TESTIMONY OF THE DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT TO THE NEW YORK CITY COUNCIL'S HOUSING & BUILDINGS COMMITTEE - FEBRUARY 7TH, 2008 – 10AM

Good Morning, Chairman Dilan and Members of the Housing and Buildings Committee. I am Joseph Rosenberg, Deputy Commissioner of Intergovernmental Affairs at the Department of Housing Preservation & Development (HPD) and sitting next to me is Barbara Flynn, Chief of Staff of the Intergovernmental Division.

As you recall, we testified less than two months ago in support of Intro 627 with the caveat that the affirmative defense language needed to be modified. The original language allowed owners to assert an affirmative defense against harassment allegations that a condition or service interruption was not a result of the owner's "intentional and grossly negligent" conduct. It has been rewritten so that the owner may assert an affirmative defense against a harassment claim by showing "that 1) such condition or service interruption was not intended to cause any lawful occupant to vacate a dwelling unit or waive or surrender any rights in relation to such occupancy, and 2) the owner acted in good faith in a reasonable manner to promptly correct such condition or service interruption, including providing notice to all affected legal occupants of such efforts, where appropriate."

At the December 2007 hearing, owners and their representatives, such as the Council of New York Cooperatives & Condominiums also requested clarification that if a shareholder of a unit, was issued a C violation for harassment, that it would not forever preclude the Association from obtaining a J-51 tax benefit. The City Council has

rewritten the language which now says, "... that such violation shall not be deemed a continuing class c violation of record beyond the time that the conduct constituting such violation occurred." We believe that this language clarifies as was our intent and the Council's intent that an Association may apply for, and if work is eligible, receive J-51 benefits, as long as no harassment has occurred for five years, as required under Section 11-243 (10)(2) (b)of the Administrative Code.

Concerns have also been raised that this new law might overburden the court system. Let me walk through how we think this new process will work and what HPD's role will be.

The bill is very explicit as to what the term harassment will mean under the Housing Maintenance Code (HMC). It is defined as an act or omission by or on behalf of an owner that is intended to cause a tenant to vacate an apartment or which actually causes a tenant to vacate an apartment, and which includes the use of force, repeated disruption of essential services, repeatedly starting baseless court actions against the tenant, changing door locks or removing the tenant's possessions. If a tenant believes that his or her landlord is harassing them, they will now be able to file an Order to Show Cause which is a document they will receive from the Clerk's office at Housing Court. The Court Clerk will provide assistance in filling out the Order to Show Cause. The Order to Show Cause will be presented to a Housing Court Judge for review and the judge will determine if the harassment complaint meets the minimum criteria to be heard in Housing Court. If it does, the Court Clerk will calendar the hearing. When the tenant and landlord appear on the subsequent date, the tenant must provide proof of service on both the landlord and

HPD. HPD is a party to every tenant-initiated action in Housing Court except for NYCHA buildings, and has attorneys stationed in each borough's Housing Court. In most current HP actions, our attorneys will conference the matter with the tenants and landlord and try to work out a consent order. Also, if judges have questions or concerns about a particular case, they will ask our attorneys to become more involved in a case, even if the tenant has their own attorney.

The Housing Court Judge will generally issue an order to correct on consent. If a case is highly contested then it goes to trial. If a landlord does not correct the condition (stop the harassing behavior), tenants may request that the case be restored to the calendar for additional relief in a supplemental proceeding. That could mean a further order to correct, contempt and civil penalties. If a supplemental proceeding is initiated HPD's attorneys play a more active role and may participate in any trial or settlement that occurs.

In Fiscal Year '07, there were 8,479 tenant initiated proceedings filed in which HPD appeared. Of these, 6,383 were new tenant actions and 2096 were supplemental proceedings.

While there will be some increase in HPD's workload, we have not requested additional attorneys or paralegal staff and have not projected any additional cost to the agency.

Thank you. We will now answer your questions.

FOR THE RECORD

TESTIMONY

SUBMITTED BY

THE COMMUNITY HOUSING IMPROVEMENT PROGRAM

INTRO # 627- A CONCERNING HARASSMENT

FEBRUARY 7, 2008

This testimony is submitted in reference to the amended version of Intro 627 regarding harassment. The Community Housing Improvement Program, or CHIP, is an organization that represents small and medium sized owners of multi family property in New York City. One of CHIP's principal objectives is to assist owners in understanding and meeting their obligations under the law.

CHIP continues to oppose this legislation as it creates burdensome consequences against which an innocent owner can only defend with difficulty. And it does so in the absence of objective data from existing anti harassment programs demonstrating a continuing or large scale problem. Finally numerous existing mechanisms are already available to a tenant to address actual incidents of harassment.

Intro 627-A, can become less burdensome with minor adjustments as follows:

Establish a threshold number of units below which the intro will not apply. This would limit the potentially devastating impacts on small owners.

Since one major concern addressed in 627 is the possible impact on tenants when a new owner takes control of a property, limit the applicability of the Intro to a fixed period, say one year, after a new owner takes possession.

To avoid duplication of a service already available to about two-thirds of renters, the Intro could be amended to address only those apartments not already covered by the Rent Stabilization Law or the City Rent and Rehabilitation Law.

The Intro contains a provision wherein after a given number of meritless complaints by a tenant, the tenant could be barred from making a current complaint. In counting the number of such meritless complaints, 627 should include harassment complaints made to the State's Division of Housing and Community Renewal.

Language should be clarified that allowable, legally authorized actions of the owner (such as a luxury decontrol action, or a request for access for repairs, or

for non renewal of leases as allowed by law, collection of back rent) do not constitute harassment. As now worded, the owner will still be open to claims of harassment on these grounds; he is merely given the opportunity to defend against such claim ("is it warranted") in court. It makes each such legal act of the owner subject to a second form of challenge. The first challenge would be as provided in the applicable section of law establishing a procedure, and the second could be the harassment claim.

This leads directly to the next concern which is the effect on the Court system. You are aware of the strongly-worded letter from the Office of Court Administration concerning 627. We share this concern and recommend that the focused applicability discussed above is responsive to those concerns.

In considering these recommendations, please note the context. The existing harassment procedure at DHCR is the best evidence available to determine the extent and seriousness of harassment in this city. From that data (1,700 filings in the last five years, with less than 5% found to be sufficiently egregious as to warrant a finding of harassment), it is clear that the steps above could be taken while still allowing the Council to meet its goals.

CHIP stands ready to assist the Council in meeting its goals on this issue in a way which recognizes that the great majority of owners do not engage in harassment, and which does not impose undue burdens on innocent owners.

February 7, 2008

The Council of the City of New York
Office of the Speaker
City Hall

FOR THE RECORD

Re: Int No. 627

My name is Jack Sanzone & Family

My address is 70-11 66th Street, Apt. 3R, Glendale, Queens, NY 11385

I've lived at this address from 1990 to present. My rent is $893.24 a month. I am a rent stabilized tenant. My landlord's name is Mrs. Frieda Petschauer. Her daughter is her agent, Helga Petschauer. They live at 78-28 84th Street, Glendale, NY 11385.

We have had a number of problems with said landlord in the past. She has harassed us with thugs that she has put in the building to get us out.

1. Thomas Florio – a convicted felon, police record. He lived in Apt. 3L

2. Basilio Torres – arrested for possession of drugs with intent to sell and illegal handgun. He lived in Apt. 3L and 1R

3. Ivan Daviliva – cousin of Torres. Evicted for nonpayment of rent. He lived in 3L.

This landlord has asked tenants to testify against us, turning tenant against tenant.

My biggest problem has been getting heat. Heat can be used as a weapon to get tenants out of rent stabilized apartments, either by under heating or over heating.

We have a repeat tenant in the building that has been in 70-11 66th Street under the same landlord 3 times. Her name is Debra Lynch. She came here in 1993, 1995 and 2004. She is the janitor of the building and is also a school crossing guard who works out of the 104 Prescient in Queens. Every time she has been in the building she has had something to say about me and my family. This time she claimed to be more than a crossing guard and has threatened me with her job. She is a janitor trying to get me out of my apartment so she can get more money from the landlord. She uses Debra like a bounty hunter. This person was reprimanded by her supervisors but she needs to be fired. She is constantly involved in the building and she also controls the heat in our building because the landlord put a second thermostat in her apartment (2L) so she can turn it on and off at her whim. She and her family are professional witness for the landlord. She also interfered with a 911 call by calling someone at the prescient to find out who in the house called 911, in which I heard her say good for him, he deserves it.

The landlord shares information with her about everyone in the building. The landlord also gave her information about my finances. This is the kind of harassment that needs to be addressed by passing this bill.

SUPERVISOR'S COMPLAINT REPORT / COMMAND DISCIPLINE ELECTION REPORT

PD 468-123 (Rev. 2-99)-Pent.

Command Ser. No. ~~19~~ 20/05

Schedule: ☒ A ☐ B

From: INTEGRITY CONTROL OFFICER 104 PRECINCT

To: COMMANDING OFFICER 104 PRECINCT

Subject: **REPORT OF VIOLATION OF THE RULES AND PROCEDURES.**

Member Complained Of:	Rank	Full Name	Tax. No.	Command
	S.C.G.	DEBRA LYNCH	387015	104

Location where violation occurred	Time	Date	Day of Week
70-11 66STREET	1000	12-11-04	SATURDAY

Complainant (If any):	Name and Address	Telephone Number

Details of Violation: SCHOOL CROSSING GUARD DEBRA LYNCH FAILED TO ADHERE TO N.Y.P.D. GUIDELINES CONCERNING C.P.R. BY WAY OF USING PROFANITY TOWARDS A CIVILAN.

The Member was ☑ was not ☐ warned and admonished, and

was ☑ was not ☐ instructed in the proper performance of duty and/or procedure.

Signature of supervisor preparing report	Rank	Command	Date
L.T.	LT.	104	3/1/05

FOLLOW-UP

☐ Unsubstantiated

☒ Command Discipline Accepted

☐ Charge and Specifications
Precinct Ser. No.____

☐ Command Discipline Review Panel

Final Disposition	Rank	Signature of C.O.	Command
GUILTY	CAPT		104

Instructions:

Commanding Officers must investigate and report disposition under FOLLOW-UP.

If a schedule "B" violation is substantiated, send a completed copy of this report (Front and Rear), to the Department Advocate's Office and the Disciplinary Assessment Unit.

COMMAND DISCIPLINE REPORT / ELECTION

Command Ser. No. ~~19~~ 20/05

Member's Name	Rank	Tax No.	Assignment
DEBRA LYNCH	S.C.G.	387015	SCHOOL CROSSING GUARD

Investigation has been completed concerning the violation charged herein. The finding and the disciplinary action recommended are indicated below. You may accept the finding and the proposed disciplinary action; or accept the finding but appeal the proposed disciplinary action to the Command Discipline Review Panel for final determination; or decline to accept the finding and the proposed disciplinary action in lieu of a statutory hearing on written charges before a Trial Commissioner. You must complete and return this form to the undersigned within three working days.

Summary of Investigation and Disposition of Complaint:

ding	Disciplinary Action Recommended
GUILTY	WARN + ADMONISH

nk	Signature of Commanding Officer	Command	Date
CAPT		12	3/1/05

) BE COMPLETED BY MEMBER CHARGED:

nderstand that I do not have to accept the finding and the disciplinary action recommended by my commanding officer or unit head. y right to have this matter reviewed as to the proposed disciplinary action only, by the Command Discipline Review Panel, and my right a statutory hearing before a Trial Commissioner have been explained to me and I Hereby voluntarily:

☒ Accept the finding and the proposed disciplinary action.

☐ Accept the finding but elect to have the disciplinary action reviewed by the Command Discipline Review Panel.

☐ Decline to accept any disciplinary action without a statutory hearing.

y decision arrived at relative to this case is apart from and does not preclude further exercise of management prerogative such reduction in grade, transfer, reassignment, etc.

ce's Signature	Date	Witnessed By: (Name, Rank, Shield)
Debra Lynch	3/1/05	P.O. [illegible] #[illegible]

scheduie "B" violation is substantiated, send a completed copy of this report (Front and Rear), to the Department lvocate's Office and the Disciplinary Assessment Unit.

Complaint Report (CCRB)

CCRB Case No :	200503688	**C/V Report Date :**	04/07/2005 12:08 PM
Complaint Type :	OCD	**Investigator :**	Not Assigned
Complaint Made At :	CCRB	**Ref. No :**	04-37306
Received Date (CCRB) :	04/07/2005 12:08 PM	**Mode :**	In-person
Incident Date :	12/11/2004 8:00 AM	**Location :**	Residential building
Place of Occurrence :	70-11 66th Street	**Precinct :**	104
		Boro :	Queens

Reason for Initial Contact : Other

Charges : No arrest made or summons issued

Complainant/Victim Details

Name : Jack Sanzone **Type :** Comp/Victim
Address : 70-11 66th Street Ridgewood NY 11385, USA
Contacts : (718)-381-9161 Phone(Home)

Gender : Male **Ethnicity :** White **Date of Birth :** 09/28/1952
Person Assisting :
Injury Details :

Officer(s) Named in Complaint

Rank	Officer	S/W Officer	Tax No	Race	Cmd	Allegations/Board Dispositions
	Debbie Lynch	Subject Officer				

Initial Complaint Narrative

Jack Sanzone stated that School Crossing Guard Debbie Lynch lives in his building and he has been having ongoing problems with her. On 12/11/04, there was no heat in his apartment so he called the landlord, who responded to his apartment with someone from the heating company. Mr. Sanzone got into a dispute with the heating company employee and the employee and the landlord left the apartment. The landlord and employee were speaking with Ms. Lynch. They were speaking about Mr. Sanzone in a derogatory manner. Mr. Sanzone told the three individuals that he could hear their conversation. Ms. Lynch replied, "You can't fuck with me because I'm with the NYPD" or words to that effect.

Mr. Sanzone also complained that he had been receiving harassing telephone calls and reported it to the 104th Precinct Detective Squad. The detectives assigned to his case have not done anything about his harassment complaint. Date of occurrence unknown.

Witness

January 2, 2007

State of New York
Division of Housing and Community Renewal
Office of Rent Administration
Gertz Plaza
92-31 Union Hall Street
Jamaica, NY 11433

To Whom It May Concern:

I have been having a lot of problems with an employee of the 104th Precinct in the past year. This is because of a crossing guard stationed there, one Debbie Lynch. She currently resides in 70-11 66 St. 2L, the same building I live in, as of 11/04. This is not the first time Mrs. Lynch has lived at 70-11 66 St. She has occupied apartment across from me, 3L, in 1993 and 1995. Each time the landlord of the building has been Freida Petschauer. When Mrs. Lynch has lived at 70-11 66 St. she has had several confrontations with me. She has harassed me over falsehoods, telling the landlord my apartment had roaches. The most recent series of confrontation started with an incident that occurred on 12/11/04, involving Helga Petschauer (the landlord's daughter and an agent of the building), Mrs. Lynch, an employee of Martin Fuel and myself. I will submit an accompanying document from the Civilian Complaint Review Board and from the Public Advocates Office that explains the incident in detail. Below is an outline of events that have occurred since 2/11/04 involving Mrs. Lynch and the Petschauers.

On October 22, 2005, I called 311 because we had no heat. The temperature outside was 53, raining, chill. The temperature inside my house was 64 or 65 at 2:00 pm. When Freida Petschauer received the letter from HPD, informing her about my complaint, she called and told me she and her daughter were outside till 12 midnight because the boiler wasn't working. That was a lie because I asked her daughter about the boiler, and she said it was not broken. We also had hot water at the time, something that wouldn't have been possible if the boiler was broken. Freida Petschauer then went on to say that I should not call 311, but call her because she did not want to get a violation. I told her that if you would not send any oilmen from Martian Fuel to threaten me and if Debbie Lynch would not get involved, I would have.

On November 10, 2005 it was 53 degrees in the morning; I did not call 311 because I saw Freida Petschauer and her daughter Helga cleaning the hall. I asked them what happened to the heat. She said, "I'll call the oilman." I went out and when I came back the heat was on and there was no oilman, Helga turned it on. They left and I went upstairs. At about 3:30 pm I heard the door bell and it was Helga and the oilman from Martin Fuel at my door. She asked if the oilman could see if my radiators were hot, I said they were and I said thank you, and they went downstairs to the 2nd floor where Mrs.

Lynch met them. I listened from my door as Helga discussed my financial affairs with Debbie and the man from Martin Fuel. She told them that she did not like that I changed my checking account and she did a credit check and found that I had a bankruptcy and said that she got it from AOL. They laughed and Debbie said "I hope you kick him in the pants."

On Saturday, November 12, 2005 at 8 am I went downstairs to tell the landlord that I was home so that the exterminator could come up. When the exterminator left, I asked Helga to come in and I confronted her about the credit check. She told me in front of my wife and son that she only does that for new tenants but I could see my question had struck a nerve. She then charged through my home feeling the radiators and making remarks about why was I wearing a short sleeve shirt in the house and this is not what you wear in the winter, etc. Who is she to tell me what to wear in my house? Later on, after she had left, I ran into a person who lives in the building. This person told me that landlord asked this person to testify against me and my family in court. The person said "No, he is a good person and has a nice family." She got upset at that statement. Mrs. Lynch and her husband were only too willing to testify against us, I heard her tell Helga Petschauer that she would.

On 12/14/05 there was no heat in the building. It was one of the coldest days of the year and I made a complaint to 311. The heat in the building didn't come up until 8:00 pm that night. On 2/22/06 I went to the 104th Precinct to make a complaint against Mrs. Lynch. The complaint was about her use of a police scanner to interrupt my phone calls on a cordless phone. I spoke to Captain Shanely who then had me talk to Sergeant Webber, who is the Head of Community Affairs. I went to Sergeant Webber's office, located in the basement of the 104th Precinct, and gave him a detailed report on Mrs. Lynch and her relationship with the Petschauers. In the report I mentioned that I suspected Mrs. Lynch of jamming my phone calls. After I finished talking to Sergeant Webber he told me to call the 104th the next day in order to get a police report.

When I called the office of the 104th they told me they had given the report back to Sergeant Webber. The next day Sergeant Webber called me an informed me that they had lost the report and that I should come to the 104th to fill out another one. On 2/24/06 I filled out the second report with Police Officer Garland. While I was talking with Police Officer Garland I noticed the Mrs. Lynch was in the 104th Precinct. She was talking with her boss Lenny O'toole and she pointed to me and said "That's the one." I feel that she was called down when I made my fist complaint, which was lost. I'm disturbed by the situation at the 104th Precinct. I feel my civil rights are being violated because my private report is being show to Mrs. Lynch before it goes through the proper channels. I recently received my copy of the report from 1 Police Plaza. The facts I told them at the 104th and the facts on the one I received are different.

One day I was looking out my window for my wife and Mrs. Lynch and her family happened to be outside. She pointed to me and said "See, there he is. Don't worry; me and the landlord are going to get rid of him." I take that as a threat to my family's well being and am appalled that she would make such a statement. Based on that and the incidents listed above I feel that Mrs. Lynch is acting as a paid informant for the Petschauer's and is using her employment with the New York City Police Department as an intimidation factor. I have the utmost respect for the New York City Police Department and have never has trouble with them until Mrs. Lynch moved back in.

In the recent months the Landlord decided to convert the old oil heating system to gas heat, she informed me that it would be cheaper. The work to accomplish the heating conversion started in May and took a long time finish. It wasn't until the end of September that I was told the work had been complete. One day in September I was sitting on the stoop of my apartment building when an employee of Con Edison arrived to check the meters. I let him in and brought my garbage to the basement while he checked the meters. While he was working he noticed a Flex Pipe attached to the gas meters that feed directly into 2L. A Flex Pipe is illegal and the Con Edison employee called Keyspan, I also placed a call to Keyspan. Keyspan came to investigate and found that the work done by the plumbers was incorrect and shut the heating system down. This resulted in the hot water being turned off because of the illegal Flex Pipe. The matter was solved between Keyspan and the plumbers when the Flex Pipe was replaced with the right piece of equipment.

In October of 2006 I asked Helga if the heating system would be functioning properly now that the cold weather was soon approaching. She responded, "Well, I hope so." On October 13th 2006 new linoleum was put down in my kitchen. After the carpenters who installed the linoleum left, my bell rang. It was Helga and she wanted to check to see if the work was done correctly. It had been cold that day and I asked Helga why we hadn't received any heat. She said that she would go down to the basement and turn it on. She also informed the other tenants that she was going to turn the heat on. In the days to follow the temperature outside was 70 degrees, yet the heat was still on in the building and was one for the next three days. I informed Helga about the over heating and that it was a danger, I also said that she should set the thermostat to 71 degrees, but she put it on 70 degrees instead. After that there was no heat in the building for the next few days and I had to call her to put it on. I tried to solve this diplomatically with out having to call 311.

On November 20, 2006 I asked Helga why the heating was so sporadic. She told me that the heating system was fine and it was on a timer. Over the next few nights the heat did not come on. The heat did come on during the morning of Sunday November 26, from exactly 5:00 AM to 10:30 AM; then again Monday the 28th, from 6:50 AM to 10:30 AM and Tuesday the 29th, from 7:00 AM to 10:30 AM. Because the heat from radiators stops abruptly at 10:30 AM, I'm lead to believe that somebody posses control of a thermostat in their apartment. I believe that the landlord installed a thermostat in Debbie Lynch's apartment when the heating system was converted from oil to gas and is having her control the heating of the apartment.

On December 18th I was leaving my apartment to go to a doctor's appointment at 9:00 AM. As I was leaving I ran into the landlord and her two daughters, along with Ed Kelly (a plumber from Central Plumbing). They corned me and began to threaten me with charges of harassment because of a complaint I made to 311. Ed Kelly said the he wanted to see my apartment to get a temperature reading. My son, Peter Sanzone, was present in the home and was witness to the excuses Ed Kelly made for the landlord about the heat not coming up. He also said that he knows people at HPD and that he was going to get the problem fixed.

According to the Tenants Rights Guide, Real Property Law 223-b states that retaliation is prohibited if a tenant makes a good faith complaint to a government agency about violations of any health or safety laws. After Ed Kelly reset the thermostat the heat came up the next day at 5:00 AM and shut off at 11:30 AM. The apartment was also heated from 9:30 PM to 11:00 PM at night. This is the correct procedure for heating and it continued for several days. Recently the heating has been sporadic, coming on at 9:30 AM and shutting off at 10:00 or 10:30 AM. This coincides with Debra Lynch's vacation and time at home.

I would like an investigation into this matter. I am tired of being harassed by Debra Lynch, Ed Kelly and any other people used by the landlord to threaten me into silence.

Sincerely

Jack A. Sanzone

consent

copy rec'd
Copy rec'd

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS: HOUSING PART C

DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT OF THE CITY OF NEW YORK,

Petitioner,

-against-

FRIEDA PETSCHAUER

Respondent(s).

ORDER AND JUDGMENT

Index No.: L&40707

Premises:
70-11 66 STREET
QUEENS, NY 11385

P R E S E N T: HON. Marian Doherty
J. H. C.

The issues in this action for an Order to Correct and Civil Penalties having duly come on to be heard for (inquest) (trial) (settlement) before me the 19 day of Dec 2007 in the Housing Part of this Court, petitioner Department of Housing Preservation and Development of the City of New York having appeared by Deborah Rand, ESQ., YUE TING DENG, of counsel, Frieda Petschauer ~~(no one)~~ appearing in opposition thereto,

Now, upon motion of Deborah Rand, ESQ., YUE TING DENG, of counsel, all papers, proceedings and exhibits herein, and after conducting a hearing upon the issues herein, and after due deliberation, it is hereby

Ordered, adjudged and found that the respondent(s) listed below have been duly served with the Order to Show Cause and Verified Petition filed herein; that the petitioner has proved that it is entitled to an Order to Correct and Civil Penalties pursuant to Subchapter 2, Article 8 and Subchapter 5, Articles 2 and 4 of Chapter 2 of Title 27 of the Administrative Code of the City of New York; and

Now, upon the consent of all the below named parties, it is hereby agreed that respondent(s) (was) were properly served with the Order to Show Cause/Notice of Petition and Verified Petition filed herein, received proper notice and consent(s) to the personal jurisdiction of the court for this proceeding; and it is further

Ordered (and adjudged) that
FRIEDA PETSCHAUER
78-28 84TH ST, GLENDALE, NY, 11385

and (her) (his) (their) (its) agents and employees, shall forthwith:

1) Provide heat during the period from October 1 through May 31, so as to maintain in every portion of the subject premises used or occupied for living purposes:

i. A temperature of at least 68 degrees Fahrenheit whenever the outside temperature falls below 55 degrees Fahrenheit, between the hours of 6 a.m. and 10 p.m.; and

ii. A temperature of at least 55 degrees Fahrenheit whenever the outside temperature falls below 40 degrees Fahrenheit, between the hours of 10 p.m. and 6 a.m..

2) Supply every bath, shower, washbasin and sink in every dwelling unit with hot water at a constant minimum temperature of 120 degrees Fahrenheit, twenty-four hours per day.

3) Provide access to the boiler area for the petitioner's inspectors and/or contractors, and post proper notices relating to access to the boiler area pursuant to the Multiple Dwelling Law and the Housing Maintenance Code.

4) Remove any device on the heating system which is capable of causing the system to become inoperable or to provide less than the minimum legal requirements of heat and/or hot water and maintain the system free of any such device; and it is further

Ordered (and adjudged) that each day or portion thereof on which the respondent(s) or other person(s) subject to the mandates of this Order and Judgment fail(s) to provide heat or hot water as required by paragraphs 1 and 2 above, fail(s) to provide access to the boiler area for petitioner's inspectors and/or fail(s) to post an access notice, as required in paragraph 3 above, or fail(s) to maintain the heating system free of any device that is capable of causing the system to become inoperable or provide less than the minimum legal requirements of heat and/or hot water, as required in paragraph 4 above, shall be deemed to be a contempt of this Order and Judgment, which will subject the respondent(s) to the contempt powers of this Court. In addition, petitioner may seek additional civil penalties for any violation of any of the terms herein; and it is further

~~$ [illegible]~~ $250.00

Ordered (and adjudged) that the civil penalties claim in the petition in this matter is settled for the sum of ~~$ [illegible]~~ $ 500.00 to be paid by certified check, attorney's check or money order payable to "DHPD", subject to the approval of the Comptroller of the City of New York, subject to collection on or before Feb 20, 2008. THE ADDRESS OF THE SUBJECT PREMISES AND THE HP INDEX NUMBER SHOULD BE WRITTEN ON THE CHECK(S). The payment is to be mailed to: DHPD, 100 Gold St., 3rd Fl., New York, New York 10038, Attn: Nina Hodge. And it is further

Ordered (and adjudged) that, if respondent(s) default(s) in any of the payments provided herein, petitioner may, after eight (8) days written notice of default to respondent(s) or, if represented by counsel, to respondent(s) attorney, enter judgment against respondent(s) jointly and severally for the full amount sued upon herein, $ 1,000.00, and said judgment shall be entered as a lien against Block 03648 Lot 0041 and petitioner shall have execution thereon; and it is further

Ordered (and adjudged) that the ex-parte affirmation of the attorney for the petitioner, DHPD, with regard to such default shall be sufficient to have judgment of default of payment entered by the Clerk of the Court; and it is further

Ordered (and adjudged), upon agreement by and between the Department of Housing Preservation and Development and Respondent(s)

1. Frieda Petschauer Address 78-28 84 St
Glendale, NY 11385

2. _____ Address _____

_____

3. _____ Address _____

_____

and the Attorney for all Respondent(s), _____

Address _____

that the above-named respondent(s) consent to service of any papers and/or process by regular mail at the address(es) indicated above for all actions and proceedings arising from the subject of this Order, including the commencement of any action or proceeding brought to enforce, uphold and/or monitor compliance and to punish non-compliance of this Order, including but not limited to actions or proceedings for civil and/or criminal contempt of the within Order.

DHPD v. FRIEDA PETSCHAUER et al/ 1040/07

We hereby consent to entry of the above Order and Judgment.

Dated: 12/19, 2007

HPD by Deborah Rapid, ESQ.
YUE TING DENG of Counsel

Attorney for all Respondent(s)

Frieda Petschauer
Respondent

Respondent

Respondent

SO ORDERED:

Dated: 12/19/07

Marjan Doherty
J.H.C.

ENTERED:

Jack Reay
Clerk

Dated:

OHP Form 1 - Part B (Rev 12/02)

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT

DCE/ QUEENS BORO OFFICE
120-55 QUEENS BLVD Room 1320
QUEENS NY- 11415

COMPLAINT NO	HOUSE NO	STREET NAME	BOROUGH	APT.NO.	DATE RECEIVED	REGISTRATION NO
3957921	70-11	66 STREET	QUEENS	3R	11/07/2007	402850

Mailing Address of Complainant:
JACK SANDONE
70-11 66 STREET Apt # 3R
QUEENS , NY - 11385

Mailing Address of Owner or Agent:
FRIEDA PETSCHAUER
78-28 84TH ST
GLENDALE , NY 11385

ACKNOWLEDGMENT OF COMPLAINT

This acknowledges receipt of your complaint. The owner has been notified to correct the condition(s).

RECONOCIMIENTO DE LA QUEJA

Esto affirma que recibimos su queja. Hemos notificado al dueno para que el corrija esta(s) condicion(es).

Major Category	Minor Category	Problem	Location
HEATING	HEAT	NO HEAT	ENTIRE APARTMENT

Note *CALLER STATES THAT THE LANDLORD IS USING THE HEAT TO EVICT THEM FROM THE APARTMENT. THE SUPRERINTENDENT CONTROLS THE HEAT. THEY TURN IT ON AND OFF AS THEY WISH.*

You may inquire about the status of a complaint by calling 311 or HPD's Tenant Information Message Service at 212-863-8307.
NOTE: If your landlord does not correct the condition(s), you have the right to initiate a tenant action against him/her in Housing Court. The Court has the authority to order the landlord to correct the condition(s) and can assess penal-ties for failure to comply. There is a $45.00 fee to file, which the Court may waive if you are unable to pay. For further information on the court process including the location of the Housing Court in Your Borough, call the Citywide Task Force on Housing Court at 212-962-4795, weekdays between 2 PM and 5 PM.

Usted puede adquirir sobre el estado de su queja llamando al 311 o al Servicio de mensajes de informacion para inquilinos de HPD al 212-863-8307.
AVISO: Si el dueno no corrige estas condiciones usted debe de hacer una demanda como inquilino en contra al dueno en la Corte de Vivienda. La Corte tiene la autoridad de ordenar al dueno a corregir las condiciones y imponer penalidades si no cumple. El costo de someter una aplicacion a la Corte es $45.00, la cual se puedo eliminar si usted no puede pagar. Para mas informacion sobre el procedimiento de la Corte de Vivienda en su municipio, llame al 212-962-4795, los dias de semanas 2 PM a 5 PM.

02-4-05 Ridgewood Times

Drug Probe Results In Pair Of Arrests

Police Execute A Search Warrant

by Bill Mitchell

An investigation of suspected drug peddling saw the execution of a search warrant at a Glendale apartment, where drugs and a gun were recovered, police reported.

Two suspects, a man and woman, were arrested.

According to police, the probe had focused on one of the suspects, identified as 31-year-old Basilio Torres of 66th Street, based on information obtained by the 104th Precinct's Street Narcotics Enforcement Unit (SNEU), under the supervision of Sgt. Claudio Ramirez.

Police said that Torres was placed under surveillance and subsequently taken into custody. Allegedly, he was observed at a drug-prone location with an intent to sell cocaine.

—See SEARCH on Page 41—

Search

—Continued from Page 3—

As the investigation continued, a search warrant for the suspect's residence was sought and obtained by P.O. Donald Haines of the 104th's SNEU team, police said.

Armed with the search warrant, police executed it shortly after 7 p.m. at the apartment on 66th Street in the vicinity of Central Avenue.

Allegedly, a large quantity of cocaine and marijuana was recovered, along with a 9-mm pistol.

Police said that a second suspect, identified as 28-year-old Tabitha Mullins, was placed under arrest.

Police said that in addition to the drugs and firearm, the seized items included drug paraphernalia—various types of packaging, a scale and bottles of white powder cutting agents—and $2,710 in cash.

ANTI-HARASSMENT BILL
Housing Committee
Chairman Dilan
City Council, City Hall
NY, NY 10007

FOR THE RECORD

My name is Tom Cayler, I live at 525 West 45 Street in Manhattan. I'd like to thank Chairman Dilan for having this hearing, and I like to take the opportunity to thank Speaker Quinn for her help in our rather storied battle with several landlords over many years. I would certainly appreciate it if you would thank Ms. Melanie LaRocca for us. Her help has been invaluable.

I have lined in my loft unit in Hells' Kitchen since 1979. In the last four years we have had five landlords. They all come in with the same idea: Kick out the deadbeat artists, and make a killing in mid-town. Once they realize we are protected by the Loft Law and the Clinton Special District, they look for other means to displace us.

I could go through a litany of harassment tactics: For instance our elevator has been shut down for more than three months with no restoration in sight. This virtually traps one of our 83 year old tenants in his unit, but for today let me focus on one of our attempts to stop the harassment by going to court.

May First of 2004, we received a letter from our then landlord, Stavros Papaioannou, stating, " . . .you are not entitled to be there any longer, you have been there long enough . . ."

Tom Cayler
525 West 45, NY,NY 10036-3414
212-397-9305:tacayler@verizon.net

On May Fourth of 2004, the DoB issued a Letter of No Objection for an Auto Body Shop in the ground floor of the building. A twenty-four hour a day seven day a week cab stand moved in immediately. They ran cabs, and they spray painted cars in the building.

We filed an Unreasonable Interference application with the Loft Board.

One and a half years later, when we had our day at OATH, Administrative Law Judge, the Honorable Donna R. Merris ruled:

That the, and I quote, "commercial tenant's spray painting action constitutes a breach of the warranty of habitability . . ."

That part sounds good. But there was a "but."

"But since owner was ATTEMPTING to cure the violation by all legal means, ALJ recommended dismissal of application." End quote.

In other words, Judge Merris's message to unscrupulous landlords is, "Do anything you want, if your tenants should have the temerity to take you to court, all you have to do is just promise to ATTEMPT to fix the problem and I will throw the tenant's case out even if they have proved you violated the Warrant of Habitability."
We encourage you to pass this anti-harassment bill, and, again, Speaker, thank you and your staff for all the help you have given us.

Tom Cayler
525 West 45, NY,NY 10036-3414
212-397-9305:tacayler@verizon.net

STAVROS PAPAIOANNOU

STAVROS PAPAIOANNOU
2600 NETHERLAND AVE #2022
BX NY 10463
PAPAIOANNOUC@AOL.COM

May 1, 2004

Dear tenant,

Concluding our meeting on May 1,2004, there are two choices regarding your residence. First choice is the good way, which consists of taking the amount shown below, and not go through any legal processes, or your second choice ,which consists of any legal documents or processes done through any Lawyers, city clerks, etc...they all will be charged at your own expense.

I will repeat myself in stating that you are not legally entitled to stay any longer, you have been there long enough. I am granting you a month's time to decide.

The amount for your residence is $12,000 (Twelve Thousand Dollars) This amount is only given through good faith, and will not be collected if you pass your month's limit to decide.

P.S. Invitations were sent to all the IMD tenants
Prior to attending our meeting in the courtyard
On May 1,2004 at 12:00 Noon

Sincerely,

Signature

Matter of 517-525 West 45th Street Tenants' Association

OATH Index No. 1061/06 (Apr. 16, 2007)
[LFT. Bd. Dkt. No. LI-0034]

Tenants filed application seeking a finding that owner's failure to stop commercial tenants' use of space as auto body/auto repair shop constituted unreasonable interference. ALJ found commercial tenant's spray painting action constituted a breach of the warranty of habitability, but, since owner was attempting to cure the violation by all legal means, ALJ recommended dismissal of application.

NEW YORK CITY OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

In the Matter of
517-525 WEST 45TH STREET TENANTS' ASSOCIATION
Applicants

REPORT AND RECOMMENDATION

DONNA R. MERRIS, *Administrative Law Judge*

This application seeks a finding of unreasonable interference with the use and occupancy of the applicants' space pursuant to Article 7-C of the Multiple Dwelling Law and title 29, section 2-01 of the Rules of the City of New York (RCNY).[1]

The original application was filed with the Loft Board on June 3, 2005. Notice to the affected parties was mailed on June 20, 2005 with notice of answers due on July 16, 2005. A subsequent notice of application and of opportunity to answer was mailed to the affected parties on September 7, 2005, with answers due on October 12, 2005. On October 14, 2005, the Loft Board Director of Hearings notified the then-owner of the premises, Starvos Papaioannou, that he was deemed to be in default because he had failed to timely file an answer to the application. Mr. Papaioannou did not file a motion for relief from the default, nor did he make any appearance in the instant proceeding. The premises were sold to RW 45, LLC and VB 45 LLC, the current owner of the building, by virtue of deed dated January 17, 2006. Pursuant to agreement among the parties,

[1] As there are tenants in the building who are not covered under the Multiple Dwelling Law, but are members of the Tenants' Association, the covered tenants who are members of the Tenants' Association are the parties to this proceeding. Those tenants are: Edward Ashley and Alfreda Lewis Ashley, Michael St. John, Tom Cayler and Clarice Marshall, Marianne Giosa, Douglas Kelley, Tony Mysak and Marybeth McKenzie, Daniel Schneider and Charlotte Pfahl, and Roselle Kaplin and Russell Farnsworth. *See* Letter from prior counsel for the applicants, Margaret Sandercock, Esq. dated July 14, 2006.

RENT STABILIZATION ASSOCIATION • 123 William Street • New York, NY 10038

TESTIMONY OF THE RENT STABILIZATION ASSOCIATION
IN OPPOSITION TO INTRO. 627-A

FEBRUARY 7, 2008

My name is Frank Ricci, Director of Government Affairs for the Rent Stabilization Association. RSA testified previously against Intro. 627. The amended bill, Intro. 627-A, is as fundamentally flawed as the initial version and RSA is opposed to this bill as well.

Harassers must and should be prosecuted to the fullest extent of the law and there are already numerous criminal and civil laws on the books that provide for meaningful punishments. All laws, including those that target harassers, must be crafted to ensure that they accomplish their intended purpose. Intro. 627-A fails in that regard.

Intro. 627-A is based upon a misperception that every act or omission by an owner constitutes harassment in one form or another. In this instance, perception is **not** reality.

Most seriously, the bill will clog Housing Court calendars, hurting both owners and tenants alike, and is of questionable legality. Intro. 627-A remains fundamentally flawed because it allows unfiltered harassment claims to be brought by tenants in Housing Court. The effect is that tenants will be able to bring harassment claims, regardless of merit, in Housing Court. They will be able to do so in one of two ways: either by bringing these cases themselves in the first instance as tenant-initiated actions or by claiming harassment as a defense in any of the more than 300,000 Housing Court cases that are brought each and every year by property owners. Housing Court will grind to a halt and, as it does so, housing will suffer as owners are unable to obtain the rental funds critical to the maintenance and operation of their properties.

If you doubt the legitimacy of our concerns, we urge you to consider the views of the State's Office of Court Administration, which oversees the Housing Court in the City of New York. As Judge Ann Pfau, the Chief Administrative Judge of the State of New York, wrote to Chairman Dilan on December 17, 2007:

> We are therefore very concerned that the creation of a new cause of action will impair the ability of the Court to handle its existing workload. I therefore respectfully suggest that the creation of a new cause of action in the Housing Court is best left to the State Legislature, which is responsible for providing fiscal support for the courts, and which could, if it were to impose such additional duties on the Housing Court, also ensure that the Court is given the necessary resources.

The letter from the Chief Administrative Judge of the State of New York speaks for itself.

Intro. 627-A is being advertised as responsive to these concerns because it appears to require, as with other tenant-initiated actions, the approval of a Housing Court judge to sign an order to show cause before the case can proceed. The reality, as anyone familiar with Housing Court knows, is that these orders are signed routinely so that tenant complaints about housing conditions can be inspected and addressed. Intro. 627-A also fails to address the more critical problem, which is the potential mis-use by tenants of harassment claims as a defense in Housing Court cases brought by property owners.

In considering this legislation, the Council should also understand that the use of the Housing Maintenance Code in the manner proposed by Intro. 627-A is unprecedented. The Housing Maintenance Code was intended to address housing conditions, not misconduct such as harassment. The Council's decision to use the Housing Maintenance Code as the vehicle for harassment cases required that the bill be massaged to fit into a structure that just does not work, like a square peg in a round hole. That may be why other approaches were taken previously by the Council, such as in 1982 when it adopted the Illegal Eviction Law, to make this type of misbehavior punishable criminally as a misdemeanor in the Criminal Court, and again in 1983, when the SRO Anti-harassment Law was adopted to provide for administrative hearings and punishment by HPD and the Buildings Department.

The purpose and structure of the Housing Maintenance Code is based upon maintenance standards for specific physical conditions (such as heat and hot water, lead paint, etc.), inspections to determine objectively whether those maintenance standards have been met and penalties and enforcement for their violation. It was only for those enforcement purposes that the jurisdiction for Housing Maintenance Code claims was vested in the Housing Court. There is no dispute that the Council can legislate against harassment. However, if the goal is to amend the Housing Maintenance Code so that Housing Court would have jurisdiction over harassment claims, we agree with the Chief Administrative Judge of the State of New York that State legislation and not local legislation is appropriate.

Once again, RSA urges the Council not to approve Intro. 627-A.

State of New York
Unified Court System

25 Beaver Street
New York, N.Y. 10004
(212) 428-2100

Ann Pfau
Chief Administrative Judge

December 17, 2007

Hon. Erik Martin Dilan
Chair, Committee on Housing and Buildings
City Council
250 Broadway, 18th Floor
New York, New York 10007

Dear Chairman Dilan:

I am writing to express concern over the potential impact of a proposed local law (Int. No. 627) on the operations of the Housing Court. The proposed local law would amend the Administrative Code of the City of New York to prohibit landlords from harassing tenants and permitting tenants to seeks an order restraining landlords from engaging in harassment.

Our concern is that this proposed local law would impose additional burdens on the already severely overburdened Housing Court. Each year more than 300,000 new cases are filed in the Housing Court. The Court has finite resources with which to address this substantial caseload. There are only 50 Housing Court Judges citywide. Each day, there are approximately 60 cases on each Judge's calendar. The Court also has severe space limitations, particularly in the Bronx. The very high percentage of self-represented litigants in this court imposes additional responsibilities on Housing Court Judges to ensure that the litigants understand court procedures, are given accurate information, and are aware of the effect of stipulations and settlement orders.

We are therefore very concerned that the creation of a new cause of action will impair the ability of the Court to handle its existing workload. I therefore respectfully suggest that the creation of a new cause of action in the Housing Court is best left to the State Legislature, which is responsible for providing fiscal support for the courts, and which could, if it were to impose such additional duties on the Housing Court, also ensure that the Court is given the necessary resources.

Very truly yours,

Ann Pfau

Testimony of Benjamin Dulchin,
Association for Neighborhood and Housing Development
Before the City Council Housing and Buildings Committee
Hearing on Intro 627-A

February 7th, 2008

Good morning Chairman Dilan, and members of the City Council Committee on Housing and Buildings. Thank you for this opportunity to testify about the issue of harassment. My name is Benjamin Dulchin, and I am the Deputy Director of the Association for Neighborhood and Housing Development (ANHD). ANHD is a member organization of 90+ neighborhood based housing groups whose primary mission is the preservation and development of affordable housing.

I want to talk for a moment about why this bill is necessary. A few years ago, ANHD began hearing from our member groups and from constituent service staff that harassment was on the rise in the neighborhoods in which they worked. After we examined the issue, we began to realize that the nature of harassment had changed. Harassment has long been an issue in this city, but while the problem has sometimes been severe in the individual case, in the time that I have worked in affordable housing, I don't believe that severe harassment was genuinely widespread.

This has changed. In the past few years, we have seen a dramatic shift in the nature of harassment. Rather then isolated cases of conflict between an individual landlord and an individual tenant, we are seeing larger landlords and developers use harassment as a central part of their business model. Motivated by rising real estate prices in "undervalued" neighborhoods, more and more developers are purchasing rent-regulated buildings with low- and moderate-rent paying tenants with the expectation that they can push those tenants out and replace them with high-rent paying tenants. Whereas before, we saw harassment as an individual conflict, now we are seeing increasing numbers of cases where every single rent regulated tenant in the building suddenly begins to experience harassment pressure. Typically, this begins after a new landlord has purchased the building, often having paid a purchase price that can only be justified if they think they can quickly get market-rate rents for the apartments.

But the nature of harassment has not only changed in that is has become far more widespread, it has also changed in that it has become more subtle. If we imagine the older style of harassment as a dramatic illegal act worthy of a New York Post front page, the new style of harassment is a more polished business model. Today, harassment is typified by what we call "the Pinnacle model", after the now well-known developer who purchased thousands of units in Upper Manhattan and proceeded to begin repeated, baseless legal cases in housing court against one in every four tenants. It turns out that if the tenant is sued multiple times and does not have a lawyer, as 90% of tenant do not,

even if that tenant owes no rent and has not violated their lease in any way, they will often make an error or become intimidated and mistakenly sign-away their rights to their apartment.

This new model of harassment – including repeated, baseless legal cases, fraudulent legal notices, repeated pressure to accept a buy-out, denial of repairs and services, veiled or overt threats to use a tenants immigration status against them – can often be subtle, but it is also devastatingly effective. Even tenants who have some knowledge of their rights can buckle under relentless pressure, and housing groups and constituent service staff have reported many cases of whole building being emptied of their low- and moderate-rent paying tenants in a short period of time.

The problem is so severe that harassment has become a major underlying factor in the loss of affordable housing in the city. It is hard to quantify the instances of harassment because no government agency tracks it, but it is notable that last year over 13,000 apartment units were taken out of rent regulation through various loopholes. Most of these loopholes only become available when the apartment becomes vacant. This number is increasing every year. There has also been a dramatic decrease in the number of units renting for less then $1,000, a decrease that cannot be explained by Rent Guidelines Board-sanctioned rent increases. Harassment is likely a significant factor.

Incredibly, tenants currently have almost no specific protection against harassment. Two bodies – housing court and the state Division of Housing and Community Renewal – are charged with overseeing the rights of tenants, but neither agency has sufficient legal authority to address the issue of harassment.

Housing court has no legal structure to directly address the issue of harassment because there is no legal "cause of action" for harassment. Thus, tenants cannot name their problem and directly raise the issue of harassment so that a judge can address it. The DHCR has also proven to be an ineffective remedy because the agency does not have the legal authority to order injunctive relief against harassment, so the fines alone, even when actually assessed, can be ignore by a landlord as a cost of business.

I commend the members of the City Council for their work on issue.

Thank you.

Comprehensive Analysis of Intro 627-A

1) How Intro 627 was amended to make it even more fair and even handed:

- The "catch-all" paragraph in the definition of harassment in 48(g) was tightened to re-emphasize primarily serious behavior where the landlord has intent to harass.
- A requirement that tenants initiate a harassment case with an Order to Show Cause, signed by a judge, was added to Section 2(h), adding an extra step of judicial oversight.
- The Class "C" violation placed after a judicial finding of harassment will not be a continuing violation, but will be deemed to have corrected immediately.
- One and two family homes are excluded from coverage.

2) Why tenant harassment is a major factor in the loss of affordable housing:
Over the past few years, affordable housing in New York City has disappeared at an alarming rate. As market rents continue to rise in neighborhoods across the City, there is more and more incentive for landlords to use both legal and illegal methods to push out tenants who are paying less then the market will bear. One underlying reason for this loss is harassment, which has reached a crisis-level.

Anecdotal reports from tenants, community groups, and the press confirm that harassment is a severe and growing problem all across the City. It is difficult to quantify the incidence of harassment because no government entity tracks it nor monitors the problem. However, existing data suggests that harassment is both on the rise and a major factor in the loss of affordable housing across the City.

- Unnatural" Decrease in Moderate-Rent Apartments: There was a 20 percent decrease in the number of units renting for less than $1000 between 2002 and 2005 according to the *NYC Housing Vacancy Survey.*
  - 9 percent of these apartments should have migrated out of the less then $1,000 category due to the annual rent increases allowed by the New York Rent Guidelines Board.
  - The other11 percent—164,013 apartments—is an "unnatural" movement that cannot be explained by market forces alone and is likely a result of other factors, including harassment.

- Sharp Decrease in the Number of Rent-Regulated Apartments: Between 2002 and 2005, the *NYC Housing Vacancy Survey* reported that 44,000 apartments were removed from rent regulation using various legal loopholes. This number has accelerated dramatically every year, with over 13,000 rent stabilized units lost last year alone. The accelerating rate of the loss of rent-regulated units coincides with an increased use by landlords of High Rent Vacancy Decontrol. Passed in 1997, but only widely used in recent years, High Rent Vacancy Decontrol allows

landlords to permanently remove a vacant apartment from rent regulation if it has a legal regulated rent of $2,000 or more per month.

3) What types of harassment are most common?
Harassment can take many forms, but tenants commonly report the following tactics –

- Overly aggressive, "frivolous" legal cases not backed-up by the facts.
- Fraudulent legal notices.
- Threats based on the tenant's immigration status.
- Repeated pressure to accept a buy-out.
- Denial of repairs and essential services.
- Verbal and physical threats.

4) Why tenants currently have no strong tools to combat harassment:
Incredibly, tenants have almost no specific protections against these types of harassment. Two bodies—Housing Court and DHCR—are charged with protecting the rights of tenants, but Housing Court has no specific power to address harassment while the DHCR has neglected their responsibility.

Housing Court has a system in place to track violations and order landlords to make repairs. Unfortunately, Housing Court has no legal structure to directly address the problem of harassment because there is no recognized "cause of action" for harassment. Thus, tenants cannot directly raise the issue of harassment in Housing Court, either as a counterclaim or as a tenant-initiated action.

The DHCR is the only agency charged with addressing tenant harassment. However, the DHCR has proven to be an ineffective remedy. DHCR has no power to order injunctive relief and has a fine structure that is so low that the penalty for even most sever finding of harassment can easily be ignored by the landlord as a cost of business.

5) How the Intro 627–A will help tenants:
Intro 627 - A will create a harassment "cause of action", allowing tenants to raise the issue of harassment housing court, both in tenant-initiated cases and as a defense in landlord-initiated cases. If, after a hearing, the court finds that harassment has occurred, the harassment will be deemed an immediately hazardous class "c" violation of the Housing Maintenance Code, and the court can issue an order to stop the harassment, and assess a fine of between $1,000 and $5,000 against the landlord. HPD will be an automatic party to the action, and be present at all harassment hearings to help the court and the tenant work through the issues. HPD will also have the authority to initiate harassment cases against those landlords who they know to be the worst offenders.

6) **Why Intro 627-A is fair and even-handed:**

- There is a pressing crisis of harassment of tenants. Every year, over 13,000 rent stabilized apartments are removed from regulation through various loopholes and harassment is a major contributing factor.
- Creates a realistic definition of harassment, which balances the need for fairness to all parties. For example, failure to provide repairs and services can be considered harassment, but only if that failure is repeated and substantially interferes with the habitability of the apartment.
- Creates even-handed protections for all parties. For example:
    - The landlord is given a strong affirmative defense to many of the examples of harassment in the legislation if the owner can show that the conduct was not intentional, and that the owner acted in a reasonable manner to correct the problem.
    - If a tenant has filed two harassment claims against the owner that have been dismissed on the merits, and a third harassment claim against the owner that has been dismissed as frivolous, then the tenant must seek special permission from the court to file another harassment claim.
    - If the court finds that the tenant's claim against the owner if frivolous, the court may award attorneys fees to the landlord.

7) **Why Housing Court will not be burdened by Intro 627-A:**

- There is a heavy case load in housing court, but not because of tenants. Tenant-initiated cases in housing court accounted for a minor 2.5% of cases filed in 2006. The only kind of housing court cases that tenants can initiate are "HP Actions" to win repairs and services. All other types of cases in housing court must be landlord-initiated; these account for the overwhelming majority of the cases filed. The small number of HP Actions filed suggests that tenants tend not to sue unless it is a last resort because they must take the time to appear personally for every court hearing—a burden landlords do not share because they are almost always represented by counsel.

- Intro 627-A may lessen the burden on housing court by reducing the number of baseless legal actions filed by landlords. The number of landlord-initiated eviction cases (Holdover Actions) has increased sharply in recent years. Indeed,, the average number of cases filed since the year 2000 has increased by 25.4% over the average in the 1990's. This increase is far greater than any other type of case in housing court. These Holdover Actions are the type of landlord-initiated legal action that are most subject to the landlord's discretion and their sharp rise is linked to rising harassment pressure. The anti-harassment tool created by Intro 627 may create a disincentive for landlords to file baseless cases or exploratory cases, which would reduce the burden on housing court.

- Intro 627-A was carefully crafted to be evenhanded, with numerous checks and balances to ensure that unnecessary cases are not filed, including:
    - The tenant faces a high burden of evidence. For example, failure by the landlord to provide repairs and services can be part of a harassment complaint, but only if there are "repeated interruptions of essential services…for an extended period or of such significance as to substantially impair habitability." Furthermore, if the tenant is alleging harassment because the landlord is using unwarranted housing court cases to harass the tenant, then the tenant must prove that the cases the landlord filed were "baseless" and "frivolous". These are carefully defined legal terms that place a high burden of evidence on the tenant.
    - The landlord is given a strong affirmative defense to many of the examples of harassment in the legislation if the owner can show that the conduct was not intentional, and that the owner acted in a reasonable manner to correct the problem.
    - A tenant who files repeated cases without merit will be barred from filing another case, unless that tenant receives specific permission from a judge.
    - A tenant who files a frivolous case can be penalized because the landlord is explicitly granted permission to request attorney's fees.

For the Record

1

The Park Royal
23 West 73rd Street – Apt. 408
New York NY 10023-3104
917 696 1939
BY FAX

Pages including cover (5)

Thursday February 7, 2008
Attn: Ms. Kamilla Sjodin
Counsel to Housing and Buildings Committee
Fax 212 788-9168
Phone 212 341-0358

From: Phyllis M.G. Bishop

Dear Ms. Sjodin,

Thank you for speaking with me yesterday, Wednesday Feburary 6th 2008. As I mentioned Gary Altman gave me your number and also that of Ben Goodman 212 788-9124 who is in HPD Policy. As I mentioned, I testified on December 17 on the 627 bill and received an invitation to testify on the 7th February on the 627A bill amendments. However, as this bill is intended to give the City Civil Court Judges more power with regard to Landlord-Tenant harassment and also includes more power for the Dept. Buildings with that regard and is just at this time in the amendment process to get it passed - I will not be testifying. However, I do have continual frivolous law suits going on with the intention of causing me waste of time and energy and loss of wages in having to go back and forth to court. My City representative, Gale Brewer has been involved since Day 1 of her work with Ruth Messinger. Ruth Messinger has been involved since 1980 which is 28 years. I am a victim of Aids Trauma have had a great deal of discrimination to deal with in that regard and am 60 years of age.

The building I live in is a pseudo building or Hex as the Dept. Buildings inspectors call it...in that it is an old residential building that was under the metropolitan hotel board and that we the tenant body had Stabilized and Landmarked and had injunctions filed in court to stop the evict plan co-oping that was started in 1971 forcing a non-evict plan...however did this plan ever close? The building has an employee Ebernezer Quaye a member of the Hotel Union and no other union employees, the owner of the building is the sponsor of the evict and non-evict plans and is still on the Board of directors and maintains in the building a home and an office, hiring his son as the manager and also a managing agent and has another son who does not live here on the board and up until recently also had another family member of one of his associates, his accountant Ronald Berger on the board. So four of the 8 board members were connected to the owner of the building. . All the owner's costs are borne by the buyers of shares in this building that has a Certificate of Occupancy declaring it to be a Hotel under the Old Code. Milton Zelekowitz, is the owner, Neil Zelekowitz his son who also lives and works in the building and the other son is Jeffrey Zelekowitz who claims to own property here but does not reside here but is on the board. As mentioned the Attorney General, Finance Dept is supposedly looking into this. The landlord stopped protesting our stabilization order of February 2, 1985 in 2004. I waited 30 years for a renewal lease, Services are dismal and I have 19 violations on file. However as the violations are cleared inside my apartment, they appear again and again as they are not fixed outside in the adjacent apartments and so I am constantly packed in boxes and the walls and ceiling are leaking. Electricity is building wide shared and the fuses in my fuse box do not even carry electricity, I have for instance, one whole rooms ceiling and wall outlets on one 20 amp fuse. There is no 220 or stove in my apartment. I am one of the original 211 rental tenants that have been dwindled by eviction down to 33 left in this similar state. The sold apartments are renovated and the building tenants take the brunt of the collapsed walls and ceilings due to leaks and electrical fires. The whole building is turned off each time a repair is needed as there is no line on/off horizontal or vertical floor switch in the building. The boiler is hung in the air down a flight of stairs and is on a time clock and goes on at 50 plus degrees and off and then on again at intervals determined by management. It is not controlled by City rulings. We have had to fight for phone service, cable-TV and stabilized costs of air conditioning and renovated apartments are charged an assessment for appliances such as stoves, dishwashers and washing machines and special bathroom enhancements like whirlpool units per year.

So, I have taken a case with the Westchester Bar Association as there is no other option open to me to stop these lawsuits from the landlord's lawyers at this time. I have been to every court with police escort and there is no way to get an order of protection or have an arrest made as I have police record complaint tickets of my apartment being broken into, a car being driven at me, etc., all were part of the testimony I gave and attached as proof. Ms. Christine Quinn has spoken with me personally and also with my mentor, Tom Watson of Omnicom University and promised as much help as possible. Gale Brewer is not an attorney, is very busy but has provided me with a lawfirm MFY who provided me with my renewal lease 2004-6 which took three months to get signed after the agreement was reached. However, I have no renewal lease – again .- and they cannot take every case and I am bombarded with cases for each and every motion filed by Novich and Co. attorneys in White Plains for the landlord and as soon as a stipulation is signed another set of papers are filed in court. So I have copious docket numbers from 25 Beaver Street and am literally living in Civil Court.

TO Kamillasjedin 2

The Park Royal
23 West 73rd Street – Apt. 408
New York NY 10023-3104
917 696 1939

Monday, February 04, 2008

Re: Your File # 26099/07 Lawrence Schiro

Attn: Robert Bush
Westchester County Bar Association
One North Broadway Suite 512
White Plains, New York 10601

Dear Mr. Bush:

Continuing from our conversation on Friday, February 1, 2008, thank you for granting me permission to amend my answer.

I would like to amend my answer to include the following documentation with regard to Index # 98629/07. This case has been adjourned until March 3, 08. It has not been before a judge and is not in any final stage yet. However, Mr. Schiro, disregarding court procedure, is calling this case a Trial and is in fact using an incorrect room number for the case. Therefore, I have been asked to have the judge "severely punish" Mr. Schiro in this matter and would draw your attention to the fact that this attorney is not filing paperwork correctly in Civil Court and is filing said paperwork in a manner to harass me.

Very truly yours,

Phyllis Bishop

Phyllis M.G. Bishop

To
kamilla 3
S.Jadin

CIVIL COURT OF THE CITY OF NEW YORK

Your case *(Su caso)* 98629607
has been; *(ha sido:)*

☐ Assigned to: *(Asignado a:)*

☒ Adjourned to: *(Aplazado para:)*

Part: *(Parte:)* A

Room: *(Sala:)* 523

Time: *(Hora:)* 9:30am

Date: *(Fecha:)* 3-3-08

CIV-GP-III (Rev. 1/98)

TO kamilla Sjodin 4

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

----------X

PARK ROYAL OWNERS INC.,

Petitioner,

-against-

PHYLLIS M.G. BISHOP,

Respondent.

----------X

RE-NOTICE OF MOTION

INDEX NO.: 98629/07

PLEASE TAKE NOTICE, that upon the annexed affirmation of **Lawrence Schiro, Esq.,** dated the 23rd day of January, 2008, and all the prior papers heretofore had herein, the Petitioner will move in the Civil Court of the City of New York, County of New York, in the courthouse located at 111 Centre Street, New York, New York, in Part 18A, Room 423, before the Hon. Judge Capella, on the 14th day of February, 2008, at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to the Civil Practice Law and Rules §4511(a) that the Court at the trial in this matter scheduled for March 3, 2008 take judicial notice of the stipulation and orders in prior court proceedings, specifically: (i) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 72261/05; (ii) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 58481/07; (iii) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 88248/05; and

(iv) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 61648/07, and a DHCR order--Various Tenants/Park Royal Owners Inc., Docket No. ZSJ-410070-OM, together with whatever other further and just relief the Court deems just and proper.

Dated: **Yonkers, New York**
January 29, 2008

Yours, etc.,

NOVICK, EDELSTEIN, LUBELL, REISMAN, WASSERMAN & LEVENTHAL, P.C.
ATTORNEYS FOR PETITIONER
BY: LAWRENCE SCHIRO, ESQ.
733 YONKERS AVENUE
YONKERS, NEW YORK 10704
(914) 375-0100

TO: Phyllis Bishop
23 West 73rd Street - #408
New York, New York 10023

To Kamilla Sjodin

5

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

---X

PARK ROYAL OWNERS INC.,

Petitioner,

-against-

PHYLLIS M.G. BISHOP,

Respondent.

---X

NOTICE OF MOTION

INDEX NO.: 98629/07

PLEASE TAKE NOTICE, that upon the annexed affirmation of **Lawrence Schiro, Esq.,** dated the 23 day of January, 2008, and all the prior papers heretofore had herein, the Petitioner will move in the Civil Court of the City of New York, County of New York, in the courthouse located at 111 Centre Street, New York, New York, in Part 18A, Room 423, before the Hon. Judge Capella, on the 12 day of February, 2008, at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to the Civil Practice Law and Rules §4511(a) that the Court at the trial in this matter scheduled for March 3, 2008 take judicial notice of the stipulation and orders in prior court proceedings, specifically: (i) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 72261/05; (ii) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 58481/07; (iii) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 88248/05; and (iv) Broadway Associates-73rd LLC v. Phyllis Bishop, Index No. 61648/07, and a DHCR order—Various Tenants/Park Royal Owners Inc., Docket No. ZSJ-410070-OM, together with whatever other further and just relief the Court deems just and proper.

Dated: **Yonkers, New York**
January 23, 2008

Yours, etc.

NOVICK, EDELSTEIN, LUBELL, REISMAN,
WASSERMAN & LEVENTHAL, P.C.
ATTORNEYS FOR PETITIONER
BY: LAWRENCE SCHIRO, ESQ.
733 YONKERS AVENUE
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TO: Phyllis Bishop
23 West 73rd Street - #408
New York, New York 10023

TENANTS & NEIGHBORS

THE STATEWIDE CENTER OF POWER FOR TENANTS

FOR THE RECORD

Testimony of Tenants & Neighbors to
City Council Committee on Housing and Buildings Hearing on
Int. No. 627-A

February 7, 2008

Thank you for the opportunity to testify today. My name is Maggie Russell-Ciardi and I am the Executive Director of Tenants & Neighbors.

Tenants & Neighbors urges the City Council to pass Intro 627-A, a bill which we believe will provide important protections for tenants who are currently being harassed by their landlords, and will help to curtail the practice of systematic tenant harassment.

Tenants & Neighbors is a statewide membership organization with a base of approximately 20,000 tenants, tenant associations, and community based organizations. We work to educate tenants; to preserve affordable housing, livable neighborhoods, and diverse communities; and to strengthen tenant protections.

While most landlords do not harass tenants, we are finding that as market rents have been steadily rising in neighborhoods in all five boroughs of the city, many landlords of rent regulated housing have begun systematically harassing tenants in an effort to get the tenants to vacate their apartment, so they can then deregulate their apartments through the high rent/vacancy decontrol provisions of the Rent Regulation Reform Act.

According to the Rent Guidelines Board's *Housing NYC: Rents, Markets, and Trends* Report, in 2006, landlords deregulated a total of 9,983 apartments under the High Rent/Vacancy decontrol provisions of the Rent Regulation Reform Act. This was an 8 percent increase from the previous year.

236 West 27th Street 4th Floor New York NY 10001-5906 212 608-4320 212 619-7476 fax
248 Hudson Avenue Albany NY 12210-1802 518 465-1813 www.tandn.org

Based on anecdotal evidence from our members and from other housing organization we work with, it appears that in many of these apartments, the tenants were harassed until they moved out of their apartments. The types of harassment tenants have experienced include verbal and physical threats; refusal to make essential repairs and/or provide essential services; and other scare tactics. Until now, our members who have faced this extremely difficult situation have had no legal recourse because housing court has had no specific power to address harassment.

It is the opinion of Tenants & Neighbors that as long as the High Rent/Vacancy decontrol provision exists, there will be an incentive for landlords to harass tenants. But Tenants & Neighbors also believes that Intro 627-A is an extremely important step towards ending this iniquitous practice, because it will help clarify what constitutes harassment, allow tenants to raise the issue of harassment in housing court, and provide a significant disincentive for landlords to harass their tenants. We also feel that the bill is fair and balanced, and should be very acceptable to both tenants and landlords.

Tenants & Neighbors commends the Council Members who have sponsored Intro 627-A for recognizing and calling attention to the problem of tenant harassment, and for taking proactive measures to address it.

TESTIMONY OF THE LEGAL SERVICES FOR NEW YORK CITY LEGAL SUPPORT UNIT AND THE LEGAL AID SOCIETY IN SUPPORT OF INTRO 627-A

New York City Council
Housing and Buildings Committee

February 7, 2008

Legal Services for New York City (LSNY) is the largest provider of free civil legal services in the country. The nineteen neighborhood offices of LSNY throughout the City represent thousands of low-income tenants annually in disputes involving tenants' rights to remain in their homes. Founded in 1876, the Legal Aid Society's Civil Practice is the oldest and largest program in the nation providing direct legal services to the indigent. Our legal assistance is focused on enhancing family stability and security by resolving a full range of legal problems, including immigration, domestic violence, family law, and employment, in addition to housing, public benefits and health law matters.

We welcome the opportunity to testify once again before the Housing and Buildings Committee on this important issue. We strongly urge the City Council to pass Intro 627-A, which in its amended form strikes a balance among the competing interests involved, while protecting tenants against the serious and growing phenomenon of landlord harassment.

Since the hearing last December, Intro 627 has been modified in several significant ways. The bill has been amended to exclude coop and condo owners from the universe of tenants who may file harassment claims, and to exempt coops and condos from liability when the owner of only one unit in a small building harasses a subtenant in

his apartment. This amendment ensures that cooperatives and condominiums do not needlessly expend funds to defend themselves against complaints that may be more properly resolved within the cooperatives' democratic process, but will continue to protect non-purchasing rent-regulated tenants who remain prime targets of sponsors who seek to vacate units and sell them. One and two-family homes ("private dwellings") are also exempted from the bill. Although harassment of tenants in these buildings may create serious problems for tenants, the amendment reflects consideration of the fact that owners of one and two-family homes may be less able to bear the costs of litigation. It thus fairly balances the interests of landlords and tenants.

The amended bill makes adjustments to the definition of harassment to allow tenant claims based on harassing conduct not specifically enumerated in the statute, and also modifies the defenses available to landlords to permit a defense based on the landlord's "prompt" action to correct conditions that could otherwise cause their tenants to vacate their apartments or to forfeit important rights. . These changes strike a fair balance between the interests of landlords and tenants, and should facilitate the enforcement of the statute by the judges in the Housing Part.

We thank the Speaker and the City Council for carefully considering all the proposed modifications to the bill, while keeping sight of the importance of harassment as a contributing cause to the crisis of affordable housing in the City. Now that many points of view have had a chance to be heard, we urge the Committee and the Council to enact this legislation as quickly as possible.

Respectfully submitted,

Edward Josephson, Esq.
David Robinson, Esq.

The Legal Support Unit
Legal Services for New York City
350 Broadway, 6th Floor
New York, NY 10013
(718) 237-5538

Robert Desir, Esq.
Ellen Davidson, Esq.
Judith Goldiner, Esq.

The Legal Aid Society
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CWTFHC
City-Wide Task Force on Housing Court
125 Maiden Lane, New York, NY 10038
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URBAN JUSTICE
Urban Justice Center
666 Broadway, 10th floor, New York, NY 10012
Tel: (646) 602-5600 • Fax: (212) 533-4598

Testimony of Louise Seeley before the New York City Council on behalf of City-Wide Task Force on Housing Court and the Community Development Project of the Urban Justice Center: February 7, 2008.

Thank you for allowing me the opportunity to address you today. My name is Louise Seeley and I am the Executive Director of City-Wide Task Force on Housing Court. I am here on behalf of my agency and the Community Development Project of the Urban Justice Center.

City-Wide Task Force on Housing Court is the first place New Yorkers should come to for immediate support and legal information when facing a housing court crisis. Tenants and landlords can rely on us for expert, personalized information on housing court procedures, legalities and resources. As the only nonprofit, non court-affiliated organization with this sole purpose we empower our clients to best utilize their rights and options.

The Urban Justice Center serves New York City's most vulnerable residents through a combination of direct legal service, systemic advocacy, community education and political organizing. The Community Development Project (CDP) of the Urban Justice Center was formed to provide legal, technical, research and policy assistance to grassroots community groups engaged in a wide range of community development efforts throughout New York City. The Center's 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.

I am here today to urge you to support Intro 627-a, which is a very fair bill that will protect tenants by providing them a way to file complaints against their owners when they are being harassment by their landlords. Opponents of this bill have argued that this bill is unnecessary because the problem of tenant harassment is not supported by facts, that tenants have other recourses and that this bill will overwhelm the court. Our experience has shown that these claims are not supported by reality. Tenant harassment is alive

and well in New York City. Tenants who have the misfortune of having a landlord who has chosen to resort to such tactics have no effective means to fight back and Housing Court will not be overwhelmed

Tenant harassment is not a myth

Our office, as I am sure may of your offices, have received countless calls from tenants who are subject to the behavior this bill seeks to stop: they are brought to court repeatedly on frivolous cases, they suffer repeated disruptions in critical services such as heat and water, and they are forced to endure the unending sound of construction as every apartment around them is gutted and rehabbed. In previous testimony we have provided facts and information to document this problem. It is real and we all know it. Emptying buildings of long standing tenants has become a business model. This behavior has become so popular that one at least one company, Misidor, has sprung up with the main purpose being to help landlords "relocate" tenants. The need for this legislation is clear.

In the previous hearing, representatives for the landlords asserted that tenants can use other laws to deal with their harassment claims. But in reality, these other laws are not practically useful. On an almost daily basis, we assist tenants who complain about being brought to court for cases which have no merit or have gone to the police because their landlords have locked them out or cut off their electricity or other essential services. The police routinely refuse to get involved and tell tenants to take these claims to housing court. In the case of an illegal lock out or lack of services, tenants can file cases to restore possession or ask for repairs. But these remedies do not address the problem of repeated behavior aimed at encouraging the tenant to give up their apartment for good.

This legislation will not overwhelm the Court system

Most landlord tenant relations are copasetic – tenants pay their rent and landlords provide a place to live. But we all know that there are situations where this relation breaks down to a point where it is necessary for government – usually the court system - to intervene. It has been suggested that the passage of this legislation will result in Housing Court being overwhelmed. This is quite clearly a false fear and not back up by any facts or other information. HP actions are the one case in Housing Court where tenants can sue their landlords.

Based on the fears raised by the opponents of this bill one would expect that tenants file HP Actions at the snap of a mousetrap – and given the number of mice in the city, there certainly would be plenty of HP actions filed if that were the case. But that is not the case. HP Actions make up barely two percent of all the cases filed in housing court. In other words, landlords file 98 percent of the cases. Keep in mind that the court was set up to enforce the Housing Maintenance Code, yet the overwhelming majority of the court's business involves landlord's efforts to remove tenants from their home. Tenants do not have the time or the money to spend at housing court. For many, a day at the court is a day without pay. The experience of 35 years of housing court demonstrates that tenants will not run to court unless they need to, after all other remedies have failed.

Equal Access to Protection

Some landlords have claimed that they have an equal need for the ability to sue tenants for harassment. Let's first be clear: The types of actions described as harassment by landlords are actions which are covered by criminal statutes. And unlike what we have seen when tenants complain to the police about harassment as defined by this statute, the police do not tell the landlord to take it to housing court. And the court already provides landlords will the ultimate recourse for tenant harassment– eviction. A tenant who is a truly a nuisance or is violating their lease can be evicted. Owners of unregulated tenants do not even need to provide a reason to remove a tenant. Once the lease is up they need not renew it, or if there is no lease they can start proceedings after filing a thirty day notice. This legislation does not change this or take away this remedy. . The fact remains: Landlords have options to deal with problem tenants but tenants have few options to deal with problem landlords. This new law will bring some balance to the very unbalanced power dynamic in landlord-tenant relationships.

Tenant harassment is a real and serious problem and this bill is a necessary step towards stopping it. Without this law, tenants have no real way to protect against those few, but real landlords who try and harass tenants from their homes. We urge you to pass this bill.