groups. The 12 bills were intentionally designed to heighten each other's effectiveness. For example, Council Member Mendez' bill would create a Tenants Bill of Rights Under Construction. It would be widely posted in buildings, informing tenants of their rights in a construction environment and who to contact when the law is being violated. In relation to permits, knowledgeable residents would be the Department of Buildings on the ground eyes and ears, contacting the agency when landlords continue to work, clearly flaunting a stop work order. We therefore urge that the remaining 10 bills be considered in the very near future.**

Delsenia Glover, Rent Regulation Lead Organizer

**New York State Tenants & Neighbors**

*Testimony as Prepared*

**December 10, 2015**

New York City Council Committee Housing and Buildings

Int. 0939 and Int. 0940

Good morning. Thank you to Chair Williams and the Committee on Housing and Buildings for the opportunity to testify today.

My name is Delsenia Glover and I am the Rent Regulation Lead Organizer for New York State Tenants & Neighbors Information Service and New York State Tenants & Neighbors Coalition, two affiliate organizations that share a common mission: to build a powerful and unified statewide organization that empowers and educates tenants; preserves affordable housing, livable neighborhoods, and diverse communities; and strengthen tenant protections. The Information Service organizes tenants in at-risk rent regulated and subsidized buildings, and helps them preserve their homes as affordable, and organizes administrative reform campaigns. The Coalition is a 501c4 membership organization that does legislative organizing to address the underlying causes of loss of affordability. Our membership organization has over 3,000 dues-paying members.

Tenants & Neighbors organizes in rent-regulated, Mitchell-Lama, and project-based Section 8 developments citywide.

In the buildings where we organize, the story is the same. Low and moderate income tenants in New York City are regularly experiencing the pressures of displacement. Rents are climbing and tenants are concerned that they will not be able to afford to stay in their homes and communities.

Landlords are using every opportunity and every tool in the arsenal to empty rent regulated apartments so they can be flipped to market rate, and unfortunately, a laxity of tough legislation governing the Department of Buildings along with real and meaningful enforcement of construction and building rules has resulted in building shutdowns, rent paying tenant harassment by being forced to live in horrific conditions, and ultimately homelessness for many tenants.

The Stand for Tenant Safety Coalition, a group of organizations concerned with housing justice for New York City tenants, has worked with members of the City Council to submit 12 bills. We are pleased that the Council is holding a hearing on Int. 0939 and



Int. 0940 today, which will create penalties that are meaningful and beyond the “cost of doing business” for developers and contractors and be a deterrent; and increase fines for violating a stop-work order, which is an increasingly common and dangerous practice.

I will look forward to having the opportunity to testify in support of:

Int 0918-2015: Professionally certified applications for construction document approval and final inspections of permitted work

Int 0930-2015: Distressed buildings subject to foreclosure by action in rem

Int 0924-2015: Vacate Orders

Int 0926-2015: Creating a task force on construction work in occupied multiple dwellings

Int 0931-2015: Building violations adjudicated before the office of administrative trials and hearings

Int 0934-2015: Creation of a real time enforcement unit in the department of buildings

Int 0936-2015: Tenant Protection Plans

Int 0938-2015: Requiring increased oversight of construction contractors who have engaged in work without a required permit

Int 0944-2015: Construction work permits

Without this critical oversight, landlords will have free reign to continue to abuse tenants with these practices, in an effort to rid buildings of rent regulated tenants, many of whom are seniors and families with small children.

We urge you to pass Int. 0939 and Int. 0940 and the remaining pieces of DOB legislation with all due haste.

Thank you very much for the opportunity to testify today.



**GODDARD RIVERSIDE  
COMMUNITY CENTER**

**Law Project**

51 West 109th Street, New York, New York 10025  
212.799.9638 Fax 212.721-1514

**TESTIMONY**

**ON**

**Intro 939**

**Intro 940**

**Intro 794**

**PRESENTED BEFORE:**

**THE NEW YORK CITY COUNCIL'S COMMITTEE ON HOUSING  
AND BUILDINGS**

**PRESENTED BY:**

**Dan Evans**

**Tenant Organizer**

**Goddard Riverside Law Project**



## Testimony of Dan Evans – Goddard Riverside Law Project

My name is Dan Evans, and I am a Tenant Organizer at The Goddard Riverside Law Project. Our office provides legal assistance, tenant advocacy and organizing support to tenants on Manhattan's West Side, with a special focus on working with SRO Hotel tenants.

I am here testifying today in support of Intro 939, Intro 940 and Intro 794. I'd like to thank Councilmember Williams for scheduling this hearing, and also thank the councilmembers that introduced these bills.

Far too often, our office receives calls from tenants stating that their landlords are doing unauthorized construction in their buildings. We receive complaints that construction is occurring at all hours of the day and night, that tenants must walk through a cloud of dust to enter and exit their units, that essential services are frequently cut off with no notice and that the noise makes living in their units unbearable. Tenants report that construction frequently takes place without permits being posted, or obtained by their landlord.

Our office works primarily with tenants living in Single Room Occupancy (SRO) buildings. In addition to getting permits from DOB, landlords that want to do renovation work in SRO buildings are also required to obtain a Certificate of No Harassment (CONH) from NYC's Department of Housing Preservation and Development (HPD). Our office has seen that many landlords, in an effort to expedite that extreme renovations and alterations, will often not apply for a CONH, falsify DOB applications, and get very limited permits in order to do building wide alterations. Many landlords feel they can get away with this due to the slow response time of inspectors, and if a fine is eventually assessed, it is just a cost of doing business.

For instance, 469 West 147<sup>th</sup> Street was recently purchased by new owners. They immediately got to work harassing tenants out of the building. They applied for a permit to replace bathroom fixtures, but the tenants soon realized that the new owners were in fact converting the SRO units into Class-A apartments, with the intention of installing private bathrooms in every room. The landlord never obtained a CONH, and did extensive work, while only having a very limited permit. The tenants reported constant banging, dust, debris and that essential services were discontinued without notice.

Additionally, at 335-337 West 55<sup>th</sup> Street, the owner forced out every rent regulated SRO tenant, except for one, and then began work. When the last remaining tenant rejected the owner's buy - out offers, the owner began working right around the tenant – forcing him to live in an active construction zone. The owner tore down walls, ripped out stairwells, removed the roof, and took out all of the windows. The last remaining tenant was forced to navigate shoddy stairs with no light when he returned home from work each day after midnight, dodging holes in the floors, and dangling electrical wires. Not only did this owner fail to apply for and obtain a CONH, he also

had very limited permits, and was doing construction work far outside the scope of what was planned.

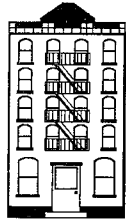
In both of these buildings, DOB eventually came to inspect, and each owner was assessed a nominal fine, which both failed to pay. Our office has seen that owners of SROs will engage in unauthorized construction, and then chalk the fine they receive up as a “cost of doing business.” It is necessary that these fines be increased, so that they are an actual deterrent to doing construction without the proper permits.

It is necessary that these fines be increased, so that they are an actual deterrent to doing construction without the proper permits. Intro 939 and Intro 940 will do just that. These bills will make landlords think twice before they put their tenants at serious risk by doing construction work without permits. Thank you for the opportunity to testify today.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Dan Evans". The signature is written in black ink and is positioned to the left of the typed name below it.

Dan Evans  
Tenant Organizer  
Goddard Riverside Law Project



# Housing Conservation Coordinators



FOR THE RECORD

777 Tenth Avenue, New York, NY 10019 T: 212-541-5996 F: 212-541-5966

December 10, 2015

Testimony for Intro 0939, 0940 and 0784

Betsy Eichel, Tenant Organizer, Housing Conservation Coordinators

My name is Betsy Eichel and I am a tenant organizer at Housing Conservation Coordinators, a tenant advocacy and legal services agency based in Hell's Kitchen. Thank you, CM Williams, for scheduling this hearing and to CM Reynoso for introducing such crucial legislation.

I work with rent-regulated tenants throughout the west side of Manhattan, though primarily in Hell's Kitchen, the Upper West Side and Chelsea. Those are all highly sought after neighborhoods, and they got to be that way in part through the efforts of the tenants that HCC supports every day. However, as many of the people in the Council are well-aware, many rent-regulated tenants who reside in booming neighborhoods face a steady stream of harassment, all because they are paying below market-rate rents. Some landlords use construction to make life miserable for tenants. Their daily lives are made so difficult by this work that tenants are forced to leave or compromise their physical, mental and emotional health.

The prevalence of this problem lead to the creation of the coalition Stand for Tenant Safety, which I am proud to be a member of. As part of this effort, there are many other bills that are designed to reform the DOB, and HCC supports those bills as well.

I have submitted testimony from a tenant in 15 West 55<sup>th</sup> Street, Marilyn Hemery, who details the many construction issues she and her neighbors have dealt with in the last two years since the building was purchased by Sol Assa, a major developer. Tenants from this building have testified before City Council before, as their building was also overrun with illegal hotels in 2014. Now, however, they are facing many challenges with construction that has gone far beyond the scope of permits. The shoddiness

**Testimony of Kerri White**

**Director, Organizing and Policy, Urban Homesteading Assistance Board**

**12/10/15**

*Introduction*

I am the Director of Organizing and Policy at UHAB. We work with tenants citywide to preserve affordable housing. I am testifying to support Intro 0939, Intro 0940 and Intro 0794, all of which attempt to address serious concerns with dangerous construction practices. The brunt of UHAB's work has been organizing with tenants whose affordable housing is at risk due to a business practice called Predatory Equity, a phenomenon that has devastated our communities, causing tenant displacement, building deterioration and led to a massive multifamily foreclosure crisis all in the name of profit. It was through this work that we came across a new displacement threat from predatory equity: construction as harassment.

*Speculation, Construction and the Need for Department of Building Reforms*

Over the last decade, the real estate market has gone through a massive surge resulting in a fallout that plunged the city in a foreclosure crisis, and more recently a second escalation which threatens to overtake the first. These ups and downs have a real cost to New Yorkers, unfortunately that cost is often paid by low and moderate income tenants. In times of perceived high markets as we are in now, developers speculate on buildings they believe to be "undervalued." The buildings most at risk of this speculation are rent stabilized and other types of affordable buildings where new developers hope to bank on trends of gentrification by finding ways to raise rents. In order to achieve the profits these companies desire, they need to accomplish two tasks. The first is to displace the long term, lower rent paying tenants from their apartments, and the second is to justify rent increases, often through major work done to vacated units. While we have seen many different types of harassment tactics used by landlords over the years, more recently we found a pattern where landlords attempt to achieve both of these goals at once through construction as harassment.

When a landlord has a vacant unit, the easiest way to get the highest rent increase is through Individual Apartment Improvements, where the landlord can raise the rent for the next tenant by a portion of the work done in the vacant unit. The fact that this major construction work often causes inconvenience or even direct harm to the tenants in the surrounding apartments is a secondary benefit for landlords who are doing everything in their power to get other rent stabilized tenants to leave the building. This issue of construction as harassment has become so prevalent that organizing and advocacy groups across the city, including UHAB, have joined to form the Stand for Tenant Safety (STS) coalition. Over the last year and a half, STS has worked with NYC Council Members representing districts all over the City to introduce a package of 12 bills all related to fighting construction as harassment and its impact on rent stabilized tenants.

Both Intro 0939 and 0940 are part of this legislative package, and I applaud Councilmember Reynoso for introducing these much needed pieces of legislation to protect at risk tenants. Both of these bills address a specific issue: the Department of Buildings need more and better tools to stop landlords who put tenants in harm's way through illegal construction. Intro 0939 increases the penalties for work without permits. It is far too common that landlords don't bother seeking a permit to do work, or they

have a permit to do a specific job or work in a specific area, but they do work in areas that were not covered or work that exceed the bounds of the permit. Intro 0940 increases the penalties for a violation of a stop work order. This bill addresses an even more troubling issue where landlords who have been told by DOB to stop construction since the work they are doing is improper or even dangerous, but they continue to work anyway. The reason landlords violate both of these rules is that they are hoping to benefit from large increases in profit and the current fines are too low, so these fines are hardly a deterrent from getting the work done as quickly as possible. Additionally, if the work is being done improperly, it causes even greater irritation to the other tenants in the building. This can be a tertiary benefit for the landlord who may want other rent stabilized tenants to leave in order increase the rents in even more apartments. If we are going to stop landlords from doing work without a permit or when there is a stop work order in place, we must make the penalty of these violations as egregious as the landlords' greed.

Intro 0794 aims to create a taskforce to assess the hazards construction sites pose to the public. I support Councilmember Williams in this effort as interagency cooperation is needed if we are going to ensure that construction sites are safe spaces. However, I would like to see tenants living in buildings where construction is happening as one of the groups to be protected by such a taskforce. Councilmember Garodnick has introduced legislation (Intro 0926) that would create such a taskforce as part of the legislation package indorsed by the STS coalition.

Construction is a part of daily life in New York City, and it is impossible and unnecessary to stop construction completely. However, as a City we have to ensure that this construction is done in a manner that is safe for everyone: the workers, the public and the residents who live in these buildings. Landlords who intentionally flaunt the laws and regulations that exist to protect residents during construction in pursuit of profit are not only dangerous to these tenants, but to the integrity of our affordable housing stock and our city as a whole. We must do everything we can to provide the mechanisms necessary to DOB and other agencies to hold these landlords accountable. Rent stabilized buildings are more than dollars to be made, they are homes to families and a vital resource to our communities. If the current regulations and penalties are not enough to make greedy developers understand that, we must improve on these mechanism, and affect predatory landlords in the only place they care about, their pocketbooks.

**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: Harriet Pitterman

Address: 346 E 18 St

I represent: Cooper Square Committee

Address: 61 E 4th 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: \_\_\_\_\_

(PLEASE PRINT)

Name: Orlando Cotto

Address: \_\_\_\_\_

I represent: Met Council on Housing

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: Ava Farkas

Address: \_\_\_\_\_

I represent: Met Council on Housing

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. 0939 Res. No. 0940

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: TALIAFERRO, ELEANOR

Address: 280 E. 217th St

I represent: FLATBUSH TENANT COALITION

Address: 1616 NEWKIRK AVE

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 0939 Res. No. 0940

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: JACQUELINE BAILEY

Address: 682 Ocean Ave Brooklyn NY 11226

I represent: Flatbush Tenants Coalition

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 0939/0940 Res. No. 6

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Alejandra Nasser

Address: 1616 NEWKIRK AVE

I represent: FLATBUSH TENANT COALITION

Address: STAND FOR TENANT SAFETY

**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: 12/10/15

(PLEASE PRINT)

Name: ROLANDO GUZMAN

Address: 306 UNION AVE, BROOKLYN, NY

I represent: ST NICKS ALLIANCE

Address: 306 UNION AVE, BROOKLYN, 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: Eric Alugas

Address: Tenant Leader

I represent: HTATP Central Harlem

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: Gale A. Brewer, Manhattan Boro President

Address: \_\_\_\_\_

I represent: Manhattan Boro President

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: Donald RANSOME

Address: Building Trades Employer Association

I represent: 1430 Broadway, Rm 1106

Address: New York, NY 10018

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 794-A 939<sup>940</sup> Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: Richard Chadler DOB

Address: City Commissioner

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 794-A 939<sup>940</sup> Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: T. Alex Log Fisher

Address: Deputy Commissioner

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 794-A, 939, 940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/12/15

(PLEASE PRINT)

Name: Tim Hogan

Address: City Deputy Commissioner

I represent: DOB

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939, 940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: BOB CASSARA

Address: 973 - BAY RIDGE PKWY, BRKLYN 11228

I represent: BROOKLYN HOUSING PRESERVATION

Address: ALLIANCE

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939, 940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Delsencia Colover

Address: \_\_\_\_\_

I represent: NYS Tenants & Neighbors

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939,940,794 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

Name: Donna Chiu (PLEASE PRINT) and Ms. Xiu Chang Zhang  
~~Asian Americans for Equality~~

Address: 111 Division Street, NY NY 10002

I represent: Asian Americans for Equality

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939/940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

Name: ARIANA MARMORA (PLEASE PRINT)

Address: 299 HIRSH ST. APT. 3R, BROOKLYN, NY

I represent: MFY Regal Services, Inc. 11237

Address: 299 Broadway, 4th Fl., New York, NY  
10007

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939/940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

Name: Dan Evans (PLEASE PRINT)

Address: 51 W. 109 Street, NY, NY 10025

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 939/940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/16/15

(PLEASE PRINT)

Name: DeVaughn Johnson

Address: 469 W 147 St #6/7 NY, NY 10031

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0939 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Betsy Eichel

Address: 777 10th Avenue

I represent: Housing Conservation Coordinators

Address: 777 10th Avenue

**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: Harvey Epstein

Address: 172 E 4th St

I represent: Urban Justice Center

Address: 123 W 14th 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. 939,940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: Cynthia Liang Weaver + Chung Wong

Address: 1 West 125th St, 2nd Fl.

I represent: Manhattan Legal Services

Address: ~~125th~~ same

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. 939+940 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/10/15

(PLEASE PRINT)

Name: Michael Arvanites

Address: 11 Hanover St. 15th floor

I represent: Safety Professional Association

Address: \_\_\_\_\_

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