

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS

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August 8, 2017
Start: 1:31 p.m.
Recess: 2:49 p.m.

HELD AT: 250 Broadway - Committee Rm.
16th Fl

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

COUNCIL MEMBERS: Rosie Mendez
Ydanis A. Rodriguez
Robert E. Cornegy, Jr.
Rafael E. Espinal, Jr.
Mark Levine
Helen K. Rosenthal
Ritchie J. Torres
Barry S. Grodenchik
Rafael Salamanca, Jr.
Eric A. Ulrich

A P P E A R A N C E S (CONTINUED)

2 [sound check, pause] [gavel]

3 CHAIRPERSON WILLIAMS: Good afternoon
4 everyone. My name is Jumaane Williams, Chair of the
5 Committee on Housing and Buildings. I'm joined today
6 by Council Member Salamanca, Council Member
7 Grodenchik, Council Member Rosenthal, Council Member
8 Levine and Council Member Vacca. We are here to hold
9 a vote on two packages of buildings, and perhaps now
10 I won't get tweeted as much any more. The first
11 package relates to tenant harassment. This package
12 includes legislation to expand the definition of
13 harassment to apply additional acts, allow tenants
14 who have been victims of harassment to received
15 monetary compensation and create a rebuttable
16 presumption that harassing acts or omissions with-
17 were-were committed with the intent of causing
18 tenants to vacate their dwellings I'm also sponsoring
19 within this package, which would increase the
20 penalties for tenant harassment.

21 The second package of bills known as the
22 Stand for Tenant Safety Package, ensures that tenants
23 are protected from unscrupulous landlords and
24 contractors engaging in construction of tenant
25 harassment. In addition to these two packages, the

2 committee will be voting on Proposed Intro No. 1133-A
3 sponsored by Council Member Vacca, which requires the
4 Department of Buildings to withhold certain building
5 permits for certain properties where \$25,000 or more
6 in unpaid charges are owed to the city, or where the
7 owners of such properties owe an aggregate \$25,000 or
8 more in unpaid charges to the city. The bill
9 provides certain exemptions as this prohibition such
10 as where the permit would be required to correct the
11 dangerous condition. On the first two, I think this
12 Council is doing an amazing job trying to get ahead
13 of a problem that is only growing in terms of
14 harassment in general and then harassments as a way
15 to push people out of their apartments. It is an
16 incredible problem in man, many communities. So I'm
17 proud of us, and I'm proud to be a sponsor of Council
18 Member Vacca's bill. We've often tried to figure out
19 how to get owners to fix things or to pay up, and we
20 have had a difficult time getting people to pay up,
21 and I think Council Member Vacca has found a great
22 way to get in their pockets. So, maybe they'll start
23 listening. So, I think him for his work on this
24 bill. I'm proud to be a sponsor. I'm going to allow
25 the sponsors of all of the bills who are here now,

2 which is only three to have two minutes to give their
3 opening statement. They can take less if they would
4 like to. We'll have Council Member Vacca, Council
5 Member Rosenthal and Council Member Levine.

6 COUNCIL MEMBER VACCA: Thank you, Mr.
7 Chair. My bill being passed by the committee today
8 is Intro 1133, and I call it the Bad Actor's Law, and
9 it remedies an issue I sought to address since my
10 first term in the Council. It remains an issue I'm
11 passionate about today. New York City is owed a
12 tremendous amount of money in unpaid Department of
13 Buildings fines. The total amount owed now exceeds
14 \$900 million. A large portion of these fines are
15 owed by bad actors, owners and developers that
16 persistently flaunt our city's laws and building
17 codes. There is a massive amount of building and
18 development in this city, and my legislative proposal
19 allows the city to address the fact that there are
20 some good developers and owners, and there are also
21 some absolutely terrible one. Right now, DOB
22 essentially treats all permit the same regardless of
23 the applicant's history. Previous abuses and
24 outstanding fine on separate job sites no matter how
25 numerous or egregious are not enough to stop DOB from

2 issuing another permit to do more damage and to rack
3 up more fines. My legislation would Change this. It
4 would ensure that DOB takes into account property
5 owners' and developer's past actions and that they
6 deny certain building permits to those with
7 outstanding debts in excess of \$25,000. Those
8 permits would include new building permits,
9 demolition permits, public assembly permits and
10 alteration 1 permits. An owner should not be
11 rewarded with a permit to build more when they
12 already have such large unpaid fines. I want to
13 thank the Council staff and I want to thank the
14 Chairman for their consideration, the Speaker as well
15 and I urge my colleagues to vote yes.

16 CHAIRPERSON WILLIAMS: Council Member
17 Rosenthal, Council Member Levine.

18 COUNCIL MEMBER ROSENTHAL: Hi, I didn't
19 expect to speak because we were all trying to be so
20 appropriate. Well, I just want to thank you, Council
21 Williams for your patience and shep-helping, you
22 know, to shepherd through these 19 bills. I think
23 that in my office we have a limited set of tools to
24 help the people who come in who are being harassed
25 out for I mean a myriad number of reasons. They make

2 up—these landlords make up new stuff everyday, and
3 it's so hard to stay on top of it, and with these new
4 tools, you'll be helping—we'll be helping all of our
5 constituents, but also the people who are string to
6 help those people. And, of course, the one that, you
7 know, I'm most thrilled about is the Office of the
8 Tenant Advocate, which will level the playing field
9 for tenants so they can be on par with the status of
10 the landlords when trying to work through
11 construction. So, thank you for that.

12 COUNCIL MEMBER LEVINE: Alright, thank
13 you Chair Williams. To everyone who was Tweeting you
14 online, they should know that shepherding 19 bills to
15 a conclusion like this is an unbelievably complicated
16 task, and you deserve great credit for making that
17 happen. This committee's name is the Committee on
18 Housing and Buildings, and the fact that we are
19 exploiting the power of the Building Department to
20 protect tenants really is a game change for tenants
21 who are facing the use of construction as a weapon to
22 push them out. That is the—that is the challenge
23 that has led us to action here, and I'm pleased to be
24 sponsoring one of the bills that addresses this Intro
25 936, which is going to require a robust and publicly

2 available posting of the Tenant Protection Plan when
3 construction is being done in buildings where people
4 are still residing, a plan that covers everything
5 from means of egress to fire safety to noise
6 reduction to the health code related to particulate
7 matter. The days of vague plans, which are not
8 easily accessible to tenants are over thanks to this
9 bill. And again, I want to thank the Chair for
10 bringing this and the entire package up for a vote
11 today. Thank you, Mr. Chair.

12 CHAIRPERSON WILLIAMS: Thank you very
13 much, and thank you everybody for the words, and just
14 reading something here that Council Member Rosenthal
15 said, I think I was speaking to one of their voters
16 talking about how we're trying to get ahead of this,
17 the one thing I said is the folks who are dedicated
18 to doing bad things are crafty, and they will find
19 something else, and we'll have to get ahead of that
20 as well, but I think we're up to the challenge. So,
21 I'd like to thank the people who actually really did
22 the work, they did to assemble this hearing and the
23 bills including Mike Toomey my Legislative Director,
24 Megan Chin and Guillermo Patino, Counsel to the
25 committee, Jose Conde, Policy Analyst to the

2 Committee and Sarah Gastelum, the Committee's Finance
3 Analyst in this gargantuan task. Congratulations to
4 them. With that, I'd like to ask the Clerk to call
5 the roll.

6 CLERK: William Martin, Committee Clerk,
7 roll call vote committee on Housing and Buildings.
8 All items are coupled. Chair Williams.

9 CHAIRPERSON WILLIAMS: I vote aye on all.

10 CLERK: Levine.

11 COUNCIL MEMBER LEVIN: I vote aye on all.

12 CLERK: Rosenthal.

13 COUNCIL MEMBER ROSENTHAL: I proudly vote
14 aye on all.

15 CLERK: Grodenchik.

16 COUNCIL MEMBER GRODENCHIK: With
17 congratulations to all the sponsors and thanks to
18 Jimmy Vacca with that great bill on the bad actors,
19 aye on all.

20 CLERK: Salamanca.

21 COUNCIL MEMBER SALAMANCA: I would like
22 to congratulate all the sponsor as well, and if
23 possible, if you can add me onto all the bills that
24 I'm not listed on and I vote aye on all. Thank you.

2 CHAIRPERSON WILLIAMS: Sergeant, we
3 don't—do we have a hearing here after this?

4 SERGEANT-AT-ARMS: [off mic]

5 CHAIRPERSON WILLIAMS: Alright so I'd to
6 leave the vote open for 30 minutes and I thank all of
7 my colleagues.

8 COUNCIL MEMBER VACCA: Thank you.

9 COUNCIL MEMBER ROSENTHAL: Alright.

10 [pause]

11 CHAIRPERSON WILLIAMS: I'm just going to
12 leave the vote—the roll open. [pause]

13 CLERK: Continuation of roll call, the
14 Committee on Housing and Buildings. Council Member
15 Ulrich.

16 COUNCIL MEMBER ULRICH: After much
17 thought and consideration, I will be voting aye on
18 all with the exception of Proposed Intros 930-A and
19 931-B for reasons that I will articulate at the
20 Stated Meeting. Thank you.

21 CLERK: All items—[pause] All items on
22 today's Housing and Buildings have been adopted by a
23 vote of 6 in the affirmative 0 in the negative and no
24 abstentions with the exceptions of [pause]. Please
25 disregard the current vote [pause] tally.

2 Continuation roll call Committee on Housing and
3 Buildings Council Member Ulrich.

4 COUNCIL MEMBER ULRICH: Okay, we have a
5 slight modification here. So, I am voting aye on all
6 with the exception of Proposed Intros 931-A and 931-
7 B, and I'm also voting no on Proposed Intro 1530-A in
8 relation to creating a rebuttable presumption
9 regarding harassment. So, I'll be voting no on those
10 three bills and aye on all others. Thank you.

11 CLERK: The vote is still open. [pause]
12 Continuation roll call the Committee on House and
13 Buildings. Council Member Rodriguez.

14 COUNCIL MEMBER RODRIGUEZ: Aye.

15 CLERK: All items on today's agenda on
16 Housing and Buildings have been adopted by a vote of
17 7 in the affirmative, 0 in the negative and no
18 abstentions with the exceptions of Introductions 930-
19 A, 931-B and 1530-A, which have been adopted by the
20 Committee of 6 in the affirmative, 1 in the negative
21 and no abstentions. Thank you.

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C E R T I F I C A T E

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



Date August 16, 2017