



**NEW YORK CITY DEPARTMENT OF BUILDINGS
HEARING BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING AND BUILDINGS
MARCH 22, 2019**

Good morning, Chair Cornegy and members of the Housing and Buildings Committee. I am Thomas Fariello, Acting Commissioner of the New York City Department of Buildings (“the Department”). I am joined by Sharon Neill, Deputy Commissioner of Finance and Administration, Patrick A. Wehle, Assistant Commissioner of External Affairs, and other members of my senior staff.

The Fiscal Year 2020 (“FY 20”) Preliminary Budget allocates approximately \$194 million in expense funds to the Department. Of this funding, approximately \$158 million is for Personal Services, funding 1,933 budgeted employees, and \$36 million is for Other Than Personal Services. The Department is a revenue generating agency, and, as such, is expected to generate approximately \$327 million in FY 20, which does not include the more than \$70 million in penalties the City is expected to collect as a result of OATH/ECB violations issued by the Department.

The FY 20 Preliminary Budget adds approximately \$2.5 million in new funding, which allows the Department to hire an additional 35 positions to represent the Department at OATH. This funding accommodates a change in OATH’s hearing schedule, whereby Department cases will be heard four days per week in the busiest boroughs, instead of the current one day per week. This change will reduce wait times for respondents and ensure that the Department is able to appear on all cases.

I would now like to highlight the Department's work over the past year. The Department continues to make tremendous progress in improving service to its customers and protecting the public by rigorously enforcing the laws and regulations that govern the more than one million buildings and 45,000 active construction sites under its jurisdiction, all while facing a scale of construction unparalleled in the City's history.

In Fiscal Year 2018 ("FY 18"), the Department issued approximately 173,000 initial and renewal construction permits combined, a nearly 5% increase from Fiscal Year 2017 ("FY 17"). Of those permits, 111,000 were initial construction permits and the remaining 62,000 were renewal permits. Despite the slight uptick in construction activity, our plan review times remain well below target. On average, we are completing our initial plan review for new buildings and major alterations in less than six days and for minor renovations in less than two days. For plans filed electronically, on average, we are completing our initial plan review for new buildings and major alterations in four days and for minor renovations in less than a day. These plan review times can be attributed to the hiring of additional plan examiners and the development of plan-exam guidelines for a wide variety of projects, which help ensure that plan review is efficient and consistent.

Department inspectors conducted approximately 188,000 development inspections in FY 18. Despite the uptick in construction activity, the wait time between a development inspection request and an inspection continues to decrease across the board. The wait time for a general construction inspection was under three days, for an electrical inspection under four days and for a plumbing inspection under two days. Wait times for development inspections have decreased nearly 40% from just two years ago. Progress on development inspection service levels can be attributed to the hiring of additional inspectors and efficiencies gained from the implementation of DOB NOW inspections, which allows for nearly all types of development inspections to be scheduled online.

Concerning development, the Department continues its efforts to maintain the City's building construction standards. We are in the midst of committee work to revise the Construction Codes, which were last updated in 2014. The amendments to the Plumbing Code, traditionally the first

of the codes to be completed, have been transmitted to the City Council with the hopes of being introduced for a public hearing soon, with the balance of the amendments to the Construction Codes being estimated for submission to the City Council by the end of 2019. These amendments will bring the City's Construction Codes up to date with the 2015 International Code Council family of codes, the national model code for construction.

The Department is also in the process of revising the City's Energy Conservation Code, last updated in 2016, to bring the City's sustainability requirements in line with Local Law 32 of 2018, which required more stringent energy efficiency standards for certain buildings and the NYSERDA Stretch Energy Code. These amendments are estimated to bring 14% energy savings to projects complying with such standards. We anticipate these revisions being submitted to the City Council for adoption this fall. We have also kicked off, for the first time in seven years, revisions to the City's Electrical Code. In all, the Department is managing 23 stakeholder committees, with almost 795 members from across the spectrum of those impacted by construction, including architects, engineers, developers, labor representatives, manufacturing associations, and our agency partners. In 2018 alone, committee members met for more than 24,000 hours, over 205 meetings, which is a significant commitment of time and expertise to ensure our codes are representative of the City.

The Department is also managing an effort to develop a code for waterfront structures to address the types of existing and future waterfront structure types in the City. The project has kicked off and code development and operational research activities will launch next month. The project will continue over multiple years with the City's consultant providing recommendations on the development, adoption and implementation of a Waterfront Code and agency operations for the City.

The Department also continues to make progress in responding to complaints from the public expeditiously. We received nearly 17,000 Priority "A" complaints in FY 2018. "A" complaints capture violating conditions that if occurring, present an immediate threat to the public and include unsafe demolition, building instability and improper egress. It should also be noted that the Department is now treating complaints that allege that work is being conducted without a

permit in an occupied building as an “A” complaint. While our target to respond to these complaints is 24 hours, we respond within 10 hours of receipt and even faster for the most serious cases, down 50% from nearly 20 hours just two years ago. We also received 78,500 Priority “B” complaints in FY 2018. “B” complaints capture violating conditions that if occurring, while serious, do not present an immediate threat to the public. These include complaints of excessive construction debris, cracked retaining walls, and tampering with posted notices. While our target to respond to these complaints is 40 days, we respond within 13 days, down 70% from nearly 43 days just two years ago. As a result of responding to such complaints, and our proactive enforcement concerning safety and tenant protection, the Department issued more than 84,000 OATH/ECB violations, a nearly 75% increase from just four years ago.

The Department also continues to issue its Monthly Enforcement Bulletins, which are publicly available on our website, and which detail the Department’s actions to sanction and deter bad actors in the construction industry through the enforcement of safety laws and codes of conduct for construction professionals. Last year, enforcement actions resulted in the City’s collection of nearly \$75 million in penalties as a result of OATH/ECB violations issued by the Department. Additionally, the Department continues to take action to suspend and/or revoke the licenses, registrations, or filing privileges of professionals who work unsafely and put their lives and the lives of others at risk. In 2018, the Department took disciplinary action against over 100 licensees, including revoking or suspending the licenses of 10 individuals or corporations, and 22 design professionals either surrendered filing privileges or had them revoked. Notable disciplinary actions are highlighted in the Monthly Enforcement Bulletin.

Construction safety continues to be a focus of the Department. The Department has hired additional enforcement inspectors, increased penalties for safety violations, required safety professionals on more construction sites, and strengthened education and outreach programs by working with industry professionals to raise awareness about best safety practices. While the number of injuries increased slightly in 2018, the number of fatalities has remained the same for the past four years. Such increases in accidents could be attributed to the uptick in construction activity and required safety professionals on more construction sites reporting accidents that have previously gone unreported. The bottom line is that construction is dangerous and workers, and

their supervisors, need to be trained to ensure that construction work can proceed in a safe manner.

The Department is hard at work implementing Local Law 196 of 2017 (“Local Law 196”) and would like to thank the City Council, and particularly this Committee, for its partnership on the important issue of construction safety. When fully phased-in, Local Law 196 will require that workers at many job sites receive 40 hours of safety training and that supervisors at such job sites receive 62 hours of safety training. Since the enactment of Local Law 196 the Department has been hosting numerous information sessions for all facets of the construction industry and has also been providing regular updates concerning the law’s implementation through a number of different channels, reaching many thousands of stakeholders. Leading up to the second and third major implementation milestones, June 1, 2019 and September 1, 2020, respectively, the Department continues to perform outreach to stakeholders and is monitoring capacity to ensure that all workers and supervisors are able to receive the training they need to continue working – safely – on construction sites.

Additionally, to hold construction professionals accountable for prioritizing safety on their construction sites, the Department launched the new Construction Safety Compliance (“CSC”) Unit in September 2018. The CSC Unit, which when fully staffed will have 50 dedicated inspectors, is tasked with performing proactive periodic safety inspections on all active construction sites, including ensuring that workers and supervisors have the training required by Local Law 196. To date, the CSC Unit has performed over 6,000 inspections, which resulted in the issuance of over 3,000 violations and 1,000 Stop Work Orders.

The Department is also hard at work protecting tenants living in buildings under construction. Last year, the Department implemented over a dozen laws aimed at combatting the issue of construction as harassment. As previously mentioned, the Department is prioritizing its inspection of Work Without a Permit complaints related to construction work in an occupied building, is requiring more detailed Tenant Protection Plans, is performing proactive inspections to ensure that Tenant Protection Plans are being complied with and is auditing more professionally certified applications for work in occupied buildings. The Department also

launched the Office of the Tenant Advocate over the summer, which serves as a resource to help tenants understand the laws that govern construction and to investigate complaints of construction as harassment. The Department looks forward to working with the City Council on measures to further increase protections for tenants, particularly to shift the burden of creating and submitting a Tenant Protection Plan to the Department from owners to contractors and making construction sites for which such plans are required subject to periodic special inspections. Given that contractors are performing the work, they are in a far better position than owners to determine the means and methods for protecting tenants from construction. This reform will greatly improve the quality of, and compliance with, Tenant Protection Plans.

The multi-year replacement of the Department's core information system is also progressing as we continue to shift additional filing types off the mainframe system that the Department has relied on for over thirty years to a new browser based system called DOB NOW. Upon completion, customers will be able to perform virtually all interactions with the Department online and the system will also result in increased transparency both externally and internally.

The Department recognizes the significant impact that construction can have on the public. As such, the Department has made enormous strides in improving the public's access to its data. The public now has more access to the Department's data than ever before. For example, Building on My Block, which is a searchable online database that is organized by Community Board for easy reference, allows users to search by property address or Community Board to find major projects near them. Over the last year, the Department also released a real-time Construction on Your Block Map, which allows users to identify the status of all active major construction projects, and an Elevator Report, which shows the history, current status, and vital statistics of more than 84,000 elevators. Additionally, earlier this month, we released an Interactive Building Profiles Map, which shows the location of each of the more than 128,000 buildings in the City that have had interactions with the Department in the past year. The Interactive Buildings Profiles Map includes information on construction permits issued, complaints generated, inspections conducted, violations issued, and construction-related accidents to which the Department responded.

We thank the Council for its continued support and look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.

We welcome any questions you may have.



**Testimony of the New York City Department of Housing Preservation and Development to
the New York City Council Committee on Housing and Buildings**

FY2020 Preliminary Budget Hearing

March 22, 2019

Good morning, Chair Cornegy, Chair Gibson and members of the New York City Council Committee on Housing and Buildings and Subcommittee on Capital Budget. My name is Eric Enderlin, and I am the acting Commissioner of the New York City Department of Housing Preservation and Development (HPD). I am joined by our Executive Deputy Commissioner Eva Trimble and members of HPD's senior leadership team.

As many of you know, last week was former HPD Commissioner Maria Torres-Springer's last day after her many dedicated years of service in City government. I worked closely with Maria over the past few years to advance many key policy initiatives and innovative new programs and can say without hesitation that not only the agency, but the city is better off for her extraordinary leadership. As the search process for her successor is still underway, the Mayor asked me to step in temporarily as Acting Commissioner until a permanent replacement is named. I am honored to take the baton and ensure the continuity of our ongoing work during this transition. I had the great fortune of leading the development team at HPD for many years and am familiar with the broad sweep of the agency's mission. I am confident that this exceptional team will not skip a beat in our efforts to deliver the safe, quality, affordable housing that New Yorkers need and deserve.

As you know, affordable housing is one of the biggest concerns that New Yorkers face, and one of the top priorities of the de Blasio administration. HPD is the driving force behind a coordinated interagency effort to develop and preserve affordable housing at record pace; to protect tenants and enforce their right to live in safe, quality housing; and to engage in community-focused neighborhood planning.

Today, I will testify on HPD's Fiscal Year 2020 preliminary budget plan and the way this proposed funding will allow us to achieve the agency's primary goals.

FY2020 Budget Overview

As you know, HPD's important work requires significant investment from the City and federal governments. HPD's Fiscal Year 2020 Preliminary Budget is approximately \$947 million. However, this includes about \$165 million in pass-through funding for NYCHA. So aside from this pass-through funding, HPD's true expense budget is about \$782 million for FY2020.

Of this \$782 million total, approximately \$131 million comes from City funds and about \$648 million comes from federal funds. That means 83% of HPD's expense budget is federally-funded. This huge proportion of federal versus City funding in the agency's budget is important because when we seek to save City tax dollars—as we are constantly trying to do—the amount we can save is limited because so many of our programs are restricted by federal requirements. City funding, especially City Tax Levy (TL), is critical for strengthening areas not otherwise eligible for federal grant funding.

We are thankful for the important role that City resources play in our expense budget, and my testimony will highlight several areas where this new City funding will help us further strengthen our programs and services.

Advancing the Goals of Housing New York 2.0

This budget includes new staff and resources to support *Housing New York 2.0* (HNY 2.0), a roadmap to achieve the Administration's expanded goal of producing 300,000 affordable homes by 2026. Building on the foundation we created early on, coupled with new tools and new funding, HNY 2.0 introduced a suite of proposals to help thousands more families and seniors afford their rent, buy a first home, and stay in the neighborhoods they helped to build.

Over the past year, we've made great strides in advancing a number of key initiatives, while also breaking an all-time record for affordable housing production in New York City. I'm pleased to say that last calendar year, HPD financed more than 34,000 affordable homes, setting a new high-water mark for affordable housing production, and putting a serious dent in our overall goal with the financing of nearly 122,000 affordable apartments since the start of the administration. And while roughly 85 percent of all the homes financed serve low-income New Yorkers, of those homes, a full forty percent serve families earning less than \$46,950.

We also are building homeless housing at a faster pace than ever before, with nearly 10,000 units since the beginning of this plan in 2014. In 2017, we overhauled our program term sheets to require homeless set-asides in virtually all our projects, and created a new City rental assistance program to advance the Mayor's commitment to create 15,000 supportive housing apartments over 15 years. Since 2014, we have financed over 4,700 supportive housing units, which include units funded under 15/15 and prior administration housing plans.

Through HNY 2.0, we are pushing the envelope to do even more. Here are just a few examples of key initiatives underway:

- As part of **Seniors First**, a three pronged strategy to help serve 30,000 seniors over the 12 year plan, HPD introduced Aging in Place, a new preservation program tool to assess and finance in-unit and building-wide modifications to assist seniors and people with disabilities in maintaining independent, safe and comfortable lives.
- We introduced the new **Partners in Preservation** program that harnesses community-based organizations to develop and coordinate anti-displacement strategies with local stakeholders and tenants in three pilot areas in the Bronx and Upper Manhattan.
- We launched our new **Neighborhood Pillars** program to help finance each stage of the acquisition and rehabilitation of rent-stabilized and unregulated buildings to protect current tenants and preserve affordability in neighborhoods across the city.
- We rolled out two new homeownership programs — **Open Door** to create new affordable homeownership opportunities, and **HomeFix**, which provides funding, technical assistance, and counseling to hardworking families struggling to make needed repairs and otherwise maintain their homes.
- And we partnered with the American Institute of Architects New York (AIA-NY) to launch **Big Ideas for Small Lots NYC** — a design competition to promote innovative design and construction approaches to build housing on small, difficult-to-develop City-owned vacant lots.

Protecting New Yorkers by Ensuring the Quality & Safety of the Housing Stock

At the heart of our mission, which is to promote the quality and affordability of the city's housing stock, is protecting tenants. Every day, hundreds of HPD Inspectors are in apartments across the city enforcing the Housing Maintenance Code and issuing violations when landlords are not in compliance. HPD also proactively combats tenant harassment by participating with the Attorney General and State Tenant Protection Unit in the Tenant Harassment Prevention Task Force, which investigates potential harassment and brings enforcement actions—including civil and criminal charges—against landlords who harass tenants. Our Housing Litigation Division also brings cases in Housing Court against owners who do not comply with outstanding violations and, when necessary, seeks findings of contempt and jail against recalcitrant landlords.

Under this administration, we are always looking to be as proactive and comprehensive as possible in our work to protect tenants, last year working with the City Council to expand the Certification of No Harassment Program citywide and launch a new Speculation Watch List to identify buildings where potentially predatory investment may put tenants at risk. We are also launching the Tenant Anti-Harassment Unit – another tool in the toolbox – which will be dedicated to pursuing potential cases of maintenance harassment and connecting tenants to legal services resources. To build on these efforts, earlier this year, Mayor de Blasio announced the

Mayor's Office to Protect Tenants, which will serve as a point of entry for advocates and tenants and ensure aggressive action against bad landlords.

And as part of the City's LeadFreeNYC plan, HPD will further strengthen our enforcement standards and efforts to proactively audit buildings in targeted areas, expand our outreach to owners, and make it easier for them to comply with the law. This budget has funding for new staff to implement the expanded mandates of Local Law 1, which will increase the number of households to which the requirements apply, lower the definition of lead-based paint, and increase our compliance and enforcement activities to eliminate childhood lead exposure in New York City. I want to thank the Council for their leadership on this initiative and so many of our efforts to protect New York City's residents—especially the most vulnerable, our children.

Opportunities to Work Together

As I've outlined, this important work reflects the urgency of the needs on the ground, and a vision for the kind of city we want to be. But it cannot be done alone. We do this work in the face of very real threats from the federal government, and your advocacy to secure a fully funded Housing and Urban Development (HUD) budget is critical. So far, we've been successful in fighting the President's harsh and regressive proposals, last year even securing -- for the first time in decades -- increased funding for the public and affordable housing our communities desperately need. This outcome would not have been possible without the fierce and steadfast advocacy of the New York City Council and Congressional delegation and so many partners here and across the country, but the fight is far from over.

I want to thank the Council for their partnership and I hope we can continue to find ways to partner on critical legislative priorities and needed reforms; on affordable and supportive housing projects; on advocacy for stronger rent-stabilization laws; on a whole host of issues vital for the good of New Yorkers and for the future of our city.

Thank you again for the opportunity to discuss HPD's budget and our priorities in the coming year. This concludes my testimony and I am happy to answer any questions you may have.



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FOR THE RECORD

**Testimony of New York University's Furman Center for Real Estate and Urban Policy
before
The New York City Council Committee on Housing and Buildings**

March 22, 2019

Chairman Cornegy and fellow Council Members, thank you for the opportunity to testify today. My name is Mark A. Willis, Interim Executive Director and Senior Policy Fellow at the NYU Furman Center for Real Estate and Urban Policy. I appreciate the opportunity to speak with you today about the Furman Center's data resources on affordable housing and neighborhood conditions in New York City.

The NYU Furman Center's mission is to advance research and debate on housing, neighborhoods, and urban policy. We provide essential data and research that helps policymakers and the public to understand and analyze pressing policy issues including changes in the city's housing stock, concentration of poverty, economic inequality, and gentrification.

Since 2011, the City Council has supported the data work that allows us to share valuable information and analysis with the public. With Council funding we have developed and maintained CoreData.nyc, an online data and mapping tool that presents comprehensive information about housing and neighborhoods in New York City. The platform includes the following:

- **CoreData.nyc**, an online, interactive data and mapping tool that standardizes over 20 datasets from a variety of city, state, and federal sources, gives users easy access to over 100 metrics about New York City's housing and neighborhoods;
- **The Subsidized Housing Database on CoreData.nyc**, a unique property-level database that links housing subsidy data from the city, state, and federal governments so that users can assess the location, financing arrangements, and physical condition of subsidized housing, and evaluate threats to the affordability of that housing;
- **Neighborhood Data Profiles**, specialized reports with data and analysis on changing housing and economic conditions for each of New York City's 59 neighborhoods;
- **The Directory of Affordable Housing Programs**, a unique guide to over 250 current and historical city, state, and federal housing subsidy programs in New York City.

You may be familiar with the Furman Center's annual publication on the *State of New York City's Housing & Neighborhoods*, a rich compendium of data and analysis about New York City's housing, land use, and demographics. CoreData.nyc provides the backbone for this widely-used report, and includes even more data and analysis.

In order to maintain, upgrade, and further disseminate these tools, we've submitted a discretionary budget request for FY20. The request seeks to renew City Council funding from past fiscal years, which will allow us to expand the resources' content and features. The upgrades and improvements that we propose for FY20 are based on feedback that we received from community organizations, organizers, advocates, city agency staff, and other data providers over the past year.

Based on their feedback, and with your support, we will update and improve our tools so that they are more robust, timely, as well as easier for diverse organizations and individuals to use in their work.

1. We will add new content and features to the Subsidized Housing Database, so users can more easily identify a subsidized property's risk of expiration and analyze more properties at a time.

2. We will expand training and outreach to community organizations about how to use housing and neighborhood data in their work.
3. We will update and improve the features on CoreData.nyc, to make the data even more accessible for customized analysis and create capacity for users to compare more indicators across more geographies over time.

These upgrades were prioritized by many of the users we spoke with over the last year. We would welcome the opportunity to discuss our plans in further detail with members of the Committee.

As New York City continues to grapple with the challenges of housing demand, affordability, the preservation of affordable housing, as well as social and economic inequality, we believe that the Furman Center's data tools make a significant contribution to the understanding of these complex issues, and can help inform evidence-based community work, policy-making, and service provision. All of our data is available to the public and we are dedicated to making these resources as valuable and accessible as possible.

Thank you again for the opportunity to testify today, and for your continued support of the Furman Center. I am happy to answer any questions you may have.



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Research. Development. Justice. Reform.

Greg Berman. Director

Center for Court Innovation Testimony
New York City Council
Committee on Housing and Buildings
Preliminary Budget Hearing
March 22, 2019

Good Morning Chairman Cornegy and members of the Committee on Housing and Buildings. My name is Shane Correia and I am the Associate Director of Strategic Partnerships at the Center for Court Innovation.

I am here to request the Council to support the Center for Court Innovation as it seeks to renew and strengthen the work we do with over 75,000 New Yorkers annually. Much of this work is in housing equity and support programs. Through housing courts and resource centers at Harlem Community Justice Center and Red Hook Community Justice Center, and through our Legal Hand program in Bronx, Brooklyn, and Queens, we are expanding access to housing justice to thousands of New Yorkers every day. Specifically, our housing support programs in Red Hook and Harlem provide supportive services for neighborhoods that include large NYCHA developments, and we have applied for funding to strengthen this work. These programs also include outreach services to residents to help them navigate NYCHA policy.

In Harlem, we seek Council support to help tenants navigate housing court and provide referrals for financial and legal assistance. And, given that all annual certifications must now be completed online, we also seek to support residents with e-filing of annual renewals. In Red Hook, we hope to expand our programming to include outreach directly into the NYCHA housing complexes to serve those with language barriers, seniors, and those with disabilities so that they may have access to the resources available within our housing resource centers. In 2017, Red Hook had over 1,000 new filings and Red Hook Housing Resource Center prevented the need for

legal resolution of filings for over half of the households within the jurisdiction of the court. Further, Red Hook's local community housing programs have been successful in helping residents respond to the most common of housing issues, including the top repair issue of peeling paint, to the top financial issue of needing more time to pay.

The two applications we have submitted under the Community Housing Preservation Strategies initiatives target available funds so that we can support those facing housing crisis in the most under resourced of communities. The City Council's support has been invaluable to the success of the Center for Court Innovation. The Center looks forward to continuing to work with the Council to reduce incarceration, build housing equity, and to enhance access to justice. We respectfully urge you to continue to support our work and I thank you for the opportunity to speak. I would be happy to answer any questions you may have.

Community Housing Preservation Strategies Applications

Community Housing and Preservation (Harlem – Harlem Community Justice Center) Application

#77813 - \$100,000 This is an application to support the Housing Resource Center which helps tenants navigate the housing court and provides referrals for financial and legal assistance. Enhanced services includes outreach to local NYCHA developments to facilitate residents with e-filing of annual renewals. This service particularly benefits those without computer literacy since the process has become fully digital.

Community Housing and Preservation (Red Hook – Red Hook Community Justice Center) Application

#77908 - \$60,000 This is an application to support the daily operations of the Housing Resource Center (HRC), which focuses outreach efforts to engage traditionally underserved households with language barriers, seniors, and residents with disabilities. The HRC serves residents of Red Hook's (NYCHA) Houses by aiding individuals and families, facing eviction or severe housing repair needs, with navigating the court process at the Justice Center's on-site housing court, and accessing assistance with arrears, legal counsel, and social services.

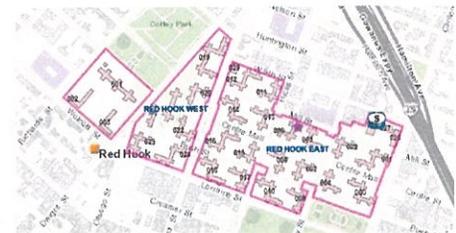
Center for Court Innovation Initiative Applications

Center Core-Ask Application #73443 \$500,000 This is an application to support the continuation of our youth courts, access-to-justice, and reentry work in all five boroughs in New York City. The Council's support allows us to serve New Yorkers with evidence-based programming in mental health, family development, youth empowerment, workforce development, and housing, legal, immigration and employment resource services. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources and enhancing public trust in government to make New York City stronger, fairer, and safer for all.

The Red Hook Community Justice Center’s Housing Resource Center enhances procedural justice and provides access to justice in housing court with the mission of preserving safe, affordable public housing in Red Hook.

- Last year, the Housing Resource Center served 1,238 households, representing 43% of all Red Hook New York City Housing Authority (NYCHA) residents, with stabilizing resources to address rental arrears, critical repairs, and lease issues.
- In New York City, housing court is dominated by eviction proceedings, with tenant-initiated Housing Part (HP) actions accounting for less than 2% of filings. In Red Hook, many tenants see the court as a means of accessing justice. Last year, tenants initiated 18% of housing court filings in Red Hook.
- Local outreach and education to demystify the court process has minimized the number of warrants for eviction issued by default (non-appearance by tenant).
- As Brooklyn’s oldest development that experienced significant damage to its electrical, heat and hot water systems during Superstorm Sandy, apartment and building repairs are a significant issue in Red Hook. NYCHA’s physical needs assessment found Red Hook had \$739,952,447 worth of outstanding maintenance and infrastructure needs. The City’s Department of Housing Preservation and Development (HPD) Code Enforcement Division inspects units as requested in housing court. Last year, 802 violations were recorded with including severe leaks, mold, and plaster/paint damage.

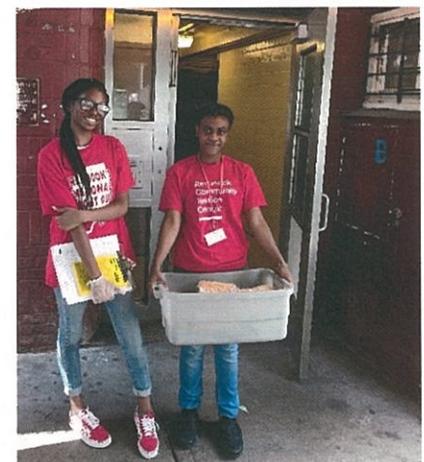
Housing Court	2016		2017		2018	
New Filings	1,010		1,170		1,022	
Nonpayment	901	89%	1033	88%	822	80%
Holdover	10	1%	25	2%	17	2%
HP Action	99	10%	112	10%	183	18%
Warrants	153		131		78	
Default	54	35%	22	17%	7	9%
After Trial	99	65%	108	83%	71	91%
Evictions	5		8		16	
HPD violations	463		477		802	
Plaster	116		156		250	
Paint	82		42		112	
Leak	36		47		82	
Mold	38		36		59	
Tiles	32		33		54	
Missing fixture	35		26		49	
Windows	44		22		44	
Doors	29		12		33	



NYCHA Red Hook Houses (East & West)

Buildings	30
Apartments	2,891
Populations	6,290

Housing Resource Center	2016	2017	2018
Households served	719	1,187	1,238
Assisted w/ repairs	514	689	667
Assisted w/ annual review	0	441	535
Home visits	126	59	46
Referrals to HRA on-site	274	273	338
New households served	149	308	279
Households with multiple issues	149	403	371



Justice Center interns conducting home visits with residents.

FOR THE RECORD

**New York City Council
Housing and Buildings Committee Preliminary Budget Hearing
Testimony of Winston Tokuhisa
Member Leader, Neighbors Together
March 22, 2019**

My name is Winston Tokuhisa. I am testifying on behalf of Neighbors Together. I have a CityFHEPS voucher. I have been actively looking for housing since mid-August of last year. My experience with trying to find housing in New York City (like for many people) has been largely negative. Typically, when calling to follow up on a housing lead everything is fine until mentioning the voucher. This leaves me with little to no opportunity to leave the shelter.

Mayor Bill De Blasio's housing plan is not affordable to those most in need. He must immediately increase the number of units in his plan for homeless households to 30,000 -- 10 percent of his overall 300,000 unit goal -- including 24,000 new apartments. The 24,000 new apartments are a critical element of House Our Future NY -- NYC needs housing that is immediately available for those without homes. The Mayor's plan relies far too heavily on the preservation of already-occupied units.

From now to 2026 -- 10,500 newly constructed apartments per year will be built under his plan, but only about two hundred per year will be for homeless households. This is an embarrassingly hollow gesture relative to the need. We need 2,700 new construction apartments per year for these New Yorkers. The shelter system has remained at 60,000 people for the vast majority of time Mayor De Blasio has been in office because of the lack of enough truly affordable housing. Tonight 63,000 people including 23,000 children will sleep in New York City shelters. Under the mayor's "Housing New York 2.0" plan, the City is building or preserving 300,000 units of affordable housing by 2026. But too rarely will any of them actually be affordable to homeless New Yorkers. Only 15,000 units in his current plan will be for homeless households -- a paltry 5 percent. Furthermore, only 6,000 of these apartments will be created through new construction. It is not enough.

The Mayor's "affordable" housing plan subsidizes two times as many apartments for households making six figures as it will for homeless New Yorkers: a full ten percent of the units in his plan are for apartments with monthly rents above \$2,500! Affordable for whom!? The House Our Future NY recommendation is a reasonable goal and well within the means of the City: Mayor De Blasio has already committed more than one billion dollars in funding each year for the life of the "Housing New York 2.0" plan.

Homeless New Yorkers have the fewest apartments available to them, the fewest resources for housing and are unequivocally the group of New Yorkers most in need of affordable housing. That is why the mayor must provide 30,000 apartments including 24,000 via new construction.

For more information regarding this testimony, please contact:

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**Testimony Before the New York City Council Housing and Buildings Committee
Regarding the New York City Fiscal Year 2020 Budget**

March 22, 2019

Good afternoon. My name is Caroline Nagy, and I am the Deputy Director for Policy and Research at the Center for NYC Neighborhoods. I would like to thank Chair Cornegy and the members and staff of the Committee on Housing and Buildings for holding today's hearing on the Fiscal Year 2020 Preliminary Budget.

About the Center for NYC Neighborhoods

The Center promotes and protects affordable homeownership in New York so that middle- and working-class families are able to live in strong, thriving communities. Established by public and private partners, the Center meets the diverse needs of homeowners throughout New York state by offering free, high-quality housing services. Since our founding in 2008, our network has assisted over 74,000 homeowners. We have provided more than \$33 million in direct grants to community-based partners, and we have been able to leverage this funding to oversee another \$30 million in indirect funding support. Major funding sources for this work include the New York City Council, the New York City Department of Housing Preservation and Development, and the Office of the State Attorney General, along with other public and private funders.

Before discussing this year's budget, I'd like to acknowledge the New York City Council for being strong champions of affordable homeownership in New York City. We greatly appreciate your support for homeowner services in the City budget, as well as your promotion of policy reforms such as the basement legalization pilot. We look forward to partnering with City Council and the de Blasio administration on new initiatives like Interboro Community Land Trust and the expansion of the City's home repair programs.

Affordable Homeownership in New York City is Under Threat

While these new initiatives provide promising solutions, there is much more to be done to confront the many challenges to affordable, sustainable homeownership in New York today. More than 181,000 New York City homeowner households spend over 50 percent of their income on their mortgage and related housing costs.¹ For these families, one major crisis such as an unexpected medical bill, loss of work, or a change in household size due to death or divorce could lead to default on their taxes or mortgage. For senior homeowners, the challenges of maintaining a home in New York City on a fixed income are threatened even further by reverse mortgage foreclosures and scams targeting this demographic.

¹ Center analysis of NYC Housing Vacancy Survey data.

Preserving affordable homeownership is especially important in a city where the racial wealth gap and income inequality have increased significantly over the past decade. This especially holds true for black and Latino families: since 2008, the number of black homeowner households has decreased by nine percent in Queens. In Brooklyn, the number of Latino homeowners decreased by 18 percent over the same time period, even though the total number of Latino households increased by two percent. The decrease can be attributed to forces making homeownership more difficult for existing homeowners and to barriers to homeownership for renters hoping to buy.

Foreclosures Remain A Threat

New York City was heavily hit by the by the foreclosure crisis, which, unfortunately, continues to be with us today: In 2017, more than 40,000 New York City families received pre-foreclosure notices, meaning that they were seriously delinquent on their mortgage and at risk of entering the foreclosure process.² Six of New York State's ten ZIP codes with the highest number of pre-foreclosure notices are in New York City: Canarsie and Flatlands/Marine Park in Brooklyn; Rochdale, Springfield Gardens, and St. Albans in Queens; and Bulls Head/New Springville on Staten Island.³ Foreclosure auctions have also been increasing: in 2018, 3,237 homes in New York City were scheduled for auction, up from 936 in 2012.⁴ The New York City families who own those homes are mostly black and Latino: over 60 percent of the homeowners at risk of foreclosure we see at the Center are black, and over 20 percent are Latino.

Reverse Mortgage Foreclosures on the Rise

Reverse mortgages are heavily promoted to senior borrowers as a risk-free opportunity to tap into their home equity while continuing to live in their home. Unfortunately, reverse mortgage foreclosures have dramatically increased in recent years, threatening borrowers' housing stability over what usually amounts to a small amount of unpaid property taxes.⁵ As more NYC homeowners become seniors, we can expect increased numbers of reverse mortgage borrowers. In addition to helping avoid reverse mortgage foreclosures, greater resources are needed to educate borrowers about the risks and responsibilities of this product before taking it on.

Deed Theft Scams Target Vulnerable Homeowners

Just last week, Attorney General James announced the indictment of two Long Island men for allegedly committing deed theft and fraudulently acquiring two homes in Brooklyn and Queens.⁶ Deed theft is a growing concern and can often take the form of foreclosure rescue scams that involve the fraudulent transfer of ownership of a home to a third party. Sometimes homeowners are tricked into signing over

² New Economy Project, *Foreclosure Risk in New York State*: January 2019. Available at: https://www.neweconomynyc.org/wp-content/uploads/2019/01/Final_2018.pdf

³ Id.

⁴ Figures based on Center analysis of PropertyShark data.

⁵ Center for NYC Neighborhoods, *Protecting Senior Homeowners from Reverse Mortgage Foreclosure*, August 2017. Available at: <https://cnycn.org/wp-content/uploads/2017/08/Reverse-Mortgage-Policy-Brief-1.pdf>

⁶ Press Release: Attorney General James Announces Indictment Of Two Long Island Men For Deed Theft Of Two Residential Properties. March 14, 2019. <https://ag.ny.gov/press-release/attorney-general-james-announces-indictment-two-long-island-men-deed-theft-two>

their deed, believing they are signing some other type of legal document. Deed theft scammers target homeowners at risk of foreclosure or homeowners who are otherwise vulnerable, including seniors. Since 2014, the Office of the Sheriff has handled more than 2,000 complaints of deed theft; these complaints are concentrated in Brooklyn and Queens.⁷

Many Homeowners Struggle to Keep Up with Property Taxes

Many NYC homeowners struggle to afford property tax, water, and other municipal charges. If homeowners fall behind and their liens are sold through the City's annual tax lien sale, they will face steeply escalating debt and are at risk of foreclosure. For seniors who have taken out reverse mortgages, even a small amount of tax debt can lead to default and foreclosure.

With Tax Day 2019 approaching, the financial impacts of the 2017 federal tax reform are beginning to be felt by New Yorkers. The new federal tax code makes a number of major changes including new deduction limits on mortgage interest and state and local taxes, and many New York homeowners will find themselves owing higher taxes or facing a smaller-than-expected tax refund this year. This could cause financial hardship and confusion for many, and will likely prompt increased demand for foreclosure prevention services.

Unmet Home Repair Needs Pose Challenges

In a recent Center survey of East New York homeowners, unaffordable home repairs were the biggest challenge identified, with 63 percent of homeowners reporting that they had an unmet home repair need.⁸ When homeowners defer needed maintenance due to a lack of funding, deteriorating conditions put health and safety at risk, threaten income from rental units, and make needed repairs more expensive. Failure to keep a home in good repair is grounds for a reverse mortgage default, and the financial pressures it causes can lead to default on conventional mortgage payments.

Growing Senior Homeowner Population

The number of senior homeowners over the age of 65 in New York City increased by 73,000 (29 percent) between 2008 and 2017. Today, about a third of homeowners are ages 65 and over. Of these senior homeowners, three-quarters are low- to moderate-income, and many are living on fixed incomes.⁹ Many will need resources and services to support them as they age in place, as well as additional support to protect them from financial shocks.

Rising Seas

Rising sea waters and greater flood risk caused by climate change will pose serious threats to the safety and affordability of homes in New York City's coastal neighborhoods. Increased flood insurance

⁷ Report of the Grand Jury of the Supreme Court State of New York, December 13, 2018. Available at: <https://www.manhattanda.org/da-vance-releases-grand-jury-report-documenting-epidemic-of-real-estate-theft-targeting-vulnerable-new-yorkers/>

⁸ Center for NYC Neighborhoods, *East New York: Preserving Affordability in the Face of Uncertainty*, 2017. Available at: www.cnycn.org/eastnewyork

⁹ Center for NYC Neighborhoods, *Affordable Homeownership 10 Years After The Crisis*, 2018. Available at: <https://cnycn.org/affordable-homeownership-10-years-after-the-crisis/>

premiums will add another affordability challenge for homeowners in flood-prone areas. More than 218,000 New York City residents currently live in the high-risk floodplain, and about 200,000 more will be added when New York City updates its Flood Insurance Rate Map sometime in the next few years. With increased flooding and unaffordable flood insurance premiums looming, homeowners in flood-prone neighborhoods must take steps to inform themselves of their flood risk and make decisions about how to prepare for future floods.

Solutions: Fund Homeowner Services in the FY 2020 City Budget

The Center for NYC Neighborhoods has developed innovative, high-quality services to help keep New York City homeowners in their homes, with a track record of success on behalf of LMI homeowners. This year the Center requests \$3,000,000 City Council funding to support a streamlined approach to financial and physical resiliency for homeowners across New York City through a single point of entry.

Specifically, City Council funding would support our comprehensive suite of homeownership services, including the following:

- **Homeowner Hub:** Our Hub is a frontline service for homeowners seeking specialist advice and referrals for more comprehensive services. The Hub can be reached via 311, our HomeownerHelpNY website, and in person at community events, which together serve New Yorkers in every Queens neighborhood.
- **Foreclosure Prevention Services:** The Center serves homeowners in Queens by providing foreclosure counseling, homeownership counseling, property tax counseling, and reverse mortgage counseling for seniors that help them remain in their homes. Some services are provided in-house, such as the Center's Escalations program, while others are provided through our Network Partners.
- **Homeowner Sustainability and Resiliency Services:** The Center provides resiliency and energy efficiency counseling, home resiliency audits, and backwater valve installations for homeowners at risk of flooding or who are seeking to lower their home energy costs. We work to improve circumstances for individual homeowners and also at scale for communities at risk of flooding, climate change, and more. Queens residents can learn their flood risk at FloodHelpNY.org.
- **Policy and education:** Our policy and research team works to develop program and policy recommendations to better protect NYC homeowners, including legislative reforms for issues like property taxes, tax lien sales, and more.

Fund Home Repair in the City Budget

Given the major need for increased home repair resources for low- and moderate-income homeowners, the roll out of HPD's HomeFix program is greatly anticipated. We are requesting \$2 million in City Council funding to provide vital outreach and counseling support as well as loans targeted towards those council districts with the highest need, which will allow us to reach low- and moderate-income New York City homeowners throughout the city and assist them in navigating the program.

We look forward to partnering with the City Council and the de Blasio administration to continue to champion affordable homeownership in New York City. Thank you for the opportunity to testify today.

New York City Council
Housing and Buildings Committee Preliminary Budget Hearing
Testimony of Victoria Wolf
Member Leader, Neighbors Together
Friday March 22nd, 2019

My name is Victoria Wolf and I am a senior living in Eldert Lane Shelter. I am in the shelter system because of a repetitive failure of the retina in my one seeing eye, with varying degrees of blindness over the last 25 years. My eyesight forced me into early retirement 6 months short of a full work history for social security, and I was denied social security disability. For this reason, my social security monthly payment after Medicare is \$42 per month.

Due to my physical impairments, including spinal and knee injuries, it is critical that I reside in housing with an elevator, preferably smoke free. I have been enrolled in the CityFHEPS program and have my shopping letter. Unfortunately, at only \$1246 per month, I know I will never find an apartment in New York City that will meet my needs within the voucher's maximum pay. So now, I'm stuck in the shelter with no viable route out.

The House our Future NY campaign is asking for 30,000 units of housing set aside from the Mayor's affordable housing plan for homeless New Yorkers, with 24,000 being new construction. This is simply not too much to ask. Housing provides a sense of security, safety and succor to thrive. When I learned that over a third of the shelter population was children, I was appalled. If I feel these needs so acutely unmet from a lack of housing, imagine how much more intensely it is felt by children, who are emotionally vulnerable.

One does not "live a life" in the shelter. One is always in "survival mode". A sense of safety is nonexistent. You cannot think correctly, you cannot feel at ease because of an atmosphere overwhelmingly thick with anger, fear, anxiety and emotional instability.

As a senior, I take into consideration my ETR – estimated time remaining. I need to know my housing is set and secure for the remainder of my life. If I use the voucher of \$1,246, an amount way short of fair market rent, out of desperation most likely I will be forced to take an apartment or a room that does not

meet my physical needs. I fear a cyclical return to the shelter. But as of right now the voucher is my only option. I have goals and desires – things I want to accomplish with my remaining time on this planet. Without hope, why strive to go forward?

House our Future NY would create an urgently needed housing stock for people in the shelter system, and is a practical solution for all of us with nowhere to turn. As of January 7th, 2019, I have entered my third year in a DHS shelter. There is a reason the average length of stay in a city shelter is increasing – there is nowhere suitable for people in the lowest income bracket or on fixed income to go.

A home is not just a physical space, it also provides roots, identity, security, a sense of belonging and a place of emotional well-being. I hope that you all, as our elected officials can acknowledge that every New Yorker at the very least deserves a home. Thank you.

For more information regarding this testimony, please contact:

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New York City Council
Housing and Buildings Committee Preliminary Budget Hearing
Testimony of Leroy Alexander
Member Leader, Neighbors Together
March 22, 2019

I'm here today to urge the City Council to support House our Future NY and help homeless New Yorkers move into permanent housing.

I first became homeless in 2001 and experienced three different episodes of homelessness totaling almost two years. Over the course of that time, I lived in two drop in centers and four different shelters. For the last 6 1/2 years I've been living in a unit through a supportive housing provider. While it isn't perfect, I at least have a place to call home and I live with dignity.

The homelessness crisis is as insidious as the AIDS epidemic once was. There was a deadly disease, and for too long, our government withheld the resources necessary to find a cure. To those who haven't experienced homelessness firsthand, it is nearly impossible to fully comprehend the nature of this reality, which affects more than 63,000 New Yorkers. However, through House our Future NY, we can make real strides to alleviate this suffering.

The Mayor's affordable housing plan does not meet the crucial need for housing. His plan creates 60,000 units for people making between \$70 to \$140,000 dollars a year. At that rate, even the ten % of units that we're asking to be set aside for those who are currently homeless is to me gradualism at best - BUT it's a step in the right direction.

I'm here to be a voice for those who are homeless and do not have the ability to represent themselves. I can sit here and speak to you because my basic human needs are met. Please understand that homelessness has no face, no stereotype and is native to no particular segment of the population. Homelessness is but one misstep away for far too many people - even some of you in this room today.

Our elected officials need to be responsible for, and accountable to those grass roots rank and file New Yorkers - the ones that were here BEFORE gentrification made living in places like Bed Stuy,

Bushwick and Harlem chic for the upper middle class. IF America is what she says she is, and if New York wants to call itself the biggest fair city in America, we have the obligation to meet the needs of those who work hard but don't have a pot of gold in their future, two cars in their garage or a chicken in their pot. Thank you for allowing me to speak and thank you for listening.

For more information regarding this testimony, please contact:

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**TESTIMONY OF BENJAMIN DULCHIN BEFORE
THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS CONCERNING
FISCAL YEAR '20 PRELIMINARY BUDGET.**

March 22, 2019

Good Afternoon. Thank you Chair Cornegy to the members of the Committee on Housing and Buildings for the opportunity to testify on the FY19 Preliminary Budget.

My name is Benjamin Dulchin and I am the Executive Director of the Association for Neighborhood and Housing Development (ANHD). ANHD's mission is to advance equitable, flourishing neighborhoods for all New Yorkers. A coalition of over 100 community-based affordable housing and equitable economic development organizations in all five boroughs of New York City, ANHD works at the intersection of community organizing, policy, advocacy, and capacity-building. Our members have developed over 135,000 units of affordable housing and every year save countless affordable apartments by educating and organizing tenants threatened by displacement.

Federal Budget Cuts

New York City faces a precarious situation with the threat of Federal Budget cuts that seem specifically targeted at the programs that cities like ours rely on. While it unclear what the final federal budget will include, it is clear that the Trump Administrations' proposed FY 20 federal budget would be devastating to affordable housing in New York City. As analyzed by the New York Housing Conference, If the cuts remain as they as now, **the proposed HUD budget will be cut by \$44.1 billion. These cuts will include the following for New York City:**

- **Public housing capital funding is eliminated** and operating funds but by 40%.
- **Community Development Block Grant (CDBG), Choice Neighborhoods, Self-Help and Assisted Ownership Opportunity Programs** are eliminated.
- **Section 8 is cut by \$354 million**, which means fewer vouchers to combat homelessness and insufficient Tenant Protection Vouchers funding to meet NYCHA's needs.

I will take a moment to point out the mendacity and hypocrisy of federal officials continuing to criticize our local public housing programs while at the same time launching devastating cuts that directly undermine the ability of NYCHA to address its serious issues.

ANHD asks that in this time, the NYC Council set policies and a FY20 budget that make it clear that New York City's priorities are to defend our most vulnerable communities.



In the face of federal budget cuts, preserving our existing affordable housing is both more necessary than ever to meet the needs of our City's residents, and a more cost-effective use of limited City budget dollars.

Community Housing Preservation Initiative

ANHD asks for the Council's continued support of the **Community Housing Preservation Initiative (CHPI)** initiative, **previously the Housing Preservation Initiative (HPI) and the Community Consultant Contracts (CCC) program**. HPI & CCC are critically important to enabling community-based groups' preserve affordable housing in their neighborhoods amidst an ongoing housing crisis and increasing housing costs.

It is a well-understood that preserving existing affordable units is far more cost-effective than building a new unit. **A recent ANHD analysis of HPD data shows that, on average, the City spends \$100,000 in direct City subsidy to finance each new affordable unit that is created and \$40,000 in direct City subsidy to finance each unit that is preserved.** If the total cost of the development is taken into account – including the cost of the tax credit financing, the low-cost mortgage, and the property tax abatement – the actual cost of each unit is four times that amount.

ANHD respectfully requests that the newly created Community Housing Preservation Initiative (CHPI) initiative be funded at \$3,651,000 in order to allow the critical work of providing much needed services that keep neighborhoods residents in their homes.

These three programs have a major impact on our local communities. On an annual basis, this funding supports **direct Counseling for over 15,000 tenants, education to help protect against displacement threats for over 28,000 residents, tenant's rights information supplied to over 66,000 New Yorkers, and direct hands-on help for nearly 2,000 New York City residents facing eviction to stay in their homes and neighborhoods.**

ANHD's Displacement Alert Project

I would like to thank the City Council for your support last year of funding for ANHD's Displacement Alert Project (www.displacementalert.org) which equips residents, community groups, as well as legislators with key information about displacement risk in their communities. The project includes distinct data visualization tools that compile information from various fragmented public records and databases, and makes it accessible, intuitive, and useful by displaying it in one place with color-coded risk metrics and creative data visualization. The Displacement Alert Project is helping to disrupt the standard cycle of displacement already with 1,000+ users, including nearly 400 multi-session users of our District Reports.



With funding from the City Council, we are currently expanding the Displacement Alert Project to include a new information tool that was specifically and uniquely designed to meet the needs of City Council Members and their constituents. We expect to release a public beta version of this new City-Council specific “Displacement Alert Portal” in April, 2019.

ANHD is seeking a \$100,000 operating support grant from the City Council to enhance and expand this work to meet the specific council district-level needs. The Displacement Alert Project is helping to disrupt the standard cycle of displacement already with 1,000+ users, including nearly 400 multi-session users of our District Reports. Funding from the New York City Council in FY 2020 will allow us to:

- Support the addition of new searchable features based on City Council district mapping lines.
- Work with City Council members and their staff to explore new data needed to ensure information is most relevant to district needs.
- Train additional affordable housing stakeholders—including City Council members and their staff, constituents and local community groups on understanding and using key features of this innovative data tool and project.

Neighborhood Preservation Consultant Program (NPCP).

We also urge the Department of Housing Preservation and Development’s (HPD) to increase support for the **Neighborhood Preservation Consultant Program (NPCP)**. Together these programs have been extraordinary resource for NYC residents.

The amount of funding for the **Neighborhood Preservation Consultant Program (NPCP)** in the Fiscal Year 2019 Preliminary Budget of \$580,000 is inadequate. NPCP provides critically needed support to distressed neighborhoods; however it has been cut by 72% since 2012. We request that the program be fully restored and expanded to \$1,160,000 in order to address the growing displacement pressures on residents throughout the city.

The activities funded under these programs are both essential, and highly cost-effective.

The Displacement Alert Portal

Sample of a Building Look Up:

DAP Displacement Alert Project PORTAL

Building Look Up | District Alerts | Advanced Search

1910 3rd Avenue, New York, NY 10029 | Manhattan District 8
Community Board 11 | East Harlem

Look Up An Address: 1910 3rd Ave, NY, NY 10029

Street View | [Map View](#)

Registrant Info: Daniel Hochberg
SPG 3rd Ave Investors LLC
Address: 38 East 29th Street, 9 Floor, 10026
PROPERTY LISTINGS BY LANDLORD

Year Built: 1920
Residential Units: 12
Rent-Stabilized Units: 3
Evictions last year: 2
Loss of Rent Stabilized Units: 10.1%

Building History

Select Filter >

- HPD violations **7**
- DOB complaints **3**
- Construction Permits Filed **2**
- Construction Permits Approved **1**

DOB Complaints (last update 02/19/19)

Complaint Number	Date Entered	Category	Inspection Date	Disposition	Status
1383364	10/03/2018	05	10/20/2018	12	RES
1458793	09/07/2018	03	10/17/2018	13	RES
3847198	03/03/2018	05	04/22/2018	12	RES

Boro-Block-Lot: 1016330036 | Building Count: 2
Tax Reg: J-S1, 42-A | Tax Liens: No
Zoning: R4 | FAR: ~50%

Sample of a District Search:

Manhattan District 8 | Select Your District

2 Foreclosure Notices Filed (lis pendens)
Past 3 Years | Past Year | Past Month

- Sales of residential buildings **2**
- Evictions Cases in Process **16**
- New DOB Permit Applications Filed **56**
- Foreclosure Notices Filed (Lis Pendens) **2**
- More than 10 new HPD violations **9**
- Add Custom Filter

Rent Regulated **40%** 17,450 units
Public Housing **35%** 15,000 units
Small Homes **17%** 7,300 units
Rent Stabilized **8%** 3,600 units

Key District Statistics

Population: 134,300 residents
14% population growth (2010-2016) is much higher than city average.

Demographics: Immigrant population grew by 34% since 2000, (more times faster than citywide growth rate)

Housing Breakdown: 43,300 rental units (total of housing), 3500 privately owned units (apart, condos, townhouses)

Sample of the Query Set Up:

DAP Displacement Alert Project PORTAL

Building Look Up | District Alerts | Advanced Search

Advanced search

Show me **j-51 Regulated** buildings in **Manhattan District 8** with **less than 10 DOB violations** from **02/24/16** to **05/28/17**

Add Multiple Conditions

Council District: **Manhattan 8** | Housing Type: **j-51 Rent Regulated**

Displacement Factor: All factors, HPD violations, HPD complaints, **DOB violations**, DOB complaints, ECB violations, Permit filed, Permit approved, Sales of res units, Evictions pending

Search Condition: Equals **10**, Less than **<**, Greater than **>**

Date Range: From: **02/24/16**, To: **05/18/17**

SHOW RESULTS



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January 16, 2019

BY HAND

Justice Ben Barbato
New York State Supreme Court, Bronx County
851 Grand Concourse
Bronx, NY 10451

Re: *In Rem Tax Foreclosure Action No. 52*, Index No. 40000/2015
(Block 2876, Lot 1; 1600 Nelson Ave.)

Dear Justice Barbato:

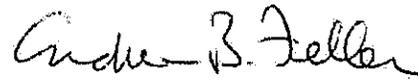
We represent the City in the above-captioned *in rem* tax foreclosure action. We respectfully request that the Court accept for consideration one point in response to an argument raised by counsel for 1600 Nelson Avenue HDFC for the first time at the conference held on Monday, January 14, 2019.

Counsel has argued that the property was improperly included in the action as the Administrative Code prohibits the inclusion of properties that do not meet the statutory definition of "distressed" in Admin. Code § 11-401. The *new* argument made orally in court is based on the phrase in section 11-405(a) that additional properties on the same block must be included if those properties have "tax liens subject to foreclosure pursuant to this chapter, . . ." Contrary to Mr. Joseph's assertion, "this chapter" refers to the entire chapter 4 of Title 11, which according to section 11-404 includes all properties subject to unpaid tax liens. The "chapter" referred to in section 11-405 is not confined to modified *in rem* (the Third Party Transfer Program), which, in any event does not require a property to be distressed to be included. Mr. Joseph's misreading of section 11-405 does not support his argument. Simply, the City has no discretion - - tax delinquent properties of the same class on the same block *must* be included, whether or not "distressed."

Additionally, the Appellate Division case counsel cited for the first time at the conference, *Matter of Foreclosure of Tax Liens v. Goldman*, 165 A.D.3d 1112 (2nd Dept. 2018),

which though perhaps new to Mr. Joseph is several months old and, like many cases cited in his main brief, concerns New York State's *in rem* tax foreclosure procedure (Chapter 11 of the New York Real Property Tax Law) and is not pertinent to the provisions of the City's *in rem* law.

Respectfully,



Andrea B. Feller

cc: Serge Joseph, Esq. (by email)
Brian Markowitz, Esq (by email)

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January 25, 2019

BY HAND

The Honorable Ben Barbato
Justice of the New York State
Supreme Court, County of Bronx
851 Grand Concourse, Room 774, Part 21
Bronx, New York 10451

Re: *In Rem Tax Foreclosure Action 52*,
Index No. 40000/2015
(Block 2876; Lot 1; 1600 Nelson Avenue)

Dear Justice Barbato:

We represent 1600 Nelson Avenue HDFC, a defendant in the above-captioned In Rem Tax Foreclosure action [hereinafter "1600 Nelson"]. We write pursuant to your Honor's Part Rules to request leave to respond to the City's letter to the Court, dated January 16, 2019, hand delivered to the Court two days subsequent to the filing of comprehensive briefs, including the City's Sur-Reply, and two-hour long oral arguments in the case *sub judice* [hereinafter "Letter"].

A. In Violation of the Administrative Code and the Judgment in this Case, the City Failed to Transfer Title in Fee Simple Absolute

A striking aspect of the City's opposition papers, Sur-Reply, and now Letter is what they all glaringly fail to address or confront: The Third Party Transfer Agreement between the City and Neighborhood Restore, entered on the same day the City deeded title to the subject premises to Neighborhood Restore, which was clearly intended to circumvent the mandate of both the Administrative Code and the judgment of foreclosure in the instant case that the transfer of title be in fee simple absolute. The restrictions contained in the Third Party Transfer Agreement (hereinafter "Agreement") make clear that the title granted to Neighborhood Restore was not fee simple absolute, but subject to several conditions subsequent. The City never quotes the actual words of the Agreement, and never addresses the question of what, other than the Agreement's

plain language, could possibly have led the City to require Neighborhood Restore to agree that it “shall not, without the prior written consent of HPD, cause or permit any total or partial transfer, sale, disposition, transfer, assignment or conveyance of any interest in the Premises”. [Emphasis supplied]. The City has not responded to this because it has nothing to say. The transfer of title is contrary to the Administrative Code and judgment of foreclosure, and therefore a nullity.

B. Matter of Foreclosure of Tax Liens is Directly on Point: The City was Required to Undertake Reasonable Efforts to Provide Actual Notice and it Failed to do so

The City does not dispute that *Matter of Foreclosure of Tax Liens v. Goldman*, 165 AD3d 1112 (2nd Dept., 2018) stands for two unremarkable and self-evident propositions that: (1) “the United States Supreme Court has explicitly rejected the fiction that an *in rem* proceeding is not asserted against any individuals, but only against the property itself. Rather, the Court has long acknowledged that an adverse judgment *in rem* directly affects the property owner by divesting him or her of his or her rights in the property before the court”; and (2) “The United States Supreme Court’s case law has thus required the State to make efforts to provide actual notice to all interested parties comparable to the efforts that were previously required in *in personam* actions. In other words, persons claiming interests in real property that is the subject of an *in rem* proceeding are entitled to notice that functionally approximates the service of process that is employed in *in personam* actions.”

Instead, the City invites this Court to disregard *Matter of Foreclosure of Tax Liens*, brazenly contending that the case is “several months old”, and “concerns New York State’s *in rem* tax foreclosure procedure”, and not the City’s Administrative Code provisions. *Matter of Foreclosure of Tax Liens* was issued on October 24, 2018, a month subsequent to 1600 Nelson’s Order to Show Cause, and a mere three months ago. Surely, *Foreclosure of Tax Liens* cannot be considered “ancient” by any stretch of the imagination. Moreover, the City’s contention that City regulations preempt State law, and do need to meet minimal Constitutional safeguards is absurd on its face. See *DJL Rest. Corp. v. City of New York*, 96 NY2d 91, 97, 749 NE2d 186, 191, 725 NYS2d 622, 626 (2001). In any event, the City’s authority is derived from State law, which cannot give the City more than it can constitutionally exact and extract.

C. The City’s Statutory Analysis is Flawed

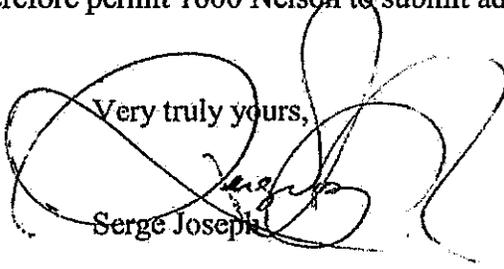
The City’s last contention that NYC Admin Code § 11-401(c)’s “distressed property” designation is mere verbiage and therefore unnecessary to subject a property to *in rem* foreclosure is contrary to the plain language of NYC Admin Code. NYC Admin Code § 11-405, states in pertinent part that in “Any parcel so determined to be a distressed property shall be subject to an *in rem* foreclosure action”. The City’s interpretation violates two venerable canons of statutory construction: first, that the mention of one person or thing implies the exclusion of other persons or things; and second that a statute must be read so that each word therein will have a meaning and not render meaningless a word or sentence. The City also fails to read the statute as a whole, failing to harmonize NYC Admin Code § 11-412.1(b)(1), which permits the

City to transfer title to a Third Party, with NYC Admin Code §§ 11-424 and 11-424.1, which permits the City to release properties acquired through in rem tax foreclosure. The City's analysis is also at odds with the legislative history and intent, which as the testimony of former HPD Commissioners Deborah C. Wright, annexed as Exhibit D to 1600 Nelson' Reply Affirmation, shows was to prevent abandonment since the "City's experience over the past 18 years proves that foreclosure and City ownership and management of buildings has not significantly improved much of this housing stock; rather, much of it has suffered further decay, the exact opposite effect of his policy's intent."

D. HPD's "Third Party Transfer" Package Should not be Considered

Lastly, in the guise of providing the Court with "mere" background information, the City for the first time belatedly supplied the Court during oral arguments with a package consisting of HPD's interpretation of the Third Party Transfer Program. HPD's self-serving package and its interpretation of NYC Admin Code § 11-401 et seq. should be summarily rejected. Statutory analysis is a pure question of law ordinarily reserved for the courts. Where, as here, the question is one of pure statutory interpretation dependent only on giving effect to the plain words of the statute, and accurate apprehension of legislative intent, there is little basis to rely on any special competence or expertise of the administrative agency and its interpretive regulations are therefore to be accorded no weight. *Roberts v. Tishman Speyer Props, LLP*, 13 NY3d 270 (2009); *KSLM-Columbus Apts., Inc.*, 5 NY3d 303 (2005); *Madison-Oneida Bd. of Coop. Educ. Servs. v. Mills*, 4 NY3d 51 (2004).

Based upon all the foregoing, it is respectfully submitted that the Court may benefit from additional briefing on the issue of the significance of the "distressed property" designation to whether a property can be properly subject to the under modified in rem tax foreclosure action or Third Party Transfer program, and therefore permit 1600 Nelson to submit additional brief on this issue.

Very truly yours,

Serge Joseph

/sj

cc: Andrea B. Feller, Esq (by email)
Brian Markowitz, Esq (by email)

Local Law 37 of 1996 provides that there shall be an In Rem Foreclosure Release Board made up by, among others, the affected Borough President. See below:

17. Section 11-424.1 of the administrative code of the city of New York, as added by local law number 16 for the year 1991, is amended to read as follows:

11-424.1 In rem foreclosure release board. There shall be an in rem foreclosure release board consisting of the mayor, the speaker of the city council, the affected borough president, the corporation counsel and the commissioner of finance. For the purposes of this section, the affected borough president shall be the president of the borough in which a property proposed for release pursuant to this section is located. Members of the board may, by written authority filed with the board and with the city clerk, appoint delegates to act on their behalf as members of the board. The board shall have the power, acting by resolution, to authorize the release of the city's interest in property acquired by in rem tax foreclosure in accordance with [section] sections 11-412.1 and 11-424 of the code based upon a determination, in its discretion, that such release would be in the best interests of the city. The board shall act after a meeting at which the public has been provided an opportunity to comment on the proposed action. A resolution of the board authorizing a release of the city's interest in any property shall be adopted only upon the affirmative vote of not less than a majority of all the members of the board. The board may consider any information it deems relevant to a determination. The board shall not be required to state the reasons for its determination.

Housing Facts vs. Fraud by Con-Man Bill de Blasio's NYC Law Dept. Taxpayers Fund:

Introduction:

The following discussion concern a lawsuit I have against HRA and a federal lawsuit against the City that pertain to housing matters, retaliation for engaging in protected whistleblowing, and more. The discussion that follows addresses the following:

- a. Information shown within an “affirmation in support” legal paper dated 3/18/19 that I received from Rosemary C. Yogiaveetil of the New York City Law Department on 3/20/19 during a hearing at the New York City Supreme Court in Manhattan for my lawsuit against HRA that has the index number of 100054/2017.
- b. HRA’s contracts with Urban Pathways, Inc. (“Urban”) and Services for the Underserved, Inc. that taxpayers finance that includes HRA’s negligent failure to provide oversight of how they operate.
- c. The New York City Law Department’s fraudulent claim that HRA hasn’t been responsible for how its notorious Bellevue Men’s homeless shelter operates, including a lack of sufficient security within it that I apprised a) HRA Commissioner Steven Banks about in-person on 3/1/16 and b) New York Daily News reporter Graham Rayman about on 4/16/16 after he reported that someone was murdered within it on 4/15/16.

Page numbers and claims referenced in the following table refer to the “Affirmation in Support” legal filing that I discussed above.

#	Page	Fraudulent Claims with Material Omissions	Facts
1	9	“HRA neither owns nor operates the Bellevue Men's Shelter. Furthermore, HRA is not responsible for providing security at that site.”	I asserted claims against HRA for having negligently failed to provide adequate security in its Bellevue men’s homeless shelter located on East 30 th Street by First Avenue in Manhattan on

		<p>This appears on page 13.</p>	<p>2/22/16 that enabled someone to steal my iPhone by having been able to walk into a room in which I slept that was assigned strictly to me for doing so and had no lock nor other locking mechanism on that door from the hallway outside of it.</p> <p>A report entitled "Oversight of Homeless Shelters" that was jointly issued in February of 2016 by the New York State Comptroller's office and the New York State Office of Temporary and Disability Assistance contains information confirming HRA owned and operated the Bellevue men's homeless shelter while I resided in it. That report is available on the Internet at the following address:</p> <p>https://www.osc.state.ny.us/audits/allaudits/093016/15s23.pdf</p> <p>The following text appears on page 9 in that report:</p> <p>"One of these facilities -- Bellevue 30th Street Men's Shelter (Bellevue) in Manhattan -- is owned and operated by DHS"</p> <p>The New York City Department of Homeless Services ("DHS") has been a division of HRA.</p>
2	9	<p>I claimed that my former roommate, Ronald Sullivan, physically assaulted me on 7/2/16 where I resided and that I he notified HRA's business partners Services for the Underserved, Inc. ("SUS") and Urban Pathways, Inc. ("Urban") about prior problems with Mr. Sullivan. I further claimed that Urban operated as my landlord at the time of that assault and was responsible for having adequate security where I resided with Mr. Sullivan on 7/2/16.</p>	<p>HRA provided me a copy of its contract with Urban that enables it to operate as the landlord of the building in which I reside. HRA also has a contract with SUS. Those contracts authorize HRA to terminate them if Urban and SUS failed to comply with their obligations and violated applicable law.</p> <p>Due to that fact as well as the fact that I began notifying both HRA, SUS, and New York City Councilman Ben Kallos in March of 2016 primarily via e-mail that Urban had subjected me to an illegal bait-and-switch fraud and forgery in regards to a</p>

		<p>Those claims don't demonstrate any direct responsibility on the part of HRA.</p>	<p>binding apartment lease agreement that I signed on 2/16/16 in HRA's offices with Lisa Lombardi of Urban to be issued a private apartment with no roommate shortly thereafter in the building in which I reside, HRA had a clear legal and ethical duty to promptly intervene. However, its personnel neglected to do so and may have directed or otherwise been complicit with Urban in regards to the bait-and-switch fraud and forgery that Urban committed against me. Information exists in HRA's records that corresponds to 2/18/16 that indicates that HRA's personnel may have been complicit in this way.</p> <p>During conversations that I have had with HRA Commissioner Steven Banks that I have legally recorded on audio, he has refused to have HRA provide me further details about that and other matters pertaining to proper oversight by HRA of Urban in defiance of my First Amendment and FOIL rights.</p>
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After I was assaulted on 7/2/16 that caused me to experience a concussion and memory loss, HRA's personnel illegally prevented me from being able to view proposed contracts it was considering issuing to Urban and others by visiting HRA's offices located on the 37th floor at 150 Greenwich Street in Manhattan where it made those contracts available to other members of the public to inspect prior to public hearings that were held in which they were discussed. On 3/28/19, HRA will conduct a public hearing that will be partly about a proposed contract with SUS and a contract for body cameras. HRA's personnel are continuing to violate my rights pursuant to the First Amendment, Fourteenth Amendment's due process and equal protection provisions as well as my rights pursuant to New York State's Open Meetings Law by illegally preventing me from being able to view the proposed contracts for that public

hearing in HRA's offices located on the 37th floor at 150 Greenwich Street in Manhattan where it has made them available to other members of the public to inspect prior to that public hearing.

On 3/27/19, I have to appear at the Bronx Housing Court to contend with an entirely frivolous lawsuit that was commenced against me in December of 2018 by Urban, as HRA has fraudulently refused to a) help me obtain legal representation for that case through its legal services partners and b) comply with FOIL demands that I have submitted to HRA for material information that is needed to supplement my defense in that case.

On 5/23/17, I was illegally prevented from attending a public resource fair that the Mayor held inside of the Bronx Supreme Court by members of his NYPD security detail, court officers, and Rachel Atcheson of his Community Affairs Unit, as that was recorded on video. Prior to leaving where I reside to go to that hearing, I RSVP-ed for it in advance and recorded a video on 5/23/17 of a defective ceiling in need of repair located in the hallway directly outside of my apartment. That ceiling hasn't been fixed. When I RSVP-ed for that meeting, I stated that I intended to engage in whistleblowing against agencies that comprise the Mayor's administration for their failure to do their job.

On Monday, I was illegally assaulted by a member of the Mayor's NYPD security detail in the course of being illegally kicked-out by him from the public hearing that the Mayor held in the Blue Room in City Hall as I was lawfully conducting myself lawfully and making opening remarks while testifying in that hearing after 3 others had done so during it without interference.

In closing, my testimony today will be used to strengthen my federal court lawsuit against the City by demonstrating that though this New York City Council excels at collecting paychecks, grandstanding, and delivering lip-service, it turns its back on a whistleblowing military veteran for which all of the following is true:

- a. I have testified to the New York City Council truthfully and without deceit in contrast to HRA Commissioner Banks, members of the NYPD, and members of HPD.
- b. I have testified to the New York City Council not just for me, but also for the benefit of taxpayers and other military veterans who reside where I reside and are being dishonored and otherwise neglected by Chaim Deutsch, Stephen Levin, Ritchie Torres, Rafael Salamanca, Jr., journalists, the Mayor, and many more. Such neglect and dishonor stems from the fact that Urban remains the landlord for the building in which I reside as it continues to neglect having necessary repairs made and HRA contends with valid lawsuits against it and Mr. Banks in federal court and New York State Supreme Court in Manhattan by whistleblowers who worked for it.

New York City Council
Housing and Buildings Committee Preliminary Budget Hearing
Testimony of Harold Alexis
Member Leader, Neighbors Together
March 22nd, 2019

Good afternoon everyone. My name is Harold Alexis and I am here with Neighbors Together and the House our Future NY campaign. I want to thank you for this opportunity to testify.

I was born and raised in the East Village of Manhattan. I lived in the Bronx for over 50 years before I became homeless. For the past 5 years, going on 6, I have been transferred to 5 different shelters, and passed between 18 case managers and housing specialists.

The length of shelter stay has increased by 62% for individuals like me under the DeBlasio administration. My time in the shelter far exceeds the average, and it is not for lack of trying. I have been able to maintain work while in the shelter, and I have been conducting my own housing searches vigilantly with my CityFHEPS voucher. Due to physical restraints, I walk with a cane, and cannot viably live in a walkup apartment. CityFHEPS only pays \$1,246 a month. In a city that is experiencing sky rocketing cost of living and rent increases, my chances of finding somewhere to accept my program are slim, and getting worse every day.

The House our Future NY campaign would directly benefit someone like me. 24,000 units of newly constructed housing out of 30,000 units of housing set aside for people living in shelter would be a much needed infusion of extremely low income housing. The affordable housing plan as it currently stands sets aside 20% for individuals making \$70,000 to \$120,000 a year, and only 5% for people who are homeless.

The Mayor will push back and make the claim that his affordable housing plan is for everyone. We understand this claim, and believe it is smart to make New York livable for every income range. But here is the key point we are trying to make: there are 63,000 New Yorkers - many of us, like myself, who have lived in New York our whole lives, and many of us, like myself, who

work - who do not have a place to live. Other initiatives the Mayor has offered us have failed. Our vouchers are not enough to afford an apartment in 2019. Not one of my 18 case managers successfully helped me leave the shelter. The income at my job will never be enough for me to live in New York on my own. Actions speak louder than words – and a Mayor who campaigned on ending the tale of two cities has shown with his policies, that if you are low income and want to live in New York, your best bet for housing is to leave.

10% of a 300,000 unit affordable housing plan in a city with 63,000 homeless people is a more than just compromise, especially for a city that wants to call itself the fairest big city in America. As our elected officials, I urge you to be on the right side of history. Please allocate the appropriate amount of resources to a crisis that you can control.

Thank you for your time.

For more information regarding this testimony, please contact:

Annie Carforo
Community Organizer
Neighbors Together
718-498-7256 ext. 5010
annie@neighborstogether.org

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10% of a 300,000 unit affordable housing plan in a city with 63,000 homeless people is a more than just compromise, especially for a city that wants to call itself the fairest big city in America. As our elected officials, I urge you to be on the right side of history. Please allocate the appropriate amount of resources to a crisis that you can control.

Thank you for your time.



Community Land Trust Initiative

Testimony to the New York City Council Committee on Housing and Buildings Preliminary Budget Hearing for FY 2020 March 22, 2019

Good afternoon, Committee Chair Cornegy and members of the Housing and Buildings Committee, and thank you for the opportunity to testify. My name is Julia Duranti-Martinez, and I am the Community Land Trust (CLT) Coordinator at New Economy Project. New Economy Project is an economic justice organization that works with community groups throughout New York City to fight discriminatory economic practices and to support cooperative economics and community-led development, rooted in racial and gender justice, neighborhood equity, and ecological sustainability. New Economy Project co-founded and co-convenes the NYC Community Land Initiative, a coalition of more than two dozen housing and social justice organizations advocating for CLTs to preserve and create deeply affordable housing and stabilize neighborhoods. Since 2017, we have coordinated a citywide Learning Exchange for groups at various stages of CLT formation. As an outgrowth of this work, New Economy Project and 14 partner organizations are proposing a new citywide CLT Initiative, with FY2020 discretionary funding support, that would incubate and expand CLTs in all five boroughs of NYC.

CLTs are a proven mechanism to preserve vital affordable housing stock, prevent extraction of public subsidies, and combat displacement. A CLT is a nonprofit that owns and stewards land in the community's interest, and leases use of the land for affordable housing development and other community needs. CLTs typically issue renewable 99-year ground leases that establish resale and rental restrictions and ensure that CLT leaseholders cannot earn speculative profits if they choose to sell or rent their property. These permanent affordability restrictions protect public investments in CLTs from being lost to the market over time—a key advantage that CLTs have over conventional affordability terms of 15 or 30 years. The longstanding Cooper Square CLT, on Manhattan's Lower East Side, for example, has developed and preserved 400 units of housing for households earning 26.5% - 36% of Area Median Income (AMI), and will continue to do so in perpetuity.

CLTs also engage community members in meaningful decision-making over neighborhood and housing development. CLT boards of directors are typically composed of equal parts CLT leaseholders, community members, and public stakeholders. The CLT facilitates broad community engagement and participation in land use and planning decisions. Both Cooper Square CLT and the East Harlem/El Barrio CLT grew out of sustained community-led planning and visioning processes, and continue to have strong relationships with their community boards and other local partners. The Northwest Bronx Community & Clergy Coalition's proposed Bronx CLT will partner with nonprofit housing developers to identify development opportunities and engage residents in the planning and management of properties.

While housing remains a key focus for many CLTs, the flexibility of the CLT model can support any land use. CLTs around the country incorporate commercial uses, community and cultural spaces, community gardens, and open space into their work. The development of green space as well as public space that uplifts the resilience of local residents is particularly critical in communities that have been deeply affected by decades of environmental injustice and divestment. The Mott Haven-Port Morris Community Land Stewards engaged in extensive community visioning and design processes to develop its plans for community gardens, and recently completed a feasibility study for a community health and arts center (H.E.ARTS). Similarly, the Mary Mitchell Center for Family and Youth plans to create a CLT that will partner with community gardens to cultivate healthy food and value-add products for income generation.

In addition to fostering permanently affordable housing, equitable community development, and community engagement in planning and land use processes, CLTs can be important partners in disaster recovery and resilience in the face of climate change. CLTs from the Bay Area to the Florida Keys incorporate ecological building techniques and green energy into their work, and partner with community members in the wake of hurricanes and other extreme weather events to rebuild. Locally, the South Bronx Land and Community Resource Trust—a partnership between We Stay/Nos Quedamos, the South Bronx River Watershed Alliance, the NYC Community Gardens Coalition, and the South Bronx Culture Collective—plans to prioritize affordable housing as well as community gardens and green infrastructure, such as community-owned utilities, micro grids, and storm water mitigation.

The CLT model has sparked a citywide movement that has achieved tremendous gains in recent years—including passage of the City’s first local law defining and entering CLTs into the administrative code; increased NYC Dept. of Housing Preservation and Development (HPD) support for the CLT model; expanded training, legal and technical support networks; and investment of NYS Attorney General settlement funds in local CLTs. More than a dozen community-based organizations from the Northwest Bronx to Brownsville are working to develop local leadership, deepen community partnerships, organize tenants and homeowners, and identify properties suitable for their CLTs.

The proposed citywide CLT initiative will allow groups to build upon this exciting progress at a critical moment of opportunity. The initiative will support essential CLT community education and organizing, board and member training, and other start-up costs; build capacity through legal, financial, and technical assistance; and promote coordination among CLTs so they reach a sustainable scale. We ask the Committee to include the CLT initiative in its budget recommendations for FY2020.

Thank you again for the opportunity to testify. For more information or questions, please contact Julia Duranti-Martínez at New Economy Project (212-680-5100, julia@neweconomynyc.org).



Community Land Trust Initiative

New York City Council FY2020 Discretionary Funding Request

Description: The city-wide Community Land Trust (CLT) Initiative will strengthen communities and create and preserve permanently affordable housing, by incubating CLTs in all five boroughs of NYC. The CLT initiative will engage thousands of NYC tenants and homeowners in outreach, organizing, education, and CLT governance; and provide legal, technical and financial support to establish and build capacity of CLTs. The initiative will be administered by DYCD.

Request: New Economy Project (Coordinator) and partners request \$850,000 to fully fund the new citywide CLT Initiative, made up of 15 community and technical support organizations, listed below.

Need: More than 75% of low-income NYC renters are rent burdened. From 2014 to 2017, median rents increased by more than one-third. The city is rapidly losing affordable housing due to expiring subsidies and deregulation of rental properties. NYC also loses more than 1,000 small businesses each month – a particular burden for neighborhoods of color, where small businesses provide a large share of jobs.

Impact: The CLT Initiative will support development of 11 CLTs to create and preserve permanently affordable housing and combat residential and commercial displacement, in low-income NYC neighborhoods. The initiative will conduct 50 community education and organizing sessions in all five boroughs; engage 1,000 tenants and homeowners in CLT activities; and provide 25 training and technical assistance engagements to support successful incubation or expansion of CLTs. Over the long term, the initiative will create and preserve more than 5,000 units of permanently affordable housing for low-income New Yorkers. CLTs are a proven mechanism to preserve vital affordable housing stock, prevent extraction of public subsidies, and stabilize commercial and community spaces. Cooper Square CLT, for example, has developed and preserved almost 400 units of permanently affordable housing on the Lower East Side, for families earning as low as 30% AMI, while providing affordable commercial space for 20 small businesses.

Scope and Services: The CLT Initiative consists of 11 community-based organizations (CBOs) and four technical support organizations, described below. CBOs will conduct community education, outreach and organizing, and receive training and technical support to successfully incubate or expand CLTs in their neighborhoods. Technical support organizations will provide legal and other support to CBOs.

1. **CAAAV Organizing Asian Communities** will create a CLT focused on affordable housing for elderly residents, and commercial space for immigrant-owned businesses, in Manhattan's Chinatown.
2. **Chhaya CDC** will pursue a CLT that preserves community space and commercial affordability for small businesses in Jackson Heights, and work with partners to prevent foreclosures.
3. **City College of New York** will develop training curricula on CLTs.
4. **Community Development Project** will provide transactional legal support on CLT incorporation, by-laws and other matters.
5. **Community Solutions** will work with Brownsville, Brooklyn residents and nonprofit partners to establish a CLT to support low- and moderate-income households.

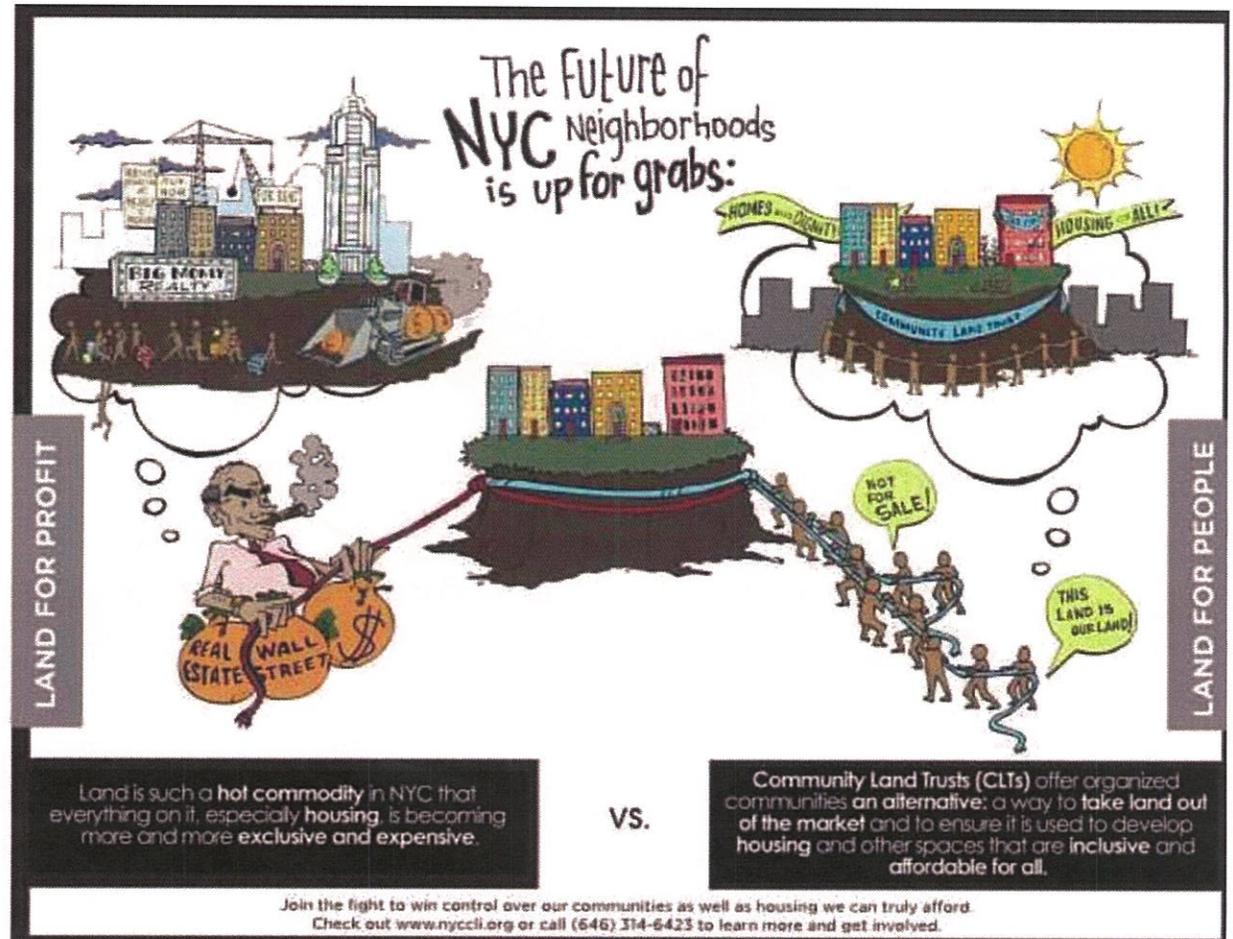
6. **Cooper Square CLT**, a decades-old CLT on the Lower East Side, will acquire and develop new properties, and recruit and train an intergeneration team of community and housing leaders.
7. **Cypress Hills LDC** will create a CLT to preserve low income homeownership and rental units in Cypress Hills and East New York, Brooklyn, focusing on homeowners at risk of foreclosure.
8. **East Harlem El Barrio CLT** will complete acquisition of its first four properties and engage tenants and community residents in stewardship, organizing, and creation of a Mutual Housing Association.
9. **Mary Mitchell Center** will pursue a CLT to steward property it currently owns and publicly-owned land and housing it seeks to acquire.
10. **Mott Haven Port Morris Community Land Stewards** will support limited-equity homeownership opportunities, as well as commercial, cultural, and educational spaces that improve quality of life.
11. **New Economy Project (Coordinator)** will provide research, training, and overall coordination for the CLT Initiative, including to track progress and ensure timely reporting and compliance.
12. **Northfield LDC** will establish a CLT to create affordable homeownership for low income families on Staten Island, and to preserve homes at risk of foreclosure.
13. **Northwest Bronx Community & Clergy Coalition** will create a CLT to protect affordable housing, community and nonprofit spaces, commercial and industrial spaces and community gardens.
14. **Picture the Homeless** will provide training and mentorship on community and CLT organizing.
15. **We Stay/Nos Quedamos** will form a CLT to steward affordable housing NQ currently manages and green infrastructure, including microgrids, community-based utilities and storm water mitigation.



For more information, please contact New Economy Project at 212-680-5100 or by email: Deyanira Del Rio (dev@neweconomynyc.org) or Eve Weissman (eve@neweconomynyc.org)

WHY Community Land Trusts?

- **Permanent affordability & neighborhood stability.**
- **Community stewardship** of land, housing, and other community assets.
- **Protects public investment** in affordable housing
- **Economies of scale**
- **Social equity**



How a COMMUNITY LAND TRUST (CLT) Works

1. A community is struggling with things like:

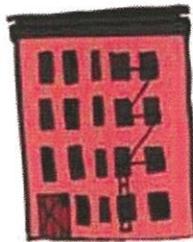
Rising housing costs
and commercial rents



Overcrowding
and Displacement

Lack of
community
and open
spaces

Vacant buildings



2. Community Members work together to form a Community Land Trust (CLT), a non-profit, democratically governed organization that gets and keeps land in trust on behalf of the community.

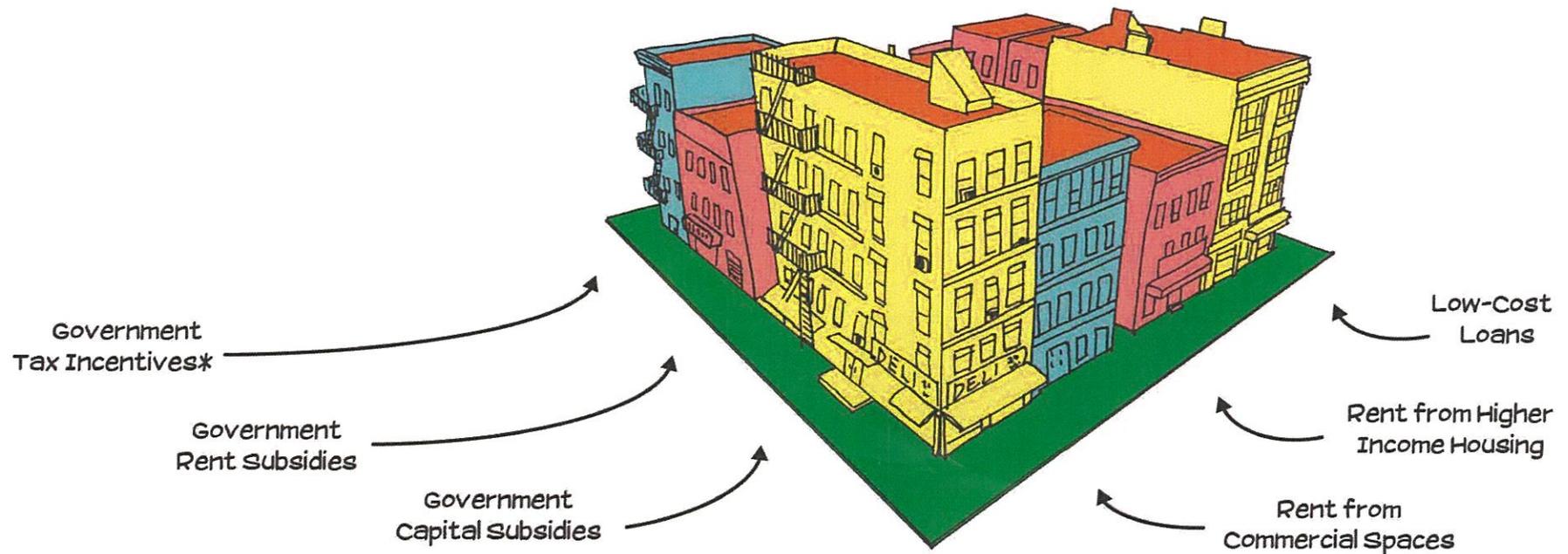
3. The CLT facilitates community-driven planning to address the community's immediate and long-term needs. It works with resident groups, non-profit housing developers and other organizations to:

Preserve and enhance low-income housing and other places of value to the community

Develop unused spaces to meet community needs



Permanent Stewardship Protects Public Investment in Property & Housing



The CLT enforces ground leases and resale/affordability restrictions. This ensures *permanence* of affordability on a CLT, prevents extraction of public subsidy, and creates an extra layer of community oversight.

The NYC Community Land Trust Movement Wants to Go Big

By [Abigail Savitch-Lew](#) | January 8, 2018



Adi Talwar

A CLT in the East Village: 25 East 3rd street flanked by 23 East and 27 East 3rd Street to the left and right respectively. The three building are a part of the Cooper Square Community Land Trust.

The community land trust movement is on the rise in cities across the country from Miami to Oakland, but as of late, the Big Apple arguably ranks among the cities where the movement is most energized. Across the five boroughs, where for the past 20 years there's been one community land trust (CLT), there's now over a dozen groups trying to create new CLTs.

"I don't know anywhere that has this level of growing interest, both with grassroots and more established organizations," says Melora Hiller of Grounded Solutions Network, which supports the CLT movement nationwide.

A CLT is a nonprofit entity that stewards the housing or other buildings on its property by retaining ownership of the land—a unique ownership structure that advocates say help ensure the buildings remain permanently affordable. The model is also believed to promote democratic and community-driven decision making, with CLTs usually governed by a "tripartite board," in which one third of members are residents of the property itself, one third live in the surrounding neighborhood, and one third are other stakeholders like nonprofits, elected officials, or funders. The concept was originally conceived by **Black farmers** seeking to protect Black assets in the Jim Crow South but has in recent years become a strategy used in urban settings to help communities maintain affordable housing.

From a policy standpoint, 2017 was a victorious year for New York City's CLT movement. It began with the de Blasio administration, after months of prodding by advocates, **opening the door** to the CLT vision by releasing a Request for Expressions of Interest, calling on groups to submit proposals detailing how they would develop and manage CLTs. In July, the de Blasio administration announced it had applied for grant funding from Enterprise Community Partners and had **received** \$1.65 million for a variety of CLT projects.

This December, the City Council **passed legislation** officially codifying CLTs and allowing the city to enter into regulatory agreements with them. (The Council also passed two bills requiring the city to take stock of, and

report on, vacant land as well as property owned by the Department of Housing Preservation and Development (HPD)—measures that advocates believe will shed light on what properties could be potentially steered onto CLTs.)

As the momentum behind CLTs has grown, some policymakers—and some advocates, too—have cautioned that CLTs are not the answer to all the city’s housing problems, but rather just one additional “tool in the toolbox” to help address those problems. “It doesn’t create a magical subsidy or some kind of substitution for a tax exemption or below-market financing,” says Erica Buckley, a lawyer at Nixon Peabody LLP.

The de Blasio administration has expressed a particular interest in the use of CLTs to fill a gap in its existing offerings when it comes to the creation of permanently affordable single-home ownership opportunities. When it comes to rental housing, some see CLTs as not as much a necessity: There are players in the city’s established nonprofit affordable housing sector that are already dedicated to building housing for very low incomes and simply seek more resources to do so, and the city already has recently come up with **other solutions** to ensure permanent affordability in rental projects on public land.

On the other hand, many advocates see CLTs as providing a greater social value that exceeds these more technical aspects, and they therefore dream of the CLT movement going big and acquiring significant amounts of land—while also working hand-in-hand with existing nonprofit affordable housing developers.

Yet an effective expansion of CLTs citywide will require more resources and more city buy-in than the movement has yet seen. There will also be some tough decisions down the line as the movement tries to balance the goal of speedy expansion with that of fostering real community involvement.

The reasons to expand

For many advocates, especially organizers rooted in communities, CLTs offer the promise of community control over land-use decisions during a time when many feel they have been left subject to the whims of real-estate interests that treat land and housing solely as a commodity. The governance style of CLTs means that there’s supposed to be more say from actual low-income people who live in such communities. CLTs thus might represent another opportunity for a neighborhood’s residents to advocate, and fight to secure, housing and amenities that are truly “affordable” by their own definition.

For some, CLTs represent another step toward a “broader vision of cooperative economics for New York City,” in the words of Deyanira Del Rio from the New Economy Project—a vision that includes worker cooperatives, community development credit unions, and other entities. It’s also sometimes referred to the “solidarity economy,” and New Economy Project describes it as “a vision for an economic system that is based on values of social and racial justice, ecological, sustainability, cooperation, mutualism, and democracy” and that gives “marginalized New Yorkers” control over their lives.

And then, from an economics perspective, there’s the notion that “if you remove enough land from a neighborhood—some geographic portion of a city, or of a city as a whole...there’s going to be fewer speculative opportunities and in making fewer speculative opportunities it also means that there are whole areas that are not being speculated on,” says City College professor John Krinsky. In other words, some advocates believe that a large CLT can deter land speculation and thereby slow gentrification.

Beyond the value of bringing the benefits of deep and permanent affordability to more people, achieving local control, expanding the cooperative movement, and taking more land off the speculative market, there are also practical benefits to scaling up the city’s CLTs: large organizations are more cost-effective and can access funding more easily.

Sizing up the potential

The largest community land trust in the country is the Champlain Housing Trust, formerly the Burlington Community Land Trust and Lake Champlain Housing Development Corporation, which were both founded in 1984 while Bernie Sanders was mayor of Burlington. In December 2016, it encompassed 2,703 units of housing, and was spread throughout both urban and rural areas. The Windham and Windsor Housing Trust in Southern Vermont ranked second with 1,061 units of housing, and, in Rhode Island, Newport's Church Community Housing Corporation ranked third at 940 units, according to figures reported to the national support organization Grounded Solutions Network, which only has data on its member organizations.

In New York City, the only fully established community land trust is the Cooper Square CLT in the Lower East Side, which formed in 1994. The land is owned by the CLT while 21 buildings, comprising 328 apartments, are owned by an entity called a Mutual Housing Association, which is a multi-building self-governing cooperative that makes bulk purchases for all the buildings. Over time, most of the apartments were converted from rentals to low-income co-op units.

The organization was one of the recipients of the Enterprise Community Partners grant, which has allowed it to make some new hires and pay for some additional tenant organizing. Cooper Square now has its own visions of expansion: It's discussing the acquisition of two Housing Development Fund Corporation (HDFC) buildings in the neighborhood, and it also has its eyes on a **desanctified church** that it believes could encompass 80 to 100 more units of housing.

"We want to expand because we want to be able to help out our neighbors in low-income housing that is threatened, but the second part of it has to do with the economies-of-scale piece, and that is, as you get more buildings and more apartments, you can purchase fuel at a deeper discount," says Dave Powell, executive director of the Cooper Square Mutual Housing Association.

There are dozens of other organizations seeking to follow Cooper Square's lead. The New York City Community Land Initiative (NYCCLI), a CLT advocacy organization co-founded by Picture the Homeless, New Economy Project and other organizations, helped to launch the East Harlem-El Barrio Community Land Trust a few years ago. As City Limits earlier reported, the land trust sought to acquire not only vacant property but also to invite **tenants in city-owned Tenant Interim Lease (TIL)** program buildings onto the land trust.

After several years of organizing, the De Blasio administration has agreed to turn over four buildings in the neighborhood to the CLT. The CLT received \$500,000 from Enterprise, which it will use for both renovations and to hire an organizer, and \$500,000 from City Council Speaker Melissa Mark-Viverito for renovations to the buildings, which will be executed by the non-profit affordable housing organizations Banana Kelly CIA Inc and CATCH. The city is exploring making additional budget commitments for rehabilitation, as well. Residents in those buildings will be renters and participants in a Mutual Housing Association.

Then there's Interboro CLT—a newly formed collaboration between four well-established housing organizations: Habitat for Humanity New York City, the Urban Homesteading Assistance Board, the Mutual Housing Association of New York and Center for New York City Neighborhoods. The entity is focusing on the creation of permanently affordable homeownership opportunities throughout the city, likely with a starting focus on Southeast Queens and Central Brooklyn. Interboro received funding from Enterprise as well as \$1 million from **Citi Community Development** last year to begin its first 250 units.

The Enterprise Grant also funded NYCCLI to run a "Learning Exchange" to help nine nonprofits and community groups learn more about what it would take to build a CLT. Some of those groups, like Northfield Community Local Development Corporation in Staten Island and CAAAV Organizing Asian Communities in Chinatown, are still in the earliest stages and have not yet named specific properties they hope to acquire.

Others are already at the point of naming addresses. The Mary Mitchell Family & Youth Center hopes to launch a Crotona CLT in the Bronx and has its eyes on three properties owned, respectively, by the city, itself and an ally. The Center's vision includes a garden, community and nonprofit space and low-income housing, probably mostly rental units. The Mott Haven-Port Morris Community Land Stewards in the South Bronx are trying to acquire two government-owned buildings for low-income rentals and nonprofit space, has already begun stewarding some state-owned green spaces along the Deegan Expressway, and envisions turning areas along the waterfront into community land trust greenspaces.

"We're not developers, and we're not trying to be developers. What we're trying to do is create a situation where the community can really be a steward of space and then hire professionals to manage what's on top of the ground," says Mychal Johnson, a founder of Mott Haven-Port Morris Community Land Stewards. On a citywide level, Johnson would like to see more NYCHA complexes turn land over to CLTs, so that decisions about the future of any NYCHA spaces can be made in tandem with residents and the community, rather than decided by the authority. In particular, stakeholders could explore opportunities to convert apartments in some NYCHA developments into affordable cooperative homeownership units on a CLT, he says.*

Another participant in the Learning Exchange, Community Solutions, envisions the creation of a Brownsville CLT including 91 HPD-owned vacant lots in the neighborhood that they believe could hold more than 1,000 units of both rental and homeownership housing. To start, they hope the CLT can acquire several vacant lots where the city is already seeking a developer as part of its efforts to fulfill the goals of its Brownsville Plan.

Given the scarcity of public land and the skyrocketing values of private property in most parts of the city, one might wonder if New York City may be getting on the CLT bandwagon too late. Some advocates, however, still hope that in the future, CLTs—especially those that are community-driven and provide deeply affordable housing—will encompass a significant mass of the city. Johnson says ideally he'd like to see at least 25 or 50 percent of the 300,000 units in the mayor's affordable housing plan rest on a CLT. Lynn Lewis of the East Harlem-El Barrio CLT board and Del Rio similarly say their ideal vision would be hundreds of thousands of units throughout the city on a CLT.

There's a long way to go to such a vision, but there's already some ideas on the table about how to get to something the size of Burlington's CLT. City Limits spoke to the city's CLT groups about the number of units they envision could be built on specific properties they are currently seeking to acquire. Those projects add up to between 2,000 and 3,000 potential CLT units. The count does not include the potential units of groups in early stages, future units these groups may try to acquire, or units from any additional groups that did not speak with City Limits.

The ingredients for success

Asked what the Mott Haven-Port Morris CLT requires to succeed, Johnson says the biggest need is for funding to hire staff people to carry out day-to-day operations. "No one's getting paid in our organization," he says. Many other organizations trying to start CLT also spoke about the need for money to hire staff, legal counsel, and pay for community organizing and education, given that so many people still have never heard of a CLT. The funding from Enterprise has enabled some groups to hire organizers, but will only last a couple years.

New Economy Project's Del Rio would like to see the City Council establish a funding program for CLTs as they did in 2014 for worker cooperatives and make annual appropriations. NYCCLI has in the past called for a housing trust fund underwritten by higher taxes on vacant and luxury properties. Matt Dunbar of Habitat NYC says they're advocating for the state to put more money into the Affordable Home Ownership Development program, which funds the building and rehabilitation of affordable homeownership opportunities, and to mandate that all the program's projects include resale restrictions to maintain permanent affordability.

Habitat NYC is also advocating for a state property tax exemption for community land trusts. This will serve as a back-up measure to the provision in the new City Council law that allows the city's CLTs to obtain Article XI tax exemptions, and it will also help CLTs in other parts of the state.

It's not just because Bernie Sanders was hanging out in Vermont that our northern neighbor has the nation's two largest community land trusts. In 1987, the state passed the Vermont Housing and Conservation Trust Fund Act, which allocated funds from a property transfer tax to a trust fund to be used for conservation projects as well as affordable housing. The Act also mandated that any housing subsidized by Vermont be used for the creation of permanently affordable low-income housing built by nonprofit charities or CLTs. "If every city did that, it would make a huge difference," says Hiller of Grounded Solutions Network.

Indeed, beyond just funding, advocates are pushing for policies that facilitate the transfer of city-owned, or distressed, privately owned land to CLTs, such as by prioritizing CLTs when seeking partners to develop public land.

"We would like all the city-owned properties in East Harlem to be taken off the table—and I'm talking vacant lots, I'm talking city-owned buildings, and, you know, buildings are continuously going into tax liens sales and TPT," says Lewis, referring to the Third Party Transfer program, which transfers severely distressed buildings in tax foreclosure to new owners. She also mentions distressed low-income co-ops that could benefit from the cost-savings of joining a larger entity, and East Harlem's many abandoned, boarded-up privately owned buildings. Lewis would like the city to come up with policies that help move all such properties to a CLT. (Boston's famous CLT, Dudley Neighbors Incorporated, formed when the city gave a community organization the power to **take property through eminent domain.**)

But Lewis also recognizes that getting the city's trust requires time and effort, and there's some justification for that. "We don't want a situation where anybody who walks up to HPD says I want this vacant plot, and they say 'ok, here,'" she says, adding that she's encouraged by signs of HPD's growing interest in CLTs.

CLTs are currently welcomed to respond to RFPs but are not given special preference or priority. The city says it does, however, give preference for projects that offer extended affordability beyond the minimum regulatory period.

"We recognize that community-driven solutions are key to the progress of housing development and preservation. We believe [in] harnessing and nurturing these groups that are uniquely positioned to fill gaps in our robust programming," wrote Juliet Morris, a spokesperson for HPD, in an e-mail.

The challenges of growth

Some tenant advocates emphasize that expanding CLTs shouldn't be the only goal of the housing movement at the expense of all others. There are nonprofit affordable housing developers who hope that the excitement over CLTs doesn't distract from **their battle** to ensure the nonprofit sector as a whole receives a larger share of the development pie—rather than create a situation where, as one developer puts, "non-profits and CLTs end up fighting for scraps while HPD continues to steer land, buildings, and funding to their for-profit partners."

Others caution that CLTs by themselves may not be enough to bring displacement to a halt. Cooper Square may have protected low-income residents on a couple blocks in the Lower East Side, but that has not, of course, prevented the rest of that neighborhood from gentrifying.

"It's a great moment. We're very excited for the potential for this movement to grow and expand, but the other side of this is that the CLT piece is not a panacea, it's one part of a larger movement that we're part of," says Powell. "If we don't simultaneously insist that NYCHA housing is defended, and NYCHA residents are defended—if we don't simultaneously insist that vacancy decontrol in rent-stabilized housing is abolished, then we win the battle but lose the war."

There have been cases where the administration has touted investment in CLTs as part of a larger land use project that CLT advocates may or may not agree with. When the East Harlem rezoning was approved by the Council in November, the de Blasio administration and Mark-Viverito listed "fund and support the East

Harlem-El Barrio Community Land Trust” as one of the investments the city would make in the neighborhood. Lewis says the CLT board actually took a stance against the rezoning, which, in her view, makes East Harlem “opened up like a piñata for developers to come in and snatch properties.” She’s now waiting to see to what degree the city actually supports the CLT going forward. “How can the CLT really be a ‘community benefit’? What does that really mean?” she says.

These concerns aside, there’s also the question of how to balance the CLT movement’s desire for scale with the goal of thorough community engagement. Given the rapid creep of gentrification into outer borough neighborhoods—and the urgency of the affordability crisis—it’s logical that some CLT advocates would want CLTs to establish themselves efficiently and acquire land as fast as possible.

“From the perspective of addressing a housing challenge...I would rather see 100 units be permanently affordable from a Habitat [for Humanity], versus five over 15 years from a community-based organization,” says Hiller.

But if CLTs are going to be truly community-based and community governed—not just another tool pushed forward by large, if benevolent nonprofits—they’ll require a level of careful community engagement that could take much longer.

Hiller adds that she deeply values community engagement and that ideally New York City’s CLT movement will create a structure that allows for both efficient expansion and grassroots connections. This might look like a “hub and spoke” system where there’s a central organization with development capacity that is connected to many neighborhood groups that are facilitating on-the-ground conversations, she says. Indeed, NYCCLI is actually in the early stages of exploring a citywide community land trust that would be able to provide administrative support, and acquire properties, on behalf of smaller groups that are rooted in neighborhoods.

If CLTs want to go big, they will ultimately grapple not only with the issue of securing resources and land, but also with how to establish their legitimacy while at the same time staying loyal to, as Del Rio says, the “C” in CLT.

“One thing that people really want to make sure is that scale doesn’t lead to a dilution of mission or connection to the community,” says Del Rio. “What are the mechanisms to ensure that CLTs really respond to and are led by community members?”

**Amended to clarify Johnson’s vision.*

CityViews: NYC Needs Equitable Economic Development, Not the Amazon Deal

By Deyanira Del Rio and Andy Morrison | November 28, 2018



The governor, the mayor and representatives of Amazon and public agencies announce the LIC deal.

Unless you've been stuck under a rock – or perhaps on the 7 train – you've heard the news: the winner of the Amazon HQ2 sweepstakes is...Amazon. Two hundred and thirty-eight cities competed. Twenty finalists raced to the finish line. Two – New York City and Washington, D.C. – were selected to split Amazon's new so-called second headquarters. But in the end, Amazon took home the big prize: **\$4.6 billion of public money**.

New York assembled an **unprecedented package** of subsidies to lure one of the world's biggest corporations, headed by the world's wealthiest human, Jeff Bezos, to Queens. The negotiations took place behind closed doors, without a single public hearing and little, if any, community engagement. To prevent possible delays or second-guessing of the deal, the Mayor agreed to **bypass** the **City Council** and the city's **public land use process**. And it just so happens that Amazon's Long Island City location will be sited in one of Trump's new "**opportunity zones**," offering up lucrative tax breaks to **wealthy investors** and further enticing development that will likely exacerbate gentrification.

Did we mention the **helipad**?

In a rare **kumbaya moment**, Governor Cuomo and Mayor de Blasio came together earlier this month to celebrate Amazon's planned Queens campus. Local residents, electeds, and community and labor groups, meanwhile, have voiced **vehement opposition to the plan**, and **a coalition** has quickly come together to try to block its implementation. Opponents foresee further strain on the city's already beleaguered transit system and infrastructure; accelerated gentrification and displacement in Long Island City and northwest Queens; and yet another corporate welfare deal – reportedly the largest in New York's history – benefiting a company with an abysmal record on labor and the environment, no less.

So, what would an equitable economic development agenda for New York look like?

CityViews are readers' opinions, not those of City Limits. **Add your voice today!**

For starters, we need to dramatically change the frame on development. Instead of handing billions in public subsidies to Amazon and other mega-corporations, New York should invest in cooperative, bottom-up economic development led by and directly benefiting people and communities of color, immigrants, and women – who are disproportionately harmed by our current unfair, extractive economy.

New York is perfectly positioned to grow its cooperative economy, and in fact has taken initial steps to do so. The number of **worker-owned businesses** in the city has tripled since 2014, thanks in part to **critical, multi-year funding** from the City Council. Worker co-ops like Sunset Park's **Sí Se Puede** and the Bronx's **Cooperative Home Care Associates** provide thousands of jobs with dignity to immigrants and women of color who make up the majority of worker-owners here. And in Albany, Sen. Jamaal T. Bailey, who represents parts of the Northeast and Northwest Bronx and the City of Mount Vernon, has introduced **legislation** to create a state-run employee ownership center, providing technical assistance and other support to businesses that are converting to worker ownership.

Community land trusts – like New York City's **Cooper Square** and **East Harlem/El Barrio** CLTs and Buffalo's **Fruit Belt** CLT – are likewise **gaining traction** as a proven strategy to curb speculation and ensure permanently affordable housing and serve other community needs. New York City passed enabling CLT legislation last year, and the NYS Attorney General's office recently **helped direct bank settlement funds** to CLT efforts around the state. A crucial next step should be for city and state agencies to prioritize CLTs and permanently affordable housing, when awarding public land and other subsidies.

Community development financial institutions (CDFIs) represent another opportunity for New York to jumpstart economic growth at the grassroots. In historically-redlined neighborhoods throughout the state, loan funds and financial co-ops – like **The Working World** and **Lower East Side People's Federal Credit Union** – are meeting critical needs, channeling **more than \$2 billion** in low-cost financing annually to support New York's small and worker-owned businesses, limited-equity housing co-ops, community centers, and more. That's why more than **60 organizations statewide** last year called for a modest \$25 million budget allocation to support CDFIs – tantamount to a rounding error in the

state budget and .01 percent of what New York has offered Amazon. The governor and state legislature should deliver on funding for CDFIs this legislative session.

And that's just scratching the surface.

A comprehensive equity agenda starts with a bold vision. It calls for policies and actions that transform, rather than perpetuate, our fundamentally unjust social, political and economic systems. It means putting racial and economic justice front and center. It requires decision-making led by people and communities typically left out of, and harmed by, status quo economic development. And it demands that our elected officials do much more to tackle our most existential crises – from climate devastation to persistent wealth inequality. In the face of federal attacks on immigrants, women and people of color, the need for bold, local action has never been greater.

Unlike Amazon, grassroots and nonprofit initiatives advancing equitable development *actually need* public support. Imagine what a even slice of the billions promised to Amazon would do to expand worker, food, and financial coops; channel land to CLTs; expand **community-controlled renewable energy**; create an office to support cooperative economics in every city; or even capitalize municipal **public banks** to bolster equitable economic development initiatives and free municipalities from Wall Street predation.

Wouldn't it be nice if the governor and mayor teamed up for that?

Deyanira Del Rio is co-director and Andy Morrison is campaigns director of New Economy Project, which works with community groups and low-income New Yorkers to build an economy that works for all.

Could a Community Land Trust Keep Brownsville Affordable? Local Nonprofit Says Yes.

Community land trusts transfer the control of city-owned land to local residents and stakeholders to maintain affordability and economic diversity of their neighborhood.



by Andrea Leonhardt — January 29, 2019



Vacant lot at 457 Powell Street. Source: Google Map

The [Brownsville Partnership](#), a collaborative of more than 30 organizations working to improve the health, safety and prosperity of Brownsville, is forming a community land trust.

trust for Brownsville and Ocean Hill and is looking for local residents to join the advisory committee.

"Brownsville is a good location for a community land trust because of the significant opportunities for development here," said John Napolitano, senior project manager of Inspiring Places for the Brownsville Partnership. "As vacant land owned by the Department of Housing Preservation and Development is redeveloped, a CLT will help ensure that the new building supports the goal that every Brownsville resident has a safe, healthy and affordable place to live."

Community land trusts are nonprofit corporations that develop and steward affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of the community. In neighborhoods like Brownsville, where an influx of development on long-vacant land is underway, CLTs are particularly important, said Napolitano.

"Creating a CLT can help ensure that as development happens in Brownsville, it's done in a way that keeps the interests of the community front and center," said Napolitano. "By empowering the community to participate in the development process, the CLT can ensure that new construction addresses what matters to Brownsville residents, like creating more housing that's truly affordable. Most importantly, a CLT gives the community a strong say in future planning and development. It's crucial that a CLT is established before development comes in, so that affordability can be preserved for current residents."

Once formed as an independent nonprofit, the mission of this membership-based organization will be to transfer control of select real estate assets to local residents and community stakeholders to maintain affordability, economic diversity and local access to essential services within the neighborhood. A board drawn from residents, other members of the community, advisors and public officials will oversee the operations of the CLT, Napolitano explained.

The Brownsville CLT will place particular emphasis on providing new homeownership and rental opportunities, as well as sponsoring community improvement and placemaking projects on vacant properties.

The Brownsville Partnership is now looking for local residents to join the CLT advisory committee that will shape how city-owned vacant land in Brownsville will be developed and provide a check to ensure that the new housing being built is affordable and serves the community's needs.

“Our goal is to form a panel of at least 12 members, with residents and local stakeholders making up two-thirds of the group,” said Napolitano.

A first introductory meeting was held on January 16, and a second introductory meeting will take place in mid-February. The CLT will be formed in the next few months, with the election of board members taking place later this year, said Napolitano.

The Brownsville Partnership is still accepting applications from interested residents. For more information, sign up [here](#).

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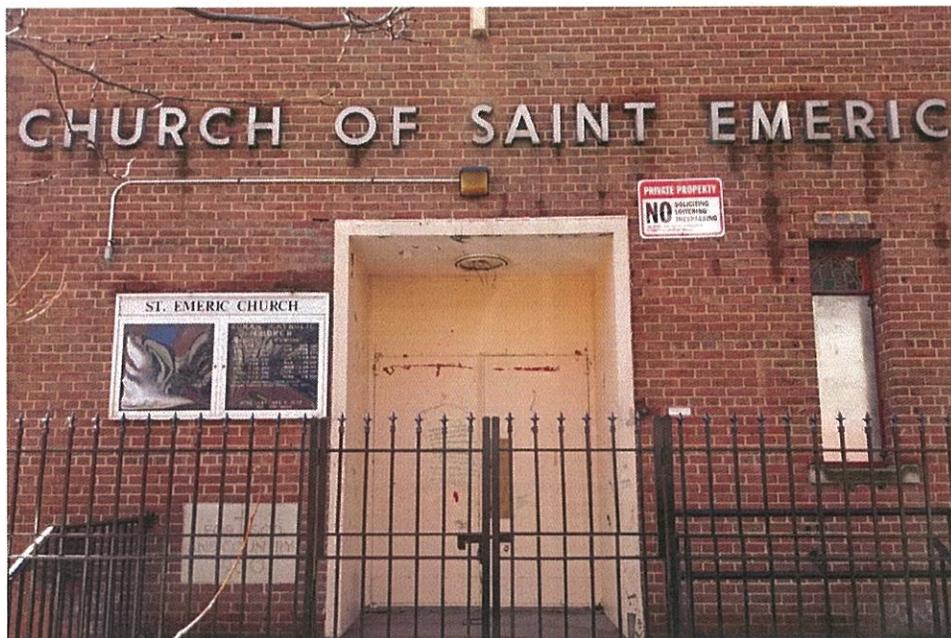
EAST VILLAGE NYC AFFORDABLE HOUSING

3,

Shuttered East Village churches must be converted into low-income housing, advocates say

"The Archdiocese of New York has an opportunity to take a bold step for the community," said one advocate

By **Caroline Spivack** | Feb 21, 2019, 9:31am EST



Advocates aim to develop 400 units of below-market-rate housing at the former Church of Saint Emeric on East 13th Street. | Caroline Spivack/Curbed NY

The Archdiocese of New York is considering a proposal to turn over a shuttered East Village church to a land trust that would transform the property into 400 units of below-market-rate housing.

The [Cooper Square Community Land Trust](#) has offered to partner with developer [Jonathan Rose Companies](#) to create a mixed-income community on the roughly 300,000-square-foot parcel at 740 East 13th Street between Avenues C and D. The plan is the latest in a years-long effort urging the archdiocese to convert unused church space

into affordable homes for a Manhattan neighborhood where nearly half of the tenants are rent burdened.

The archdiocese has already committed to devoting 100,000 square feet of the property toward affordable housing—though they have yet to define tenant income requirements—on land that houses the former Church of St. Emeric. But housing advocates say the church should further its charitable mission by devoting the entire lot to low- to middle-income housing.

“We believe it would be unjust to develop part of St. Emeric’s for market rate housing,” wrote Valerio Orselli, project director with the Cooper Square Community Land Trust, and Steve Herrick, the executive director of the Cooper Square Committee, in a recent letter to David Brown, the archdiocese’s director of real estate. “The Lower East Side/East Village community between East 14th St. and Houston St. has lost a great deal of affordable housing in the past decade, and we cannot help but view the Archdiocese’ disposition of its properties in this context.”

The archdiocese, which says it is the largest private developer of low-income housing in the city, invited Cooper Square to submit a revised proposal for the site after rejecting the land trust’s July bid to partner with the Catholic Church on low-income senior housing at another shuttered house of worship: the Church of the Nativity at 42-46 Second Avenue between East Second and Third streets, according to Orselli.



The Church of the Nativity closed its doors in August 2015 and faces an uncertain fate. | Caroline Spivack/Curbed NY

Joseph Zwilling, a spokesperson for the Archdiocese of New York, said that the Church of the Nativity belongs to Most Holy Redeemer Parish because the Nativity's congregation merged with the East Third Street church and is not owned by the archdiocese. In instances of unused church space, the archdiocese works with a given parish to determine the best course of action.

The Cooper Square Community Land Trust, [a Lower East Side organization that ensures community stewardship of land](#), offered to buy Church of the Nativity for \$18.5 million (with \$5 million in closing costs) over a 30-year period, but the Archdiocese has instead expressed interest in seeking market value for the land and using the funds to address needs at the Most Holy Redeemer and parishes across the city, according to Cooper Square's letter. As an alternative, the Archdiocese suggested St. Emeric's—which is directly across from a Con Edison power plant and requires environmental remediation from contaminated soil—as a potential site for affordable housing.

Rather than an either/or approach, advocates contend that both parcels should be developed into below-market-rate housing and argue that the Catholic Church's resistance to do so flies in the face of its doctrine.

“It’s in direct contradiction in the teachings of the Church,” said Orselli. “We understand that the Church has obligations, but there clearly is a disconnect from the social justice thesis of the Church and the practices of the real estate offices of the Archdiocese.”

The Church of Nativity closed its doors in August 2015 as part of a downsizing effort within the archdiocese that shrunk its number of parishes from 368 to 296. Parishioners from the Church of St. Emeric landed at a merged Church of St. Brigid-St. Emeric, which was also set to close and its buildings demolished until an anonymous donor stepped in with some \$20 million to endow and restore the Avenue B church.

In canonical terms, the Catholic Church has since relegated the former Church of Nativity to profane use. This means it can be sold and used for anything that is not antithetical to Catholic teaching (what is known as a sordid use)—but neighborhood advocates say that ignoring the neighborhood’s dire need for below-market-rate housing and selling the land to the highest bidder is tantamount to a sordid use.

“It’s kind of mind boggling,” said Rebecca Amato, the associate director of the Office of Civic Engagement and Urban Democracy Lab at NYU’s Gallatin School of Individualized Study, who got involved with the Church of Nativity efforts while studying the Cooper Square Community Land Trust. “It shows a complete lack of knowledge or respect or ignorance of the history of the Lower East Side and of the faith of the people who have lived there for centuries.”

Amato even raised her concerns at a November conference in Rome hosted by the Vatican’s Pontifical Council for Culture discussing the use of decommissioned Catholic churches across the globe.

Today, the Cooper Square Community Land Trust fears it is unlikely that the group will reach an agreement with the archdiocese to develop the Church of the Nativity site. Instead, if the property is sold with the purpose of developing housing, the trust urges the archdiocese to mandate a buyer develop a minimum of 25 percent affordable housing.

“We have concluded that we cannot make a viable offer to develop even mixed-income rental housing at the Nativity site that would satisfy the Archdiocese’ purchase price requirement,” reads Cooper Square’s letter to the archdiocese, which notes that

developers the group has consulted with estimate a high-end price of \$40 million for the land.

Meanwhile, if the trust's proposal to develop St. Emeric's is accepted, the project would also include community space, as well as services for mental and physical health, senior services, and educational programming. The group would fine tune the plan based off of community feedback.

The Cooper Square Community Land Trust is in the midst of organizing a May town hall—with the support of Community Board 3—on the fate of the Church of Nativity, the St. Emeric's site, and on the issue of how decommissioned churches can be best utilized by the archdiocese and the communities they once served. A venue and exact date have not yet been set.



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Christine R. O'Connell, Director
 Affordable Neighborhood Co-operative Program
 New York City Department of Housing
 Preservation & Development
 Office of Development Property
 Disposition & Finance
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October 10, 2018

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Christine R. O'Connell, Director
Affordable Neighborhood Co-operative Program
New York City Department of Housing
Preservation & Development
Office of Development Property
Disposition & Finance
100 Gold Street
New York, New York 10038

**Re: 615 West 150th Street
New York, New York**

Dear Ms. O'Connell:

Please be advised that we have been retained to represent the Tenants Association at the captioned address.

The members of the Association are individuals and families who have been tenants in the building for decades. They had entered into your agency's TIL Program with the full expectation based on your agency's assurances that they would be transitioned into a HDFC.

Accordingly, they were shocked and dismayed that the HDFC option had been cast aside by your agency with no rationale provided to the tenants. Instead, they were directed that your agency would be seeking their relocation to other apartments outside the building and that their building would be subjected to massive construction work. As I am sure you are well aware, your agency had forced the tenants into a similar situation a decade ago. In 2008, your agency had budgeted significant money to perform rehabilitation work in the building while it remained in the TIL Program and still on the path to HDFC status. The work promised then never happened.

This recent significant turn of events has prompted many questions concerning the future of the building and the homes of the tenants. The following is a list of some but not all of their questions. We reserve the right to ask more. But for now, my clients and I expect your agency to provide prompt and frank responses.

1. Why wasn't work done on the building in 2008?

In 2008, your agency had informed my clients that a significant amount of money had been budgeted by your agency to perform needed work at the building. In fact, in co-operation with your agency's requests and to facilitate the prosecution of the work, fifteen families vacated their homes and were relocated into "temporary" homes. They have not yet been able to return to the building. That work was never commenced. As a result, the condition of the building has deteriorated over the last decade. It is very likely that the building's condition would not have worsened as badly as it did if the 2008 work project had been undertaken and completed.

Plainly, the tenants are entitled to answers as to why these allocated funds were never spent on the building and why a decade later some of these tenants are still in "temporary" homes.

2. Why did your agency move the building off the path to a HDFC and direct it to the "Affordable Neighborhood Cooperative Program"?

As noted above, the Tenants' Association and its members had been co-operative participants in the TIL Program. They are now advised that your agency has inserted a new outfit into the mix: CLOTH. There appears to be no rational basis for this action by your agency. Nor did your agency consult with the building tenants prior to making such a decision. Nor is it clear as to the role CLOTH is to have in the process. This decision by your agency appears to be arbitrary and capricious.

3. Why and under what process did your agency chose CLOTH to be involved in this building?

It is not clear to our clients as to what role CLOTH is to have regarding the building. Provide whatever written criteria your agency promulgated in its decision to have CLOTH involved in anyway with the building.

Please advise if other organizations were given the opportunity to meet these criteria and in what way each of the others failed to meet your agency's standards. Your agency has employees with extensive experience in building renovations and the supervision thereof. It appears that the involvement of another outfit in this process is wasteful, cumbersome and duplicative.

4. What credentials, background and experience did your agency determine CLOTH has to involve it in this process?

Please provide the experience CLOTH has to engage in and supervise the work your agency has determined is required for the building. Please provide the number of workers that CLOTH has on staff with the construction expertise to do the renovation work in the building; or if they will not be engaged in the work, each's experience in supervising large scale building construction and rehabilitation. If CLOTH's employees are not doing the work directly, please advise as to whether it will be subcontracting the work; and if so, to whom. Please advise as to whether such subcontractors have been vetted and approved by your agency. Please advise if your agency engaged in a competitive bidding process prior to its selection of CLOTH.

5. What is the full scope of work your agency has determined will be necessary for the building?

Please provide in detail the work your agency, presumably through CLOTH, will be doing in the building. Please include details as to all the common systems in the building; electrical, heating, plumbing, hallways, stairways, cellar, etc. Please include details as to the planned work in all of the apartments in the building: radiators, kitchen appliances, bathroom fixtures, sheetrocking/plastering, floors, tile work, electrical outlets, etc. For each of the foregoing, please advise as to the amount of money allocated by your agency.

If the aforesaid scope of work is in written form, please provide a copy. Please advise if the money to do the items in the scope of work will be funded by a grant from your agency or the City of New York or any agency thereof. If not by a grant, please advise if the work will be funded by a loan/mortgage; if so, provide the amount of the loan/mortgage; its terms, and the identity of the mortgagee. Please advise if the mortgage provides that it is due on any transfer of the building or if it will be assumed by the transferee. Please provide a copy of any draft of mortgage. Please advise if the scope of work provides for a deadline for completion for each item; and if so, the date of the deadline and the consequences if a deadline is not met.

6. Your agency's plan calls for the relocation of the tenants in the building. If the tenants refuse to be relocated will they be subject to eviction?

According to what representatives of your agency have told the tenants, your agency wants them and their families to leave their homes while the construction is ongoing. Please advise as to what authority your agency or CLOTH has to force the tenants to leave their homes. My clients have been instructed that they must complete a "Residential Rental Application" prepared by "Lemle & Wolff Companies" in

connection with any relocation if the tenant agrees to such relocation. The application is a seven page document that requests personal information such as: social security

numbers, employment information, bank and credit references, pay stubs, two years tax returns, social security cards, public assistance information, authorization to conduct a credit report, as well as other personal and private financial information.

Each of these tenants have been tenants in good standing of your agency since your agency took over the operation of the building. Your agency is requesting that these tenants relocate; and, may even, at some point, be forcing them to leave their homes. Under these circumstances, requiring completion of a lengthy, personally invasive "rental application" is unreasonable and capricious.

Please advise as to what the criteria is for the apartments your agency or CLOTH have selected as "suitable" relocation apartments for the tenants. Please advise if tenants will be forced to sign written leases for the relocation apartments. Please advise if your agency will review in each instance this written lease. Please advise as to how the rent for the relocation apartment will be determined. Please advise if your agency will approve these rents. If the rents for the relocation apartments are higher than the rents the tenants are currently paying at the building, please advise if the tenants will be obligated to pay the higher rents; if the difference between the tenants' present rent and the rent for the relocation apartment are higher, please advise if the difference will be paid by your agency, the City or CLOTH. If the difference is paid by any of the foregoing, please advise as to the consequences to the tenant if any fails to make such payment. Please advise if your agency has determined if payment of the difference constitutes income to the tenant that must be reported to the appropriate taxing authority and for which the tenant is obligated to pay taxes.

7. How long does your agency estimate the tenants will have to live in the relocated apartment?

As you know, in 2008 fifteen families vacated their apartments at the building so that your agency could perform renovation work. Ten years later, these fifteen families are not able to move back into the building. Please advise as to what guarantees your agency can give to those tenants who relocate from the building that they will be able to return to their apartments at a date certain. Please advise as to what financial compensation will be provided to these families if the date certain is not kept by your agency. And, of course, provide the date certain that the work will be completed, the apartments restored to habitability and the tenants are able to move back to the apartments.

8. Does your agency arbitrarily determine what constitutes a "suitable relocation apartment?"

As noted above, your agency must provide the authority whereby it can compel a tenant to vacate the apartment. If such authority does exist, provide the criteria by which the temporary relocation apartment is to be determined for the vacating tenant. Please

advise if such determination is solely within your agency's discretion. Please advise as to the consequences to a tenant who may be amenable to a temporary relocation but does not find any of the apartments shown to be suitable.

9. When the renovation work is completed and occupancy by the tenant is available, will the apartment be in the same configuration and size as exist in the tenant's current apartment?

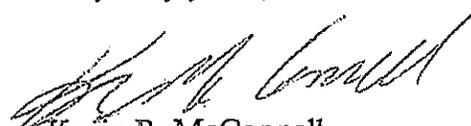
Please advise if the apartment to which the tenant is directed to return post renovation will be the same size, (square footage and number and type of rooms) configuration, view, rooms the same size, same floor, same place on the floor. Please advise if the rent will be the same as the tenant had been paying. In one of your agency's Notices to the tenants, it was stated that the purchase price for the tenants will be \$2,500 instead of \$250. Please advise as to the rationale for this ten-fold increase. As you know in many HDFC's the shares allocated to a vacant apartment belong to the HDFC. Depending on the terms of the Regulatory Agreement and the Mortgage, when sold, the proceeds are either divided between the HDFC and your agency or are given over to the HDFC. The HDFC uses the funds for capital improvements or to bolster its reserve fund or working capital fund. Please advise as to what will happen to the proceeds of the sales of vacant apartments after the construction on the building is completed. Please also advise if the tenant-shareholders will have the right to grant or withhold consent to a prospective purchaser or lessee. Please advise whether the purchase price for these units will be based on affordability, such as the \$250 promised to the original tenants or whether the purchase price will be based on market value.

This is extremely important. The longer the construction takes; the longer a tenant is forced out of this building; the longer the tenant is out of this building; the more likely the tenant will find permanent housing; when this happens more apartments will be vacant. Therefore, who will own these valuable assets and, when sold, who will receive the sales proceeds.

Thank you for your attention to the foregoing. I look forward to your answers. I assure you my clients want this to be resolved in a non-contentious manner.

Nevertheless, they need to be assured their rights are protected, their homes secured and their future as owners in the building guaranteed as your agency had promised them many years ago.

Very truly yours,



Kevin R. McConnell

KRM: mmc

cc: *615 West 150th Street Tenants Association*

Laborers Make Recommendations for Reforming NYC Housing Preservation and Development

Recommendations Include Reforming HPD's Procurement and Reporting Requirements To Combat Wage Theft And Worker Exploitation

NEWS PROVIDED BY

Greater New York LECET

Oct 31, 2016, 10:35 ET

NEW YORK, Oct. 31, 2016 /PRNewswire-USNewswire/ -- Before a New York City Council hearing today, the Mason Tenders District Council, Laborers International Union of North America (LIUNA), called for reforming the procurement and reporting requirements of the Department of Housing Preservation & Development. After years of mismanagement, flawed procurement processes and corruption, Greater New York Laborers-Employers' Cooperation & Education Trust (GNYLECET), submitted a series of recommendations at today's Committee on Housing and Buildings hearing on Intro 967, Speaker Melissa Mark-Viverito's and Councilmember Helen Rosenthal's legislation to reform HPD in relation to construction conditions in housing development projects.

"Intro 967 is a great first step towards reforming HPD and leveling the playing field in their procurement process," said **Pat Purcell, Executive Director of Greater New York Laborers-Employers Cooperation and Education Trust**. "For too long the same unscrupulous contractors have been receiving a steady stream of work from HPD, while their indiscretions in regards to wage theft and safety violations have been largely overlooked. If amended to include recommendations like the ones we are advocating for at the Council today, Intro 967 has the potential to rectify a long-term problem at one of the City's most critical agencies and ensure the gold-standard of construction is being upheld when HPD looks to award projects," Purcell said.

Wage theft remains a systemic problem with HPD contractors. To date the Mason Tenders District Council, and its affiliated entities, working with federal, state, and local law enforcement has recovered over \$20 million in lost and stolen wages from HPD contractors.

Recommendations submitted by GNYLECET, on behalf of the Laborers', for the reform of HPD include:

- creating an independent and empowered ombudsperson with the authority to proactively investigate labor and housing quality issues;
- eliminating the de facto system of awarding preferred contractor status and replace it with a process that ensures serious due diligence by HPD;
- protecting the integrity of the preferred contractor system by requiring contractors certify the accuracy of data provided to HPD and regulating civil and criminal penalties for providing false, inaccurate or incomplete information;
- broadening the criteria of consideration for preferred contractor status to include indicators of labor violations on all types of jobsites, not just prevailing wage projects, and;
- making all materials considered when awarding preferred contractor status available to the public on HPD's website.

The Mason Tenders District Council is part of the Laborers' International Union of North America. The 17,000 members of the MTDC include construction workers, asbestos and hazardous materials handlers, recycling and waste handlers and Catholic High School teachers.

Greater New York LECET is a jointly trustee labor-management fund representing the 17,000 members of the affiliated unions of the Mason Tenders District Council, LiUNA and its more than 1400 signatory contractors. GNYLECET's mission is to promote and increase market-share for the organized sector of the construction industry, resulting in the creation of business opportunities for its signatory contractors and good jobs for its union members.

SOURCE Greater New York LECET

Vacations, Cars And \$450K Allegedly Traded In Massive DOB Bribery Ring

by [Lauren Evans](#) in [News](#) on [Feb 10, 2015 4:38 pm](#)



(ABC New York)

Nearly a dozen Department of Building employees, five Department of Housing Preservation and Development employees and 28 property managers were indicted today on multiple bribery and fraud charges around several boroughs, the Manhattan DA announced today.

The indictment was the result of a two year long investigation, which found DOB employees on various levels to have allegedly accepted bribes from property managers to sweep away complaints, Stop Work Orders and other violations in order to expedite projects.

The investigation began as the probe of a single DOB inspector, but quickly ballooned into a massive inquiry into the activities of dozens more, revealing more than \$450,000 in alleged bribes to have changed hands.

In one case, defendant David Weiszer was apparently given unfettered access to high level DOB employees after allegedly bribing Brooklyn's Chief of Development with "approximately \$200,000 for home mortgage payments, a Nissan Rogue SUV, a GMC Terrain SUV, and a Royal Caribbean cruise, as well as cash for airline tickets, home renovations, and other personal expenses." He allegedly also paid a DOB inspector around \$70,000 in exchange for signing off on inspections, as well as various clerks, who allowed him to cut the line at the DOB's Brooklyn office.



John Annese
@JohnAnnese

One @NYC_Buildings chief accepted a house, two SUVs, a Royal Caribbean vacation, home renovations, and other gifts, @ManhattanDA says

5 2:54 PM - Feb 10, 2015

DOB Chief of Development in Manhattan, Donald O'Connor, is charged with accepting bribes from the owners of various bars, including McHale's Pub, Jack Dempsey's, Bourbon Street Bar & Grille and McGee's Pub, in exchange for expedited appointments and dismissing complaints, many of which were allegedly never inspected. He is also charged with alerting the owners to undercover site safety visits, and coaching them on avoiding penalties.

In yet another instance mentioned in the complaint, DOB Supervisory Inspector Wilson Garcia was allegedly given a Puerto Rican vacation package by developer Gino Vitale in exchange for expunging complaints and alerting him to pending audits. In addition, Garcia has also been charged with weapons and cocaine charges found by the DOI and NYPD while executing a search warrant on his home and car.

As for HPD, a Brooklyn property manager is charged with paying Luis Soto, an HPD housing inspector, more than \$20,000 to wipe away 476 violations at 13 of his properties in Bushwick, Williamsburg and Bedford-Stuyvesant. Soto then allegedly paid an associate HPD inspector, Oliver Ortiz, to dismiss violations citing mice and roaches, missing smoke detectors and carbon monoxide detectors, inadequate lighting in building entrances and one defective hallway ceiling. Between that and several similar schemes, Soto and Ortiz allegedly dismissed 778 HPD violations for 24 Brooklyn properties in exchange for more than \$41,000 in bribes.

"Bribery schemes compromised two important City agencies and fair competition in our robust housing and real estate development markets," Manhattan DA Cyrus Vance Jr. said in a statement. "Today's cases demonstrate that the same surging demand that drives the pace of development can inspire the taking of shortcuts, and the taking of bribes. Working proactively with our partners at DOI and the NYPD, we are routing out corruption at all levels, and bringing those who abuse their positions of power to justice."

Many of the suspects surrendered at the 1st Precinct stationhouse in Lower Manhattan this morning, [ABC7](#) reports. Several of the arrested HPD and DOB employees are reputed to have mob ties, and at least 10 of the property managers involved have ties to the Orthodox Jewish community in Brooklyn.

Hello, my name is Charisma White. I am a housing advocate that has been homeless for 4 years now, and it has been hard and uncomfortable looking for housing when I have a medical disability and cannot work. I am on the very bottom of the low income bracket. Even when trying to get an affordable apartment through the City's housing connect website, I am below the income requirements. There are almost 73,000 homeless people in NYC altogether. We are asking for 30,000 UNITS with 24,000 newly constructed out of the 300,000 units of the Mayor's affordable housing plan.

It seems to me that New York has forgotten about our own poor and disabled people who need the most help. Permanent affordable housing for the homeless is what is needed. Not luxury buildings, not high end unavailable and unobtainable housing, and not promises of being housed while waiting years in the disorganized and selfish shelter system that has no concern for the people at all. Permanent affordable housing for the homeless is what is needed. We want to build and thrive in communities, and also be productive persons in society.



March 22, 2019

Testimony on the New York City Council Budget and Oversight Hearings on The Fiscal Year 2020 Preliminary Budget

Dear Committee on Housing and Buildings,

My name is Sam Chiera, and I am an attorney at Brooklyn Legal Services Corporation A and a member of the Stand for Tenant Safety (“STS”) Coalition. STS is a City-wide group of tenant advocates who seek to strengthen and create protections for tenants who suffer construction as harassment. As you are aware, in 2017 the City Council passed a number of bills into law aimed at preventing construction as harassment. These laws protect tenants by increasing fines and other penalties for landlords who perform work without a permit, or who fail to comply with Buildings issued stop-work orders; creates a watch-list of bad acting contractors who fail to take tenant protections into account; requires specific protections be included where tenant protection plans are needed; revises the definition of distressed buildings subject to the third party transfer program to include properties where one 1/3rd of the value or more is owed to the City in liens; and creates an Office of the Tenant Advocate to act as a point person for tenants suffering during construction; and a Real Time Enforcement (“RTE”) Unit to respond immediately to complaints of hazardous work performed without a permit.

Unfortunately, mere passage of these laws has not been enough to bring them into effect. Just last week STS, along with members of Housing and Buildings Committee, released a failing report card for the 12 laws passed in 2017. Many of these laws have not been effectively enforced. Only as recently as one month ago were the necessary hires made for the Real Time Enforcement Unit. The Office of the Tenant Advocate struggles to perform its critical duties because it is woefully under staffed. The Department of Finance reports that ECB fines required to be made liens against a building under the law have not been because they struggle to contract with outside title search companies which the law mandates. The passage of these laws was a momentous step in protecting tenants during construction, but without adequate funding they will continue to be laws in name only. The Stand for Tenant Safety Coalition asks that you adequately fund these laws.

Regards,

Sam Chiera, Esq.
Brooklyn Legal Services Corporation A
Stand for Tenant Safety Coalition

building communities, ensuring opportunity, achieving justice

PUBLIC TESTIMONY

ON

**FUNDING REQUEST FOR THE
STABILIZING NYC INITIATIVE:
FIGHTING PREDATORY EQUITY AND
TENANT HARASSMENT**

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL
Housing and Building Committee
BUDGET HEARING

PRESENTED BY:

Jackie Del Valle
Stabilizing NYC Coordinator
COMMUNITY DEVELOPMENT PROJECT
On behalf of the
STABILIZING NYC COALITION

March 22, 2019

Good afternoon. My name is Jackie Del Valle and I am Stabilizing NYC Coordinator at the Community Development Project of the Urban Justice Center. I am testifying today on behalf of Stabilizing NYC, a citywide coalition working together to fight the depletion of affordable housing in NYC at the hands of predatory equity landlords. Our work combines organizing and legal resources into a citywide network to help tenants take their predatory equity landlords to task for patchwork repairs, bogus eviction cases, unfair and illegal rent increases and affirmative harassment.

Thank you for the opportunity to testify this afternoon and for your support. The City Council has generously allocated funding to our coalition for the past five years. The funding is a critical investment in the community groups that make up the coalition and proves that this council believes in the strength and the necessity of grassroots organizing to empower tenants to protect their homes and communities.

Our coalition is made up of sixteen community-based organizations, a legal services provider and a housing advocacy organization. In Queens, we are Asian Americans for Equality, Catholic Migration Services, Chhaya CDC and Woodside on the Move. Manhattan-based coalition members include CAAAV, the Cooper Square Committee, GOLES and Housing Conservation Coordinators. The Fifth Avenue Committee/Neighbors Helping Neighbors, Flatbush Tenant Coalition, Impacct Brooklyn and St. Nick's Alliance rep Brooklyn. CASA (Community Action for Safe Apartments at New Settlement), Mothers on the Move at the Mary Mitchell Center, the Northwest Bronx Community and Clergy Coalition and Banana Kelly Community Improvement Association hold down The Bronx. Legal services are provided by the Community Development Project and the Urban Homesteading Assistance Board (UHAB) oversees our research and advocacy.

At the frontlines of the battle against displacement and gentrification, we build tenant-led associations and coalitions. We have won countless repairs in housing court and challenged dozens and dozens of MCIs. We have launched a city-wide tenants union where tenants from across the city come together to look at the systemic issues causing the loss of affordable housing.

Our work is intersectional as we know that communities of color are the most targeted & most affected by all the players in the real estate speculation game. We hold lenders, management companies, investors and owners accountable. We work with legislators to strengthen tenant protections. Over the past year Stabilizing NYC worked Council Member Ritchie Torres and HPD to pass & implement Intro 1210 which requires HPD to create a "Speculation Watch list" to help target organizing & outreach efforts by tracking speculative purchases.

Since Stabilizing NYC's inception in 2013 we have grown and deepened our work in order to reach additional neighborhoods and council districts. You are all well aware of the impact that predatory equity has on affordable housing in your districts and throughout the city, and we are grateful for your tireless advocacy and support. Our coalition seeks not only to serve tenants, but to mobilize them and build up leaders who will preserve affordable housing for generations to come. We humbly ask you to consider our request for **\$3 million dollars in initiative funding in FY20**. We look forward to continue to work with you to defend and preserve one of our city's greatest assets.

Thank you.

HPD TIMELINE

Hello, my name is Ada Tejada. I'm with 551 W 157th St Association.

In 2005, renovation of our building was completed and the Conversion process commenced/started.

The Certificate of Incorporation was not completed until 2014. A GAP OF 9 YEARS!!

We are now in 2019. It has been 14 years of inefficiency, broken promises and slow responses, letting time go by all in the hopes of our aging tenants passing. 4 of our oldest tenants have since passed.

We have always provided all requests on time, only to have a wall put in front of us every time.

I'm questioning; Is this a conspiracy?

It has been almost 15 years of fruitless effort.

We the tenants of 551 W 157th St. are asking, NO, we are begging you to please help us make the dream of becoming NYS citizens with a secured home, come true.

Good morning, and thank you to Chair Cornegy and members of the council for holding this hearing and listening to our testimony.

My name is Barry Weinberg, and I am a member of Manhattan Community Board 9, where I sit on the Housing, Zoning, and Land Use Committee. While my testimony today is my own, I will be speaking on items formally submitted to OMB by the Community Board through our budget prioritization process.

In particular, I would like to bring to the Committee's attention the extensive problems with the City's Affordable Neighborhood Cooperative Program, commonly known as ANCP. ANCP was listed in the Mayor's Preliminary Capital Budget under project code HD-1. The Mayor is proposing \$19.4 million budget for this project, but I would draw the members' attention to the fact that, of the \$125 million appropriated, only \$29.7 million has been spent to-date.

The ANCP program is effectively the successor to the Tenant Interim Lease Program (TIL). In TIL, when the City owns a residential building, usually through foreclosure due to non-payment of tax or water charges, the City was supposed to repair the building and sell the apartments to the tenants to become an HDFC cooperative.

Under ANCP, however, the City does not repair the building. Instead, it transfers the building to a developer, who is then free to take out enormous loans, both from HPD and private lenders, in order to make repairs on the building while the developer collects fees. After the repairs are done, the units are still sold to the tenants, but now the HDFC inherits the enormous loan the developer took out.

This is a recipe for disaster and eventual foreclosure of the HDFC by the lender. The developers in ANCP face next to no accountability for their borrowing and management actions, and have every incentive to rack up enormous debt to pay inflated contracting bills for shoddy work, as they will never be responsible for paying the loans. It is a set-up ripe for abuse, contractor-to-developer kickbacks, and corruption. At the end of the day, the shareholders of the new HDFC are left footing the bill and facing eventual foreclosure.

One of the earliest ANCP buildings, 938 Saint Nicholas, has been through this exact process. Their contractor, Dellwood, allegedly billed them for work never completed, which HPD signed off on. HPD signed off because if it did not, HPD would ultimately be responsible for the loans if the building never became an HDFC. The building now is struggling with over \$6 million in debt and is in the foreclosure process. Two blocks from where I live, 640 Riverside Drive and 644 Riverside Drive are going through the same process, and have already incurred tens of millions of dollars in debt that they will almost certainly be unable to repay once they become co-ops.

The City Council should refuse to fund ANCP and end the program, instead allocating money for the repairs of the City-owned property to be completed by the City, and the buildings transferred to the tenants without giant loans. I urge the City Council to fully-fund the TIL program and end a setup where developers and contractors are incentivized to rack up tens of millions of dollars in debt that they will never be responsible to pay back, leaving low-income tenants on the hook. Thank you.

During the 1970 and 80's the Bronx, and NYC as a whole, was experiencing an economic crisis. The Governor and Mayor even sought the help of the Federal Government meeting with then President Ford, to ask for help, which was eventually denied.

It was during those times, and with many landlords abandoning the buildings in the Bronx or burning them throughout NYC, that the Tenant Interim Lease (TIL) program which began in 1979, as a way to reclaim abandon and/or dilapidated buildings and give tenants the opportunity to own a piece of the American dream.

Our building was one of those buildings involved in that process. We began our transition from TIL to a HDFC in May, 1983 and finalize the process when we received our Deed on February 2, 1987.

- 1) The building was sold to us "As Is". With the City (NYC and primarily HPD) providing no capital improvements and no financial resources to manage the building. The exception to this was during the TIL period the city only installed a **new boiler and changed the windows**. They also installed new cabinets in the kitchen and new bathtubs. They did not do any improvement in the electrical wiring or the water pipes or heaters.
- 2) Since taking ownership of the building the coop has been dealing with several unexpected expenses that have had a great impact on the building's financial stability.
- 3) In May 2014 the first floor apartment, 1A, was completely destroyed by a fire and the Coop incurred an expense of \$16,995.93.
- 4) Between 2014 and 2016 the building took on a repair project to the main plumbing lines and structure areas of the building, including aging windows and windows sills and other minor repairs. This totaled about \$40,000.00.
- 5) Repairs to building structures, such as roof and safety equipment, such as Dry Chemical fire extinguishers, carbon monoxide etc. totaling \$14,391.00 in the year 2017-18.
- 6) Expense installing a front gate due to high crime and drugs and criminal activity. This was done to prevent loitering and reduce the chances that the residents of the building will be in harm's way. The fence cost \$11,000.00
- 7) Expense on intercom system \$2000.00
- 8) Expense closed circuit security cameras \$12,350.00
- 9) On August 04, 2017 a near gas explosion occurred in our building, due to aging gas pipes. This was an unexpected expense and one that left the residents of 1600 HDFC without gas

for several months. The HDFC had to come up with over \$50,000.00 to repair the main gas supply line and install new gas pipes inside all apartments.

10) On or around November 2nd, 2017 a letter from HPD was placed in the building informing “tenants” that the building was in the process of being transferred thru the TPT (Third Party Transfer) program. There was an emergency meeting and the managing agent, Mr. Gomez, assured us that this was not an issue as he had a payment agreement with the city to pay the back taxes and water bill.

11) In 2015 the City of New York commenced in Rem Foreclosure against 1600 Nelson Avenue HDFC. The Shareholders, the managing agent and the Executive Board were never informed. This foreclosure proceeding, we later learned that there were at least 87 buildings in the Bronx.



Letitia James

Public Advocate for the City of New York

For Immediate Release: Thursday, October 18, 2018

Contact: Delaney Kempner, dkempner@pubadvocate.nyc.gov, 202-277-0292

PA James Calls for Temporary Freeze to HPD's Third-Party Transfer Program

NEW YORK -- Today, Public Advocate Letitia James called for a temporary freeze of the Department of Housing Preservation and Development's (HPD) Third-Party Transfer (TPT) program to address recent concerns about New Yorkers losing their homes in error.

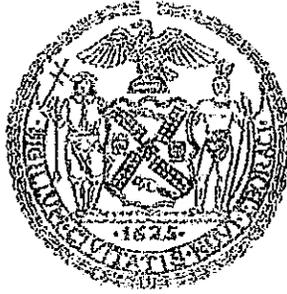
TPT is a program administered by the City's Department of Housing Preservation and Development (HPD) that identifies properties in debt to the City and transfers them to affordable housing non-profits to ensure they remain affordable. However, there has been recent concern that homes are being included in the program or foreclosed upon without sufficient notice to the homeowner.

This temporary freeze would allow HPD to address these concerns and to ensure that the agency has adequate safeguards in place to protect homeowners whose properties enter the program.

Public Advocate James also encourages any homeowner who believes they have been erroneously placed into TPT to contact the Public Advocate's office by calling 212-669-7250 or emailing gethelp@pubadvocate.nyc.gov.

###

—
Public Advocate Press Office
Office of NYC Public Advocate Letitia James
1 Centre Street, 15th Floor North, New York, NY 10007
212-669-7200
newsunit@pubadvocate.nyc.gov
<http://www.pubadvocate.nyc.gov/>
@NYCPA



October 10, 2017

Maria Torres-Springer
Commissioner
NYC Housing Preservation & Development
100 Gold Street
New York, NY 10038

Dear Commissioner Torres-Springer:

It has come to our attention that the Department of Housing Preservation & Development (HPD) 2017 Third Party Transfer (TPT) Round X is moving ahead with foreclosure proceedings of 84 HDFCs. While we understand that you have made efforts to assist these buildings in order for them to achieve good standing, we do not want to lose this essential stock of housing which have made the dream of affordable homeownership possible for over 2,000 families. Therefore, we are requesting that HPD issue a moratorium on HDFC foreclosures, in order to focus on the necessary next steps towards supporting these HDFC buildings in need.

HDFC shareholders have invested significant amounts of their own money, sweat equity and effort into their homes, their buildings and the community at large. Studies have shown that homeowners are more civically engaged in their communities, volunteer at higher rates, and there is a correlation, all things being equal, between homeownership and success in health and academia in children.

We know that Mayor de Blasio and HPD are committed to maintaining the affordability of these units, but if they cease being owner-occupied homes it would be a major loss for our city, not to mention the owners themselves. Preservation of these HDFCs would undoubtedly be less costly than the creation of new owner-occupied housing.

We acknowledge that some of the buildings listed for foreclosure no longer have active shareholders residing in them. Others may contain shareholders that have apprehensions regarding their existing structure and prefer reverting to affordable rentals that would be renovated. It is for this reason that we ask for a more judicious screening process to ensure that buildings on the right path are not subject to foreclosure.

We believe that additional communication between HPD and HDFCs at risk of foreclosure would benefit both parties. Most of the 84 HDFCs listed are self-managed and could benefit from the advice of HPD. For example, retroactive Article XI exemption is one tool at HPD's disposal in alleviating a buildings tax burden. Removing the deadline for applying for Article XI tax amnesty would offer shareholders the opportunity to keep their buildings running.

We also ask that the moratorium include collaboration with the Department of Finance and the Department of Environmental Protection, the two agencies in which arrears lead to foreclosure proceedings, as well as with the HDFC Coalition and the Brooklyn HDFC Coalition. Promotion of inter-agency cooperation encourages a transparent and inclusive format in which shareholders and agencies work towards solutions for troubled HDFCs.

With the threat of TPT judgement looming, we ask that you stop the clock on HDFC foreclosure, and that together we re-examine what appropriate tools and resources are necessary to ensure that our HDFCs not only survive but thrive.

Sincerely,



Mark Levine
Council Member, 7th District



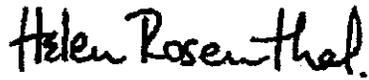
Margaret Chin
Council Member, 1st District



Corey Johnson
Council Member, 3rd District



Ben Kallos
Council Member, 5th District



Helen Rosenthal
Council Member, 6th District



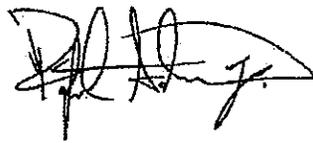
Ydanis Rodriguez
Council Member, 10th District



Andrew Cohen
Council Member, 11th District



Ritchie Torres
Council Member, 15th District



Rafael Salamanca Jr.
Council Member, 17th District



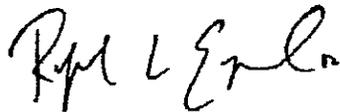
I. Daneek Miller
Council Member, 27th District



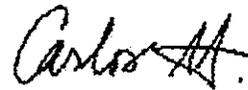
Karen Koslowitz,
Council Member, 29th District



Antonio Reynoso
Council Member, 34th District



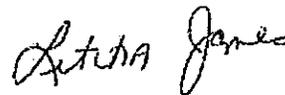
Rafael Espinal Jr.
Council Member, 37th District



Carlos Menchaca
Council Member, 38th District



Mark Treyger
Council Member, 47th District



Letitia James
Public Advocate



October 25, 2018

Hon. Janet DiFiore
Chief Judge
New York State Court of Appeals
20 Eagle Street
Albany, New York 12207

Hon. Lawrence K. Marks
Chief Administrative Judge of the Courts
New York State Unified Court System
25 Beaver St.
New York, NY 10004

Mayor Bill de Blasio
City Hall
New York, NY 10007

Rick D. Chandler, P.E.
Commissioner
New York City Department of Buildings
280 Broadway
New York, NY 10007

Jacques Jiha, Ph.D.
Commissioner
New York City Department of Finance
1 Centre St., Rm. 500
New York, NY 10007

Maria Torres-Springer
Commissioner
N.Y.C. Dept. of Housing Preservation and
Development
100 Gold Street
New York, NY 10038

Dear Chief Judge DiFiore, Chief Administrative Judge Marks, Mayor de Blasio, Commissioner Chandler, Commissioner Jiha and Commissioner Torres-Springer:

We, the undersigned members of the New York State Black, Puerto Rican, Hispanic, and Asian Legislative Caucus, are writing with regard to New York City's current Third Party Transfer Program, and the bundle of 66 Brooklyn properties that were taken through *in rem* foreclosure proceedings and judgment in December 2017. **We are requesting a moratorium on the further transfer of ownership and imposition of third-party managers at each of the properties, and on the further implementation of the City's Third Party Transfer Program, until an investigation can be conducted to determine the following, at the very least:** (1) whether the actions taken by the New York City Department of Finance (DOF), the New York City Department of Housing Preservation and Development (HPD), and New York City Department of Buildings were in keeping with the letter and spirit of the City's 1996 Distressed Property laws and procedures; and (2) what is the actual impact of the City's program on working families and communities of color?

Relatedly, we believe it is important to determine at this juncture the extent to which the city's current Third Party Transfer initiative was implemented to fulfill a purpose other than that which was

intended by New York City Local Law No. 37, as adopted in 1996, and by the authority given by New York State to New York City to engage in *in rem* foreclosure proceedings in the prior decade. One fundamental question that comes to the fore is whether, or the extent to which, New York City's 2015 to 2018 transfers of ownership and management of 66 properties pursuant to the December 2017 Kings County judgment, utilizing its distressed property law proceedings, were within the boundaries of the purpose of these proceedings, or whether New York City overreached in its authority to employ the *in rem* foreclosure method to take title of the properties.

We are alarmed by the fact that the properties on this list in Kings County are located exclusively in rapidly gentrifying, Black and Brown communities such as Bedford Stuyvesant, Crown Heights, Brownsville, Bushwick and East New York; where displacement of working families and seniors from these communities is at an all-time high. Apparently, similar proceedings and judgments were embarked on by HPD and DOF in communities in Queens County and Bronx County. We, the members of the Black, Puerto Rican Hispanic and Asian Legislative Caucus represent the communities where these properties are located.

We were shocked to learn that not only were the 66 properties in Kings County moved swiftly through court proceedings in 2017 -- as a single package -- but that they did not all appear to be the dilapidated, abandoned buildings this process was intended to target in 1985 (when the *in rem* proceedings were first permitted for use by New York City), or in 1996 (when the *distressed property* laws and provisions were adopted). Also alarming is the fact that several property owners have spent months working to fulfill their financial obligations to the City, as the City's *distressed property* laws permit them to do (and some have even paid administrative fees and entered into installment agreements in place to preserve their ownership), without knowing or being informed by your agency especially that they no longer held their deed. **The lack of transparency around this process is troublesome.**

Most alarming is the fact that currently tenants at these properties are expressing confusion with the abrupt change in ownership and management of their buildings, and anxiety about being displaced from the affordable units in their communities. Many of these tenants and their families are long-term residents of our communities. We of course support the original intent of this program to protect tenants, by stabilizing buildings that are actually distressed and abandoned.

However, we believe that we are duty bound to ensure that the city's agencies are simultaneously advancing the related intent of the City law (that is, to preserve property ownership). The actions recently taken by HPD do not appear to be in line with this purpose. Homeownership is one of the few opportunities for communities of color to build intergenerational wealth, and regard for property ownership is a fundamental tenet of our State Constitution. **A single misstep in a program such as this is one too many when it can result in one of our constituents losing their home, and the families' equity and investment in such properties, unjustly or unfairly.**

These cases must thus be thoroughly investigated, and solutions developed that allow for continued ownership of the properties which the City designates as Class One and Class Two properties, by those individuals and families that have been the bedrock of our communities (especially those who have provided affordable tenancies to working families before our communities became attractive for "gentrification"). As an initial proposal, homeowners and Housing Development Fund Corporation (HDFC) cooperatives must be provided assistance with ongoing maintenance requirements and management support, rather than the taking of their title to their property and

divestment of their equity. Additionally, water and sewage charges should be decoupled from the foreclosure process so that no homeowner or co-op owner loses their property due to costs associated with utilities.

We respectfully request an immediate response to the issues raised in this letter.

Sincerely,



Senator Velmanette Montgomery



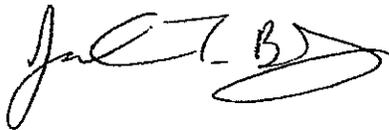
Senator Roxanne J. Persaud



Senator Leroy Comrie



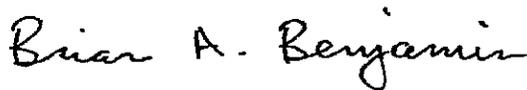
Senator Kevin S. Parker



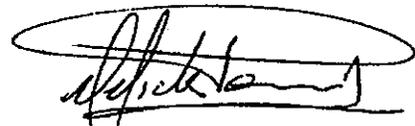
Senator Jamaal T. Bailey



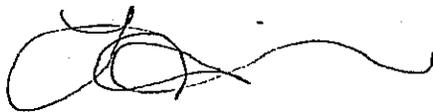
Senator Luis R. Sepulveda



Senator Brian A. Benjamin



Assemblyman N. Nick Perry



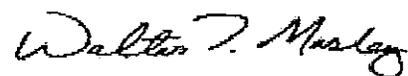
Assemblywoman Latrice M. Walker



Assemblywoman Tremaine Wright



Assemblywoman Diana C. Richardson



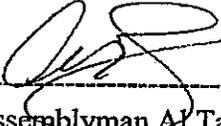
Assemblyman Walter T. Mosley



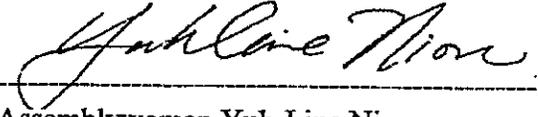
Assemblyman Charles Barron



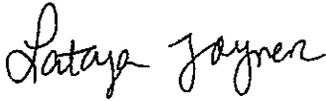
Assemblyman Victor M. Pichardo



Assemblyman Al Taylor



Assemblywoman Yuh-Line Niou



Assemblywoman Latoya Joyner



Assemblywoman Pamela J. Hunter



Assemblyman Eric Dilan

cc: New York City Public Advocate Letitia James
New York City Comptroller Scott M. Stringer
New York City Council Speaker Corey Johnson
Bronx Borough President Ruben Diaz Jr.
Brooklyn Borough President Eric L. Adams
Manhattan Borough President Gale A. Brewer
Queens Borough President Melinda R. Katz
Members of the New York City Council
New York State Foreclosure Defense Bar
Hon. Robert Jackson
Catalina Cruz
Zellnor Myrie
Jessica Ramos
Julia Salazar

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

----- X
:
IN REM TAX FORECLOSURE ACTION NO.: 52 : Index No.: 40000/2015
BOROUGH OF BRONX :
: **STIPULATION OF**
: **ADJOURNMENT**
SECTIONS 9, 10, 11, 12, 14, 15 and 16 :
:
TAX CLASSES 1 and 2 :
:
----- X

IT IS STIPULATED AND AGREED, that the return date for respondent 1600 Nelson Avenue Housing Development Fund Corporation’s (“HDFC”) motion, commenced by an order to show cause, dated September 27, 2018, is hereby adjourned to November 5, 2018, at 9:30 a.m.

IT IS FURTHER STIPULATED AND AGREED, that petitioner the City of New York’s (“NYC”) and third-party transferee Neighborhood Restore Housing Development Fund Corporation’s (“Neighborhood Restore”) time to respond to HDFC’s aforementioned motion is extended to October 22, 2018.

IT IS FURTHER STIPULATED AND AGREED, that HDFC’s reply papers, if any, shall be due on or before October 29, 2018.

IT IS FURTHER STIPULATED AND AGREED, that this Stipulation of Adjournment may be executed in two or more counterparts, and may be executed by way of facsimile or electronic signature.

Dated: New York, New York
October 15, 2018

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorneys for The City of New York

**HIMMELSTEIN, MCCONNELL,
GRIBBEN, DONOGHUE &
JOSEPH LLP**
*Attorneys for 1600 Nelson Avenue
Housing Development Fund Corporation*

By: _____
Andrea B. Feller, Esq.
100 Church Street, Room 3-250
New York, New York 10007
(212) 788-9555
afeller@law.nyc.gov

By: _____
Serge Joseph, Esq.
15 Maiden Lane
New York, New York 10038
(212) 349-3000
sjoseph@hmgdlaw.com

GOLDSTEIN HALL PLLC
Attorneys for Third-Party Transferee
Neighborhood Restore Housing
Development Fund Corporation

By: _____
Brian J. Markowitz, Esq.
80 Broad Street, Suite 303
New York, New York 10004
(646) 768-4127
bmarkowitz@goldsteinhall.com



PAYMENT AGREEMENT

1600 NAH DTC
PO BOX 523092
BRONX NY 10452

May 8, 2015

PROPERTY ADDRESS

117 FEATHERBED LN

Borough: The Bronx

Block: 02876 Lot: 0001

Account No: 1000167150001

Open Balance: \$165,441.36

Service Period: 07/01/06 to 07/01/14

Dear customer:

This agreement between the Department of Environmental Protection and the named individual as the legal representative or owner of the property, documents a promise to satisfy past due water and sewer charges issued against the above the mentioned property and account number. By signing this document, the named individual agrees to submit the first of 120 monthly payments by 06/12/15. You will receive a consolidated bill each month that consists of the agreed upon Payment Agreement Installment Amount of \$1,378.68, the current month's interest accrued on the prior balance and any new water and sewer charges. If you miss a payment, the charge will be carried over to your next monthly consolidated bill.

If the required monthly payments are made on time and in full, the total amount paid under this agreement will equal \$165,441.36 in principal and \$75,068.91 in interest. Please note that failure to submit the above described payments to DEP on or before the due date as agreed to in this document will increase the amount of interest charged and therefore the total amount due. Please be aware that these amounts only include what is owed pursuant to this agreement and do not include any new water and sewer charges.

All unpaid balances for water and sewer charges accrue interest at 9% per year, compounded monthly. To avoid additional interest charges, monthly installment payments must be received by the "Payment due by" date listed on your water and sewer bill.

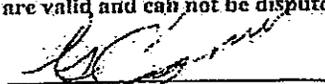
In the event of any failure to pay current water and sewer charges on the above property, or any monthly installment under this Payment Agreement, when the payment is due, DEP and the NYC Water Board will undertake all efforts provided under law and equity to recover the full sum due. Customers who default on their payment agreement and are then sold in a City tax lien sale will not be allowed to enter into a payment agreement for a period of five (5) years.

Unpaid water and sewer charges constitute a lien against the property. Failure to satisfy this debt may result in inclusion of the property in a City tax lien sale, which could, in turn, lead to a foreclosure action against the property to collect unpaid charges. In addition, failure to satisfy this debt may result in your unpaid balance being reported to a credit reporting agency by the Department of Environmental Protection.

Please note that the entire unpaid balance is due to the Water Board before your property is sold, refinanced, or transferred.

If you have any questions, please contact the NYC Department of Environmental Protection Collection Department by phone at (718) 595-7890 or in person by visiting our Queens office at 59-17 Junction Boulevard, 13th Floor.

By signing below, you indicate your acceptance of these terms and agree that the charges on this account are valid and can not be disputed.


Owner or Agent Signature

NYS DRIVERS LICENSE
Type of ID (i.e. NYS license, Passport)

D. Sital
DEP Representative Signature

5/8/15
Date



PAYMENT AGREEMENT SCHEDULE

Account Information

Owner's Name:	1600 NAH DTC	Account Number:	1000167150001
Service Address:	117 FEATHERBED LN BRONX, NY 10452	Payment Agreement Amount:	\$165,441.36
Borough/Block/Lot:	02-02876-0001	Down Payment:	\$0.00

Agreement Information

Monthly Installment Payment:	\$1,378.68	Payment Agreement Balance:	\$165,441.36
Total Annual Payment:	\$16,544.16	Annual Interest Rate:	9.00%
Interest in First Year of Agreement:	\$14,207.28	Agreement Period in Months:	120
Interest Over Term of Agreement:	\$75,068.91	First Payment Due Date:	Jun 12, 2015
Total of All Payments:	\$240,510.27		

PLEASE MAIL YOUR PAYMENTS TO: NYC WATER BOARD, P.O. BOX 11863, NEWARK, NJ 07101-8163

*** This payment schedule is intended for illustration purposes only. Interest payments shown below are calculated at 9% per year, compounded monthly, and assume that the customer will pay their monthly amount on time as well as keep current with new charges as issued. Failure to pay any charges on time will result in additional interest being charged.***

Payment Details

No	Payment Due Date	Beginning Balance	Payments	Installment Amount	Interest	Cumulative Installment Amount	Cumulative Interest	Ending Balance
1	Jun 12, 2015	\$165,441.36	\$2,619.49	\$1,378.68	\$1,240.81	\$1,378.68	\$1,240.81	\$164,062.68
2	Jul 12, 2015	\$164,062.68	\$2,609.15	\$1,378.68	\$1,230.47	\$2,757.36	\$2,471.28	\$162,684.00
3	Aug 12, 2015	\$162,684.00	\$2,598.81	\$1,378.68	\$1,220.13	\$4,136.04	\$3,691.41	\$161,305.32
4	Sep 12, 2015	\$161,305.32	\$2,588.47	\$1,378.68	\$1,209.79	\$5,514.72	\$4,901.20	\$159,926.64
5	Oct 12, 2015	\$159,926.64	\$2,578.13	\$1,378.68	\$1,199.45	\$6,893.40	\$6,100.65	\$158,547.96
6	Nov 12, 2015	\$158,547.96	\$2,567.79	\$1,378.68	\$1,189.11	\$8,272.08	\$7,289.76	\$157,169.28
7	Dec 12, 2015	\$157,169.28	\$2,557.45	\$1,378.68	\$1,178.77	\$9,650.76	\$8,468.53	\$155,790.60
8	Jan 12, 2016	\$155,790.60	\$2,547.11	\$1,378.68	\$1,168.43	\$11,029.44	\$9,636.96	\$154,411.92
9	Feb 12, 2016	\$154,411.92	\$2,536.77	\$1,378.68	\$1,158.09	\$12,408.12	\$10,795.05	\$153,033.24
10	Mar 12, 2016	\$153,033.24	\$2,526.43	\$1,378.68	\$1,147.75	\$13,786.80	\$11,942.80	\$151,654.56
11	Apr 12, 2016	\$151,654.56	\$2,516.09	\$1,378.68	\$1,137.41	\$15,165.48	\$13,080.21	\$150,275.88
12	May 12, 2016	\$150,275.88	\$2,505.75	\$1,378.68	\$1,127.07	\$16,544.16	\$14,207.28	\$148,897.20
13	Jun 12, 2016	\$148,897.20	\$2,495.41	\$1,378.68	\$1,116.73	\$17,922.84	\$15,324.00	\$147,518.52
14	Jul 12, 2016	\$147,518.52	\$2,485.07	\$1,378.68	\$1,106.39	\$19,301.52	\$16,430.39	\$146,139.84
15	Aug 12, 2016	\$146,139.84	\$2,474.73	\$1,378.68	\$1,096.05	\$20,680.20	\$17,526.44	\$144,761.16
16	Sep 12, 2016	\$144,761.16	\$2,464.39	\$1,378.68	\$1,085.71	\$22,058.88	\$18,612.15	\$143,382.48
17	Oct 12, 2016	\$143,382.48	\$2,454.05	\$1,378.68	\$1,075.37	\$23,437.56	\$19,687.52	\$142,003.80
18	Nov 12, 2016	\$142,003.80	\$2,443.71	\$1,378.68	\$1,065.03	\$24,816.24	\$20,752.55	\$140,625.12
19	Dec 12, 2016	\$140,625.12	\$2,433.37	\$1,378.68	\$1,054.69	\$26,194.92	\$21,807.24	\$139,246.44
20	Jan 12, 2017	\$139,246.44	\$2,423.03	\$1,378.68	\$1,044.35	\$27,573.60	\$22,851.58	\$137,867.76
21	Feb 12, 2017	\$137,867.76	\$2,412.69	\$1,378.68	\$1,034.01	\$28,952.28	\$23,885.59	\$136,489.08
22	Mar 12, 2017	\$136,489.08	\$2,402.35	\$1,378.68	\$1,023.67	\$30,330.96	\$24,909.26	\$135,110.40
23	Apr 12, 2017	\$135,110.40	\$2,392.01	\$1,378.68	\$1,013.33	\$31,709.64	\$25,922.59	\$133,731.72
24	May 12, 2017	\$133,731.72	\$2,381.67	\$1,378.68	\$1,002.99	\$33,088.32	\$26,925.58	\$132,353.04
25	Jun 12, 2017	\$132,353.04	\$2,371.33	\$1,378.68	\$992.65	\$34,467.00	\$27,918.22	\$130,974.36
26	Jul 12, 2017	\$130,974.36	\$2,360.99	\$1,378.68	\$982.31	\$35,845.68	\$28,900.53	\$129,595.68
27	Aug 12, 2017	\$129,595.68	\$2,350.65	\$1,378.68	\$971.97	\$37,224.36	\$29,872.50	\$128,217.00
28	Sep 12, 2017	\$128,217.00	\$2,340.31	\$1,378.68	\$961.63	\$38,603.04	\$30,834.13	\$126,838.32
29	Oct 12, 2017	\$126,838.32	\$2,329.97	\$1,378.68	\$951.29	\$39,981.72	\$31,785.42	\$125,459.64
30	Nov 12, 2017	\$125,459.64	\$2,319.63	\$1,378.68	\$940.95	\$41,360.40	\$32,726.36	\$124,080.96

31	Dec 12, 2017	\$124,080.96	\$2,309.29	\$1,378.68	\$930.61	\$42,739.08	\$33,656.97	\$122,702.28
32	Jan 12, 2018	\$122,702.28	\$2,298.95	\$1,378.68	\$920.27	\$44,117.76	\$34,577.24	\$121,323.60
33	Feb 12, 2018	\$121,323.60	\$2,288.61	\$1,378.68	\$909.93	\$45,496.44	\$35,487.16	\$119,944.92
34	Mar 12, 2018	\$119,944.92	\$2,278.27	\$1,378.68	\$899.59	\$46,875.12	\$36,386.75	\$118,566.24
35	Apr 12, 2018	\$118,566.24	\$2,267.93	\$1,378.68	\$889.25	\$48,253.80	\$37,276.00	\$117,187.56
36	May 12, 2018	\$117,187.56	\$2,257.59	\$1,378.68	\$878.91	\$49,632.48	\$38,154.90	\$115,808.88
37	Jun 12, 2018	\$115,808.88	\$2,247.25	\$1,378.68	\$868.57	\$51,011.16	\$39,023.47	\$114,430.20
38	Jul 12, 2018	\$114,430.20	\$2,236.91	\$1,378.68	\$858.23	\$52,389.84	\$39,881.70	\$113,051.52
39	Aug 12, 2018	\$113,051.52	\$2,226.57	\$1,378.68	\$847.89	\$53,768.52	\$40,729.58	\$111,672.84
40	Sep 12, 2018	\$111,672.84	\$2,216.23	\$1,378.68	\$837.55	\$55,147.20	\$41,567.13	\$110,294.16
41	Oct 12, 2018	\$110,294.16	\$2,205.89	\$1,378.68	\$827.21	\$56,525.88	\$42,394.34	\$108,915.48
42	Nov 12, 2018	\$108,915.48	\$2,195.55	\$1,378.68	\$816.87	\$57,904.56	\$43,211.20	\$107,536.80
43	Dec 12, 2018	\$107,536.80	\$2,185.21	\$1,378.68	\$806.53	\$59,283.24	\$44,017.73	\$106,158.12
44	Jan 12, 2019	\$106,158.12	\$2,174.87	\$1,378.68	\$796.19	\$60,661.92	\$44,813.91	\$104,779.44
45	Feb 12, 2019	\$104,779.44	\$2,164.53	\$1,378.68	\$785.85	\$62,040.60	\$45,599.76	\$103,400.76
46	Mar 12, 2019	\$103,400.76	\$2,154.19	\$1,378.68	\$775.51	\$63,419.28	\$46,375.27	\$102,022.08
47	Apr 12, 2019	\$102,022.08	\$2,143.85	\$1,378.68	\$765.17	\$64,797.96	\$47,140.43	\$100,643.40
48	May 12, 2019	\$100,643.40	\$2,133.51	\$1,378.68	\$754.83	\$66,176.64	\$47,895.26	\$99,264.72
49	Jun 12, 2019	\$99,264.72	\$2,123.17	\$1,378.68	\$744.49	\$67,555.32	\$48,639.74	\$97,886.04
50	Jul 12, 2019	\$97,886.04	\$2,112.83	\$1,378.68	\$734.15	\$68,934.00	\$49,373.89	\$96,507.36
51	Aug 12, 2019	\$96,507.36	\$2,102.49	\$1,378.68	\$723.81	\$70,312.68	\$50,097.69	\$95,128.68
52	Sep 12, 2019	\$95,128.68	\$2,092.15	\$1,378.68	\$713.47	\$71,691.36	\$50,811.16	\$93,750.00
53	Oct 12, 2019	\$93,750.00	\$2,081.81	\$1,378.68	\$703.13	\$73,070.04	\$51,514.28	\$92,371.32
54	Nov 12, 2019	\$92,371.32	\$2,071.46	\$1,378.68	\$692.78	\$74,448.72	\$52,207.07	\$90,992.64
55	Dec 12, 2019	\$90,992.64	\$2,061.12	\$1,378.68	\$682.44	\$75,827.40	\$52,889.51	\$89,613.96
56	Jan 12, 2020	\$89,613.96	\$2,050.78	\$1,378.68	\$672.10	\$77,206.08	\$53,561.62	\$88,235.28
57	Feb 12, 2020	\$88,235.28	\$2,040.44	\$1,378.68	\$661.76	\$78,584.76	\$54,223.38	\$86,856.60
58	Mar 12, 2020	\$86,856.60	\$2,030.10	\$1,378.68	\$651.42	\$79,963.44	\$54,874.81	\$85,477.92
59	Apr 12, 2020	\$85,477.92	\$2,019.76	\$1,378.68	\$641.08	\$81,342.12	\$55,515.89	\$84,099.24
60	May 12, 2020	\$84,099.24	\$2,009.42	\$1,378.68	\$630.74	\$82,720.80	\$56,146.63	\$82,720.56
61	Jun 12, 2020	\$82,720.56	\$1,999.08	\$1,378.68	\$620.40	\$84,099.48	\$56,767.04	\$81,341.88
62	Jul 12, 2020	\$81,341.88	\$1,988.74	\$1,378.68	\$610.06	\$85,478.16	\$57,377.10	\$79,963.20
63	Aug 12, 2020	\$79,963.20	\$1,978.40	\$1,378.68	\$599.72	\$86,856.84	\$57,976.83	\$78,584.52
64	Sep 12, 2020	\$78,584.52	\$1,968.06	\$1,378.68	\$589.38	\$88,235.52	\$58,566.21	\$77,205.84
65	Oct 12, 2020	\$77,205.84	\$1,957.72	\$1,378.68	\$579.04	\$89,614.20	\$59,145.25	\$75,827.16
66	Nov 12, 2020	\$75,827.16	\$1,947.38	\$1,378.68	\$568.70	\$90,992.88	\$59,713.96	\$74,448.48
67	Dec 12, 2020	\$74,448.48	\$1,937.04	\$1,378.68	\$558.36	\$92,371.56	\$60,272.32	\$73,069.80
68	Jan 12, 2021	\$73,069.80	\$1,926.70	\$1,378.68	\$548.02	\$93,750.24	\$60,820.35	\$71,691.12
69	Feb 12, 2021	\$71,691.12	\$1,916.36	\$1,378.68	\$537.68	\$95,128.92	\$61,358.03	\$70,312.44
70	Mar 12, 2021	\$70,312.44	\$1,906.02	\$1,378.68	\$527.34	\$96,507.60	\$61,885.37	\$68,933.76
71	Apr 12, 2021	\$68,933.76	\$1,895.68	\$1,378.68	\$517.00	\$97,886.28	\$62,402.38	\$67,555.08
72	May 12, 2021	\$67,555.08	\$1,885.34	\$1,378.68	\$506.66	\$99,264.96	\$62,909.04	\$66,176.40
73	Jun 12, 2021	\$66,176.40	\$1,875.00	\$1,378.68	\$496.32	\$100,643.64	\$63,405.36	\$64,797.72
74	Jul 12, 2021	\$64,797.72	\$1,864.66	\$1,378.68	\$485.98	\$102,022.32	\$63,891.34	\$63,419.04
75	Aug 12, 2021	\$63,419.04	\$1,854.32	\$1,378.68	\$475.64	\$103,401.00	\$64,366.99	\$62,040.36
76	Sep 12, 2021	\$62,040.36	\$1,843.98	\$1,378.68	\$465.30	\$104,779.68	\$64,832.29	\$60,661.68
77	Oct 12, 2021	\$60,661.68	\$1,833.64	\$1,378.68	\$454.96	\$106,158.36	\$65,287.25	\$59,283.00
78	Nov 12, 2021	\$59,283.00	\$1,823.30	\$1,378.68	\$444.62	\$107,537.04	\$65,731.88	\$57,904.32
79	Dec 12, 2021	\$57,904.32	\$1,812.96	\$1,378.68	\$434.28	\$108,915.72	\$66,166.16	\$56,525.64
80	Jan 12, 2022	\$56,525.64	\$1,802.62	\$1,378.68	\$423.94	\$110,294.40	\$66,590.10	\$55,146.96
81	Feb 12, 2022	\$55,146.96	\$1,792.28	\$1,378.68	\$413.60	\$111,673.08	\$67,003.70	\$53,768.28
82	Mar 12, 2022	\$53,768.28	\$1,781.94	\$1,378.68	\$403.26	\$113,051.76	\$67,406.96	\$52,389.60
83	Apr 12, 2022	\$52,389.60	\$1,771.60	\$1,378.68	\$392.92	\$114,430.44	\$67,799.89	\$51,010.92
84	May 12, 2022	\$51,010.92	\$1,761.26	\$1,378.68	\$382.58	\$115,809.12	\$68,182.47	\$49,632.24
85	Jun 12, 2022	\$49,632.24	\$1,750.92	\$1,378.68	\$372.24	\$117,187.80	\$68,554.71	\$48,253.56
86	Jul 12, 2022	\$48,253.56	\$1,740.58	\$1,378.68	\$361.90	\$118,566.48	\$68,916.61	\$46,874.88
87	Aug 12, 2022	\$46,874.88	\$1,730.24	\$1,378.68	\$351.56	\$119,945.16	\$69,268.17	\$45,496.20
88	Sep 12, 2022	\$45,496.20	\$1,719.90	\$1,378.68	\$341.22	\$121,323.84	\$69,609.39	\$44,117.52
89	Oct 12, 2022	\$44,117.52	\$1,709.56	\$1,378.68	\$330.88	\$122,702.52	\$69,940.28	\$42,738.84
90	Nov 12, 2022	\$42,738.84	\$1,699.22	\$1,378.68	\$320.54	\$124,081.20	\$70,260.82	\$41,360.16
91	Dec 12, 2022	\$41,360.16	\$1,688.88	\$1,378.68	\$310.20	\$125,459.88	\$70,571.02	\$39,981.48

	Jan 12, 2023	\$39,981.48	\$1,678.54	\$1,378.68	\$299.86	\$126,838.56	\$70,870.88	\$38,602.80
93	Feb 12, 2023	\$38,602.80	\$1,668.20	\$1,378.68	\$289.52	\$128,217.24	\$71,160.40	\$37,224.12
94	Mar 12, 2023	\$37,224.12	\$1,657.86	\$1,378.68	\$279.18	\$129,595.92	\$71,439.58	\$35,845.44
95	Apr 12, 2023	\$35,845.44	\$1,647.52	\$1,378.68	\$268.84	\$130,974.60	\$71,708.42	\$34,466.76
96	May 12, 2023	\$34,466.76	\$1,637.18	\$1,378.68	\$258.50	\$132,353.28	\$71,966.92	\$33,088.08
97	Jun 12, 2023	\$33,088.08	\$1,626.84	\$1,378.68	\$248.16	\$133,731.96	\$72,215.08	\$31,709.40
98	Jul 12, 2023	\$31,709.40	\$1,616.50	\$1,378.68	\$237.82	\$135,110.64	\$72,452.90	\$30,330.72
99	Aug 12, 2023	\$30,330.72	\$1,606.16	\$1,378.68	\$227.48	\$136,489.32	\$72,680.38	\$28,952.04
100	Sep 12, 2023	\$28,952.04	\$1,595.82	\$1,378.68	\$217.14	\$137,868.00	\$72,897.52	\$27,573.36
101	Oct 12, 2023	\$27,573.36	\$1,585.48	\$1,378.68	\$206.80	\$139,246.68	\$73,104.33	\$26,194.68
102	Nov 12, 2023	\$26,194.68	\$1,575.14	\$1,378.68	\$196.46	\$140,625.36	\$73,300.79	\$24,816.00
103	Dec 12, 2023	\$24,816.00	\$1,564.80	\$1,378.68	\$186.12	\$142,004.04	\$73,486.91	\$23,437.32
104	Jan 12, 2024	\$23,437.32	\$1,554.46	\$1,378.68	\$175.78	\$143,382.72	\$73,662.60	\$22,058.64
105	Feb 12, 2024	\$22,058.64	\$1,544.12	\$1,378.68	\$165.44	\$144,761.40	\$73,828.12	\$20,679.96
106	Mar 12, 2024	\$20,679.96	\$1,533.78	\$1,378.68	\$155.10	\$146,140.08	\$73,983.22	\$19,301.28
107	Apr 12, 2024	\$19,301.28	\$1,523.44	\$1,378.68	\$144.76	\$147,518.76	\$74,127.98	\$17,922.60
108	May 12, 2024	\$17,922.60	\$1,513.10	\$1,378.68	\$134.42	\$148,897.44	\$74,262.40	\$16,543.92
109	Jun 12, 2024	\$16,543.92	\$1,502.76	\$1,378.68	\$124.08	\$150,276.12	\$74,386.48	\$15,165.24
110	Jul 12, 2024	\$15,165.24	\$1,492.42	\$1,378.68	\$113.74	\$151,654.80	\$74,500.22	\$13,786.56
111	Aug 12, 2024	\$13,786.56	\$1,482.08	\$1,378.68	\$103.40	\$153,033.48	\$74,603.62	\$12,407.88
112	Sep 12, 2024	\$12,407.88	\$1,471.74	\$1,378.68	\$93.06	\$154,412.16	\$74,696.68	\$11,029.20
113	Oct 12, 2024	\$11,029.20	\$1,461.40	\$1,378.68	\$82.72	\$155,790.84	\$74,779.40	\$9,650.52
114	Nov 12, 2024	\$9,650.52	\$1,451.06	\$1,378.68	\$72.38	\$157,169.52	\$74,851.78	\$8,271.84
115	Dec 12, 2024	\$8,271.84	\$1,440.72	\$1,378.68	\$62.04	\$158,548.20	\$74,913.82	\$6,893.16
116	Jan 12, 2025	\$6,893.16	\$1,430.38	\$1,378.68	\$51.70	\$159,926.88	\$74,965.52	\$5,514.48
117	Feb 12, 2025	\$5,514.48	\$1,420.04	\$1,378.68	\$41.36	\$161,305.56	\$75,006.87	\$4,135.80
118	Mar 12, 2025	\$4,135.80	\$1,409.70	\$1,378.68	\$31.02	\$162,684.24	\$75,037.89	\$2,757.12
119	Apr 12, 2025	\$2,757.12	\$1,399.36	\$1,378.68	\$20.68	\$164,062.92	\$75,058.57	\$1,378.44
120	May 12, 2025	\$1,378.68	\$1,389.02	\$1,378.68	\$10.34	\$165,441.36	\$75,068.91	\$0.00



AND DEVELOPMENT
PAUL A. CROTTY, Commissioner

Office of Property Management
FELICE MICHETTI, Deputy Commissioner

Division of Alternative Management Programs
JOAN WALLSTEIN, Assistant Commissioner

75 MAIDEN LANE, NEW YORK, NEW YORK 10038

January 28, 1987

Mr. Miguel Santiago, #3CD
1600 Nelson Avenue
Bronx, New York 10453

Dear Mr. Santiago:

Your building is currently being prepared for sale by the Sales Unit of the Division of Alternative Management Programs (DAMP) of HPD. In order for DAMP to proceed with the sales process we need your assistance in providing information that we must include in the Offering Plan which will be given to each tenant. We need to know which current tenants have lived in the same apartment continuously since July 1971. This information is required because the Offering Plan must disclose all the rights of both purchasers and non-buying tenants. Tenants who do not buy, except for senior citizens and eligible disabled persons, may be evicted under certain circumstances. When the building is sold as a Co-op to the Tenant Association, all non-buying tenants will be covered by Rent Control (if they have lived in the same apartment continuously since July, 1971) or Rent Stabilization (all other non-purchasers) for as long as they are entitled to occupancy of the apartment.

Please complete the attached form and forward to:

Ms. Betty Gaddy
HPD - DAMP Sales Unit
75 Maiden Lane - 5th Floor
New York, New York 10038

Please be advised that we must have this information before we can further process the sale of your building.

Thank you for your prompt assistance in this matter.

Sincerely,

Ned York

Edward York
Director, DAMP Sales



ANTHONY GLEDMAN, Commissioner

Office of Property Management
JOSEPH SHULDINER, Deputy Commissioner

Division of Alternative Management Programs
JOAN WALLSTEIN, Assistant Commissioner

75 MAIDEN LANE, NEW YORK, NEW YORK 10038

Miguel Z. Santiago
1600 Nelson Ave.
Brooklyn, N.Y. 10452

Date: APR 6 1984

Dear

According to our records, the Tenant Interim Lease you executed with HPD, City of New York, on May 1983 will expire on April 30, 1984. We are prepared to enter into a new eleven (11) month lease to begin May 4, 1984. It is absolutely essential that there be no interruption in the continuity between the expiration of the old lease and the execution of the new one.

In order to execute the new lease, please have available a copy of your current Liability insurance policy; the minutes of the most recent election of the members of the Board of Directors of your Tenants' Association/Corporation; Fill-out the enclosed form bringing the status of your smoke detector's Installation up to date; the number of window guards needed for apartments with children ten (10) years old and younger and a one dollar (\$1.00) money order or certified check made out to the Commissioner of Finance of New York City.

Please contact Mr. Eugene Jackson at 806-8178, or Mrs. Christiana Nefsky at 806-8176 or Mr. Rufus Harvey at 806-8177, 75 Maiden Lane, 9th Floor, New York, New York, 10038, in order to schedule an appointment to arrange for the execution of the new lease.

Sincerely,


Benjamin Bell, Deputy Director
Tenant Interim Lease Program

BB:tb



AND DEVELOPMENT
PAUL A. CROTTY, Commissioner

Office of Property Management
FELICE MICHETTI, Deputy Commissioner

Division of Alternative Management Programs
JOAN WALLSTEIN, Assistant Commissioner

75 MAIDEN LANE, NEW YORK, NEW YORK 10038

October 31, 1986

Miguel Santiago, President
1600 Nelson Avenue Tenants Association
1600 Nelson Avenue
Bronx, New York

Closing for 1600 Nelson Avenue
Bronx, New York

Dear Mr. Santiago:

Please be advised that a closing on the above-referenced property must take place on or before November 28, 1986.

As per our telephone conversation, please have your attorney contact me to schedule a closing.

If you have any questions you can contact me at (212)806-8569.

Sincerely,

Mark Matthews
Deputy Director
DAMP Sales

MM:hbl

cc: Edward York
Irma Vasquez
Julio Rodriguez
Janice Jackson
Bldg. File
Chron File

MIGUEL ANTONIO SANTIAGO

ATTORNEY AT LAW
888 GRAND CONCOURSE
SUITE 1 E
BRONX, NEW YORK 10451
(212) 665-7335

May 13, 1987

Benjamin M. Arai, Esq.
Community Development Legal
Assistance Center
99 Hudson Street
New York, N.Y. 10013

Re: Names of Shareholders and
Scheduling of Shareholders
Meeting

Dear Ben,

Please be advised that the following names and their respective apartments have been approved as the original shareholders of the 1600 Nelson Avenue Housing Development Fund Corporation. They are:

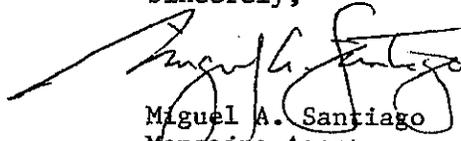
<u>APARTMENT NUMBER</u>	<u>NAMES</u>
1A	ANTONIO NIEVES
1B	ISABEL ADON
2A	ALFONSO ADON VARGAS
2B	MINERVA & EFIGENIO RIVERA
2C	ANACLETA & VICTOR FLORES
2DE	FILONILA VELAZQUEZ
2F	CHRISTINA ROSARIO
3BC	JOSE AND SANTA ROSA
3CD	MINERVA RODRIGUEZ
3F	VICTORIA ALMONTE
4A	THELMA POLONIA
4CD	WILLIAM RIVERA
4E	RAFAEL COTTO
5A	MIGUEL ANTONIO SANTIAGO
5B	MARISA THOMAS
5D	MATILDE GONZALEZ
5E	JORGE L. PEREZ

Also please be advised that we will be having our first shareholders meeting on May 21, 1987 at 7:30 P.M. in the school building JHS 82 located at Tremont & University Avenues.

You will have the opportunity to address the shareholders and we will be expecting you and/or Ms. Bechtel to hand out the certificates.

If there are any questions, please feel free to call.

Sincerely,



Miguel A. Santiago
Managing Agent

MAS:nr

cc: Executive Committee



DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT

ANTHONY GLIEDMAN, Commissioner

Office of Property Management
FELICE MICHETTI, Deputy Commissioner

Division of Alternative Management Programs
JOAN WALLSTEIN, Assistant Commissioner

75 MAIDEN LANE, NEW YORK, NEW YORK 10038

April 10, 1986

1600 Nelson Avenue Tenants Association
1600 Nelson Avenue
Bronx, New York

Extension to Submit
Purchase Agreements

Dear Tenant:

Please advise that the time to submit the purchase agreement for the above-referenced building has been extended for one (1) month from April 10, 1986 to May 10, 1986.

Sincerely,

A handwritten signature in cursive script that reads "Mark Matthews".

Mark Matthews
DAMP Sales

MM:hbl

cc: Edward York
Susan Redes
Irma Vasquez
Nina Aber-Legal 9th Floor
Sales Staff

Page 1



HOMEOWNER'S CRISIS HEARING

Name: Isabel Adon

Address: 1600 Nelson Ave

Contact #'s Home: _____

Cell: (917) 214-7895

Email: IADON60925@gmail.com

Work: _____

Testimony: My building located at 1600 Nelson Avenue, Bronx, N.Y. 10453 has been an HDFC since 1987. My building began the process of converting to a HDFC in the early 80's. During that time the City was in economic distress and many landlords were abandoning their property and leaving it in disrepair. The tenants in my building, joined the program to convert to a HDFC. We started with the HPD-DAMP program, then TIL and finally after a long and arduous process we became an HDFC in 1987 at the beginning of the year.

I personally have resided at 1600 Nelson Avenue since 1978. Many of the other shareholders have been there since the early 60's. We have been there when no one else wanted to be in the Bronx. We struggled to stay in the community when others were leaving.

Fast forward to September 5, 2018. This day will live in infamy in my memory. In the lobby of our building a notice had been

Please add me to your mailing list

Page 2



HOMEOWNER'S CRISIS HEARING

Name: Isabel M. Alon Address: 1600 Nelson Ave

Contact #'s Home: _____ Cell: _____

Email: _____ Work: _____

Testimony: placed in the lobby letting us know that as of this notice
our building was taken over by Neighborhood Restore. Imagine the
shock, confusion and emotional upheaval this caused. We were devastated
and not able to understand what was the issue and why was this
happening. The notices said our deed had been transferred. But
why? Yes we owed taxes and water, but we had an agreement with
the City's Department of Finance to pay and have been paying.

We went to PALANTE Harlem, an organization that offers support with issues
around housing. But the issue was different, it felt like someone came
in the middle of the night and robbed you of all your possessions. At PALANTE
we were made aware by Elsie Vazquez, Executive Director, that
this was not only us this was happening to there were over 100 buildings
experiencing the same thing.

We were shocked and needless to say saddened by the magnitude

Please add me to your mailing list

Page 3



HOMEOWNER'S CRISIS HEARING

Name: Isabel M. Adon Address: 1600 Nelson Ave ~~1600~~
Contact #'s Home: _____ Cell: (917) 214-7895
Email: _____ Work: _____

Testimony: of the problem. While canvassing the neighborhood and
visiting other buildings to let them know what was going on.
To our surprise, every shareholder we met was telling the
same story, they were never notified. We found out that
2015 all of these building were submitted together as a
package to Bronx Supreme Court for a Rem Foreclosure.
The judge assigned to the case is Judge Barbato. I am not sure
why we were placed in Rem Foreclosure, while at the same time
in May 2015 the City entered into a written agreement for us
to make installment payments to our water bill.
I want the senate and the assembly to know that this Third
Party Transfer is flawed. The City is basically stealing property
from communities of color, Blacks, Latino and generally people whose
American dream was homeownership.

Please add me to your mailing list

Page 4



HOMEOWNER'S CRISIS HEARING

Name: Isabel M. Adon

Address: 1600 Nelson Ave #

Contact #'s Home: _____

Cell: (917) 214-7895

Email: _____

Work: _____

Testimony: I believe that an investigation, moratorium and regulation about Third Party Transfer is important. There are so many families impacted by this that beyond the financial loss there is the emotional toll that this Third Party Transfer had on us.

Isabel M. Adon, LCSW

1600 Nelson Ave

Bronx, NY 10453

(917) 214-7895

615 West 150th Street Tenants Association Building Brief History Summary

1. 615 West 150th Street entered the Tenant Interim Lease (TIL) program in 1996. At that time tenants were promised that if they could successfully manage their building for a number of years, HPD would rehabilitate the building and sell tenants their units for \$250.00 each. The expectation was that, given the interim nature of the program, once the Tenant Association (TA) proved they could efficiently manage the building they would acquire their units at the agreed upon price. Time passed...
2. In 2007, at a T.A. meeting with HPD's Victor Hernández (then TIL Program Director) and Rufus Harvey (then Building Coordinator), Mr. Hernández assured the building was scheduled for renovation in fiscal year 2008, meaning any time between July 1, 2007 and June 30, 2008.
3. Consistent with what Victor Hernández had said- that HPD had the budget to rehabilitate the building- HPD started the tenants' relocation process in 2008. That year, 15 families were relocated. Their belongings were placed in a storage facility paid by HPD, to which tenants had no access and did not know the location of the facility. After we mentioned that issue on the 3/15/17 hearing about the 2018 budget at the City Council Housing Committee Room, I received a letter dated April 18, 2017 signed by A. A. Hendrickson informing the location of the storage facility and giving information on how to get access to it.
4. Out of the 15 families relocated in 2008, three were relocated to TIL buildings, and twelve to HDFCs. Out of those twelve, two died while in relocation (leaving no successors), two have been re-relocated into TIL buildings (one in 2011, another in 2018.) Eight relocated families are still living in HDFCs. Of the three originally relocated in TIL buildings one passed away recently.
5. The relocated families pay their usual TIL rent to their TA, which then pays the host buildings. The rent at the HDFCs is 3-4 times higher than the TIL rent. The TA pays the HDFCs and gets reimbursed every two months by HPD the difference between the TIL rent and the HDFC rent.
6. The monthly payments to the host HDFCs for relocated tenants from 615 W. 150th Street amount to close to \$9,000. In 10 years, over a million has been paid to HDFCs in rent subsidies for relocated tenants, **only from this one building. There are other buildings where the same scenario exists.** (This amount does not include moving expenses and storage of tenants' belongings.)
7. After a long time, waiting for the fulfillment of HPD's promise, tenants were informed in 2012 that their building had been selected to become part of the Affordable Neighborhood Cooperative Program (ANCP), which departs significantly from the original TIL program the tenants had signed for. Some of the changes include, but are not limited to:

- The unit selling price to the tenants is \$2,500.00 instead of \$250.00
 - The building rehabilitation financing is not done with city/state funds; instead the building is transferred to a for profit/non profit organization who sponsors the building; a developer chosen by HPD would take a loan from a private institution to pay for construction expenses; HPD will also provide a loan for construction/rehabilitation and the building will end up having a 30 year mortgage, referred to as a “permanent mortgage.”
 - Vacant units will be sold by the developer at market price using a lottery system
 - Maintenance/rent will be restructured and will be a lot higher, since now it will have to cover the amortization of the construction loans/mortgage
 - HPD will hire a managing agent, their fee paid by the TA
 - There is a mandatory increase of the maintenance/rent by 2% every year
8. The 615 West 150th Street TA does not agree with HPD’s ANCP program, as it considers that it hinders the tenants’ ability to purchase their unit and even in the event they could afford to purchase their unit at the new price, they consider they will be strategically evicted by not being able to sustain the maintenance/rent payment, even though HPD promises a Section 8 subsidy. Who can ascertain that a Section 8 subsidy will be forthcoming, last for 30 years and absorb the mandatory 2% yearly increase?
 9. HPD is not recognizing the sweat equity of the tenants who, when the city needed them to preserve the buildings and revitalize the community, at a time when no one wanted to put a foot in these neighborhoods, these tenants accepted the challenge of managing the building with the promise that their apartments would be sold to them for \$250.00. Tenants have had to sacrifice a lot, they have seen their buildings deteriorate, they have suffered comfort deprivation, have been relocated to inadequate apartments, especially senior citizens in 4th/5th floors walkups with no elevators. I lived on a 4th floor walk up HDFC since September 2008. Since 2012 I had requested to be relocated to a lower floor or to a building with an elevator. Finally, in December 2018 I was re-relocated to an elevator building.
 10. What the TAs need is to have their buildings rehabilitated under the terms of the original agreement with HPD, using federal and city funds, and the shares of the to be formed corporation sold to the tenants, allowing the successful TAs to run the building the way they have been doing it for over 20 years.
 11. HPD is behaving like one of the worst landlords, letting the buildings deteriorate, and causing the depletion of reserve accounts by not allowing the TA to rent the vacant apartments, which means a reduction in rent revenue while the aging building needs more repairs. Since 2000 HPD has not allowed the TA to rent any vacant apartment.
 12. Under the ANCP Program, in 2017 HPD chose Restoring Communities as the Sponsor, and Community League of the Heights (CLOTH) as the Developer of a cluster formed by our building, 615 W. 150th St. and 601 W. 148th St. There was an incredible lack of transparency into passing our building from TIL to ANCP. Tenants were never asked about their interest or willingness to be placed into the ANCP Program. Every time HPD, Restoring Communities, and CLOTH met with the TA, new bits of information surfaced, as

they were trying to present the rehabilitation process under a very positive and rosy light. Always mentioning that there would be no mortgage because two elected officials had allocated some capital funds for the rehabilitation of 615 W. 150th St. Later on we were informed that those funds were a loan, as well as funds from HPD and from state sources. Therefore, there would be a mortgage. They would say: "but if you want you do not pay the loan, and you refinance at the end of 30 years". It is just a way of trying to dupe unsuspecting tenants who would not think about the ballooning effect of compound interest. In short, the ANCP program is another version of the Third Party Program, in which the building ends in the hands of a private developer, most of the time, and the real beneficiaries are the developers, the banks, and who knows who else.

13. Our TA retained a lawyer to help us in the process. The lawyer sent to HPD a FOIL request, which by law has to be responded to within a short period of time. It is already almost the end of March, a second request was sent, and we do not have an answer yet. Among other things the lawyer questioned what happened in 2008, when HPD had the budget to rehab. Stating that we refused to be relocated in order for the developer to start the construction, HPD took us out of the rehabilitation process and threw us back into TIL. After more than 22 years managing the building, doing our part of the agreement we entered into, HPD does not want to comply with its part of the agreement: sell the units to the tenant for \$250.00. When the City needed our help, we performed! Now it is HPD's time to do its part.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Christine R. O'Connell, Director
 Affordable Neighborhood Co-operative Program
 New York City Department of Housing
 Preservation & Development
 Office of Development Property
 Disposition & Finance
 100 Gold Street
 New York, New York 10038



9590 9402 2925 7094 4393 98

2. Article Number (Transfer from service label)

7018 0360 0000 5569 6026

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature _____
 Agent
 Addressee

B. Received by (Printed Name) _____

C. Date of Delivery _____

D. Is delivery address different from item D? Yes
 if YES, enter delivery address below: No
 Nathaniel Cruz

OCT 16 2018

Nathaniel Cruz

3. Service Type
- Adult Signature Restricted Delivery
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery, Restricted Delivery
 - Mail
 - Mail Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at usps.com

Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ 0.275
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 6.88
Total Postage and Fees	\$ 10.33

Sent To
 Christine R. O'Connell, Director
 Affordable Neighborhood Co-operative Program
 New York City Department of Housing
 Preservation & Development
 Office of Development Property
 Disposition & Finance
 100 Gold Street
 New York, NY 10038

9209 6955 0000 0360 0360 5569 6026

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WWW.HMGDJLAW.COM

JESSE DOUGLASS GRIBBEN
ALTAGRACIA B. PIERRE-OUTERBRIDGE

DAVID E. FRAZER
OF COUNSEL

October 10, 2018

***BY REGULAR MAIL,
CERTIFIED MAIL, RETURN RECEIPT REQUESTED
#7018 0360 0000 5569 6026***

Christine R. O'Connell, Director
Affordable Neighborhood Co-operative Program
New York City Department of Housing
Preservation & Development
Office of Development Property
Disposition & Finance
100 Gold Street
New York, New York 10038

**Re: 615 West 150th Street
New York, New York**

Dear Ms. O'Connell:

Please be advised that we have been retained to represent the Tenants Association at the captioned address.

The members of the Association are individuals and families who have been tenants in the building for decades. They had entered into your agency's TIL Program with the full expectation based on your agency's assurances that they would be transitioned into a HDFC.

Accordingly, they were shocked and dismayed that the HDFC option had been cast aside by your agency with no rationale provided to the tenants. Instead, they were directed that your agency would be seeking their relocation to other apartments outside the building and that their building would be subjected to massive construction work. As I am sure you are well aware, your agency had forced the tenants into a similar situation a decade ago. In 2008, your agency had budgeted significant money to perform rehabilitation work in the building while it remained in the TIL Program and still on the path to HDFC status. The work promised then never happened.

This recent significant turn of events has prompted many questions concerning the future of the building and the homes of the tenants. The following is a list of some but not all of their questions. We reserve the right to ask more. But for now, my clients and I expect your agency to provide prompt and frank responses.

1. Why wasn't work done on the building in 2008?

In 2008, your agency had informed my clients that a significant amount of money had been budgeted by your agency to perform needed work at the building. In fact, in co-operation with your agency's requests and to facilitate the prosecution of the work, fifteen families vacated their homes and were relocated into "temporary" homes. They have not yet been able to return to the building. That work was never commenced. As a result, the condition of the building has deteriorated over the last decade. It is very likely that the building's condition would not have worsened as badly as it did if the 2008 work project had been undertaken and completed.

Plainly, the tenants are entitled to answers as to why these allocated funds were never spent on the building and why a decade later some of these tenants are still in "temporary" homes.

2. Why did your agency move the building off the path to a HDFC and direct it to the "Affordable Neighborhood Cooperative Program"?

As noted above, the Tenants' Association and its members had been co-operative participants in the TIL Program. They are now advised that your agency has inserted a new outfit into the mix: CLOTH. There appears to be no rational basis for this action by your agency. Nor did your agency consult with the building tenants prior to making such a decision. Nor is it clear as to the role CLOTH is to have in the process. This decision by your agency appears to be arbitrary and capricious.

3. Why and under what process did your agency chose CLOTH to be involved in this building?

It is not clear to our clients as to what role CLOTH is to have regarding the building. Provide whatever written criteria your agency promulgated in its decision to have CLOTH involved in anyway with the building.

Please advise if other organizations were given the opportunity to meet these criteria and in what way each of the others failed to meet your agency's standards. Your agency has employees with extensive experience in building renovations and the supervision thereof. It appears that the involvement of another outfit in this process is wasteful, cumbersome and duplicative.

4. What credentials, background and experience did your agency determine CLOTH has to involve it in this process?

Please provide the experience CLOTH has to engage in and supervise the work your agency has determined is required for the building. Please provide the number of workers that CLOTH has on staff with the construction expertise to do the renovation work in the building; or if they will not be engaged in the work, each's experience in supervising large scale building construction and rehabilitation. If CLOTH's employees are not doing the work directly, please advise as to whether it will be subcontracting the work; and if so, to whom. Please advise as to whether such subcontractors have been vetted and approved by your agency. Please advise if your agency engaged in a competitive bidding process prior to its selection of CLOTH.

5. What is the full scope of work your agency has determined will be necessary for the building?

Please provide in detail the work your agency, presumably through CLOTH, will be doing in the building. Please include details as to all the common systems in the building; electrical, heating, plumbing, hallways, stairways, cellar, etc. Please include details as to the planned work in all of the apartments in the building: radiators, kitchen appliances, bathroom fixtures, sheetrocking/plastering, floors, tile work, electrical outlets, etc. For each of the foregoing, please advise as to the amount of money allocated by your agency.

If the aforesaid scope of work is in written form, please provide a copy. Please advise if the money to do the items in the scope of work will be funded by a grant from your agency or the City of New York or any agency thereof. If not by a grant, please advise if the work will be funded by a loan/mortgage; if so, provide the amount of the loan/mortgage; its terms, and the identity of the mortgagee. Please advise if the mortgage provides that it is due on any transfer of the building or if it will be assumed by the transferee. Please provide a copy of any draft of mortgage. Please advise if the scope of work provides for a deadline for completion for each item; and if so, the date of the deadline and the consequences if a deadline is not met.

6. Your agency's plan calls for the relocation of the tenants in the building. If the tenants refuse to be relocated will they be subject to eviction?

According to what representatives of your agency have told the tenants, your agency wants them and their families to leave their homes while the construction is ongoing. Please advise as to what authority your agency or CLOTH has to force the tenants to leave their homes. My clients have been instructed that they must complete a "Residential Rental Application" prepared by "Lemle & Wolff Companies" in

connection with any relocation if the tenant agrees to such relocation. The application is a seven page document that requests personal information such as: social security

numbers, employment information, bank and credit references, pay stubs, two years tax returns, social security cards, public assistance information, authorization to conduct a credit report, as well as other personal and private financial information.

Each of these tenants have been tenants in good standing of your agency since your agency took over the operation of the building. Your agency is requesting that these tenants relocate; and, may even, at some point, be forcing them to leave their homes. Under these circumstances, requiring completion of a lengthy, personally invasive "rental application" is unreasonable and capricious.

Please advise as to what the criteria is for the apartments your agency or CLOTH have selected as "suitable" relocation apartments for the tenants. Please advise if tenants will be forced to sign written leases for the relocation apartments. Please advise if your agency will review in each instance this written lease. Please advise as to how the rent for the relocation apartment will be determined. Please advise if your agency will approve these rents. If the rents for the relocation apartments are higher than the rents the tenants are currently paying at the building, please advise if the tenants will be obligated to pay the higher rents; if the difference between the tenants' present rent and the rent for the relocation apartment are higher, please advise if the difference will be paid by your agency, the City or CLOTH. If the difference is paid by any of the foregoing, please advise as to the consequences to the tenant if any fails to make such payment. Please advise if your agency has determined if payment of the difference constitutes income to the tenant that must be reported to the appropriate taxing authority and for which the tenant is obligated to pay taxes.

7. How long does your agency estimate the tenants will have to live in the relocated apartment?

As you know, in 2008 fifteen families vacated their apartments at the building so that your agency could perform renovation work. Ten years later, these fifteen families are not able to move back into the building. Please advise as to what guarantees your agency can give to those tenants who relocate from the building that they will be able to return to their apartments at a date certain. Please advise as to what financial compensation will be provided to these families if the date certain is not kept by your agency. And, of course, provide the date certain that the work will be completed, the apartments restored to habitability and the tenants are able to move back to the apartments.

8. Does your agency arbitrarily determine what constitutes a "suitable relocation apartment?"

As noted above, your agency must provide the authority whereby it can compel a tenant to vacate the apartment. If such authority does exist, provide the criteria by which the temporary relocation apartment is to be determined for the vacating tenant. Please

advise if such determination is solely within your agency's discretion. Please advise as to the consequences to a tenant who may be amenable to a temporary relocation but does not find any of the apartments shown to be suitable.

9. When the renovation work is completed and occupancy by the tenant is available, will the apartment be in the same configuration and size as exist in the tenant's current apartment?

Please advise if the apartment to which the tenant is directed to return post renovation will be the same size, (square footage and number and type of rooms) configuration, view, rooms the same size, same floor, same place on the floor. Please advise if the rent will be the same as the tenant had been paying. In one of your agency's Notices to the tenants, it was stated that the purchase price for the tenants will be \$2,500 instead of \$250. Please advise as to the rationale for this ten-fold increase. As you know in many HDFC's the shares allocated to a vacant apartment belong to the HDFC. Depending on the terms of the Regulatory Agreement and the Mortgage, when sold, the proceeds are either divided between the HDFC and your agency or are given over to the HDFC. The HDFC uses the funds for capital improvements or to bolster its reserve fund or working capital fund. Please advise as to what will happen to the proceeds of the sales of vacant apartments after the construction on the building is completed. Please also advise if the tenant-shareholders will have the right to grant or withhold consent to a prospective purchaser or lessee. Please advise whether the purchase price for these units will be based on affordability, such as the \$250 promised to the original tenants or whether the purchase price will be based on market value.

This is extremely important. The longer the construction takes; the longer a tenant is forced out of this building; the longer the tenant is out of this building; the more likely the tenant will find permanent housing; when this happens more apartments will be vacant. Therefore, who will own these valuable assets and, when sold, who will receive the sales proceeds.

Thank you for your attention to the foregoing. I look forward to your answers. I assure you my clients want this to be resolved in a non-contentious manner.

Nevertheless, they need to be assured their rights are protected, their homes secured and their future as owners in the building guaranteed as your agency had promised them many years ago.

Very truly yours,



Kevin R. McConnell

KRM: mmc

cc: *615 West 150th Street Tenants Association*



Testimony of Stanley M. Isaacs Neighborhood Center

Gregory J. Morris, President and Executive Director
FY '20 Preliminary Budget Hearing –Public Housing

March 22, 2019

I'd like to thank the Committees for the opportunity to provide testimony. I'm Gregory J. Morris, President and Executive Director of the Stanley M. Isaacs Neighborhood Center, a multi-service non-profit organization physically embedded within two New York City Housing Authority (NYCHA) developments, providing critical access to programs and social services for public housing residents. I will focus my testimony on two main pieces – repair needs within NYCHA's community centers and the potential impact and opportunity within the City's plan for private development on NYCHA land.

NYCHA's current Physical Needs Assessment from 2017 does not consistently (across the City) include capital needs/estimates for repairs of community centers embedded within NYCHA developments, serving thousands of public housing residents annually. Capital projects within these City-owned buildings remain unfunded for years, many even decades. To further exacerbate issues, daily/weekly/monthly repair and maintenance issues also remain unaddressed, as organizations attempt to navigate NYCHA's bureaucratic ticket system to solve even minor problems – some which later become too complicated to address with expense dollars – creating new capital needs for the City.

Isaacs Center, like similarly situated community-based organizations, are routinely forced to make difficult decisions between waiting for NYCHA to make necessary repairs that directly impact our ability to provide critical services to public housing residents, and allocating dollars where we can, thereby negatively impacting our overall fiscal health and sustainability. This impacted our operations so significantly that we asked if our colleagues in other community based organizations were experiencing the same strain. What we found is that we are not alone. A data sample from 12 organizations representing 57 sites – all operating within NYCHA facilities – showed that collectively these organizations, including Isaacs Center, spent nearly \$4 million on repair and maintenance in one fiscal year (FY '18) – for facilities which are City-owned. The average cost per organization (within the data sample) was approximately \$328,000.

To that end, we respectfully request that Committee Members review our findings and lend their support toward creating a new City Council citywide initiative in FY '20, to address repair and maintenance costs for community-based organizations operating in NYCHA owned facilities. Our expense budget request for this purpose is \$5 million, to be divided among NYCHA based social service providers across the City.

Additionally, as we have testified to the Committee on Public Housing previously, the public housing residents of the Isaacs and Holmes developments will experience serious challenges related to the NYCHA NextGeneration infill project, currently designed and to be soon built by Fetner Properties, just steps away from the Isaacs Center Senior Center and Youth Center. The project is unique, as it is one of only two NYCHA NextGen projects in the City that are a 50/50 (affordable/market) split. Notably, all other privately developed projects on NYCHA land are comprised fully of affordable apartments.

It is our understanding that in exchange for the use of public land in this development in the form of a 99 year lease, Fetner Properties will provide \$25 million to capital repairs and improvements within the apartments of the Holmes development. The investment is meager, considering the project's substantial profit to the developer and the significant need in the development, noted in a recent New York Post article from September 10, 2018¹. The investment will also barely scratch the surface of the capital repairs, which are long overdue and desperately needed, even according to NYCHA's PNA which

¹ <https://nypost.com/2018/09/10/feds-rank-ues-housing-projects-among-worst-in-nation/amp/>

outlines over \$35 million in capital needs at Holmes Towers (and \$65 million in capital needs at Isaacs Houses, just steps away from the proposed development).²

The Fetner project - if done well - could be a model for NextGen best practices, as a true partnership between the community, the developer, and the City. Accordingly, we ask that Members of the Committee on Housing and Buildings as well as the Committee on Public Housing **introduce and pass legislation requiring private developers with development projects on public land to fully address capital needs in NYCHA developments, and invest in community-based organizations, that serve public housing residents.**

Thank you again for the opportunity to provide testimony. I hope to continue to work closely with the Committees to better the lives of public housing residents through collaborative efforts and the private partnership opportunities we see.

² https://www1.nyc.gov/assets/nycha/downloads/pdf/2017%20PNA_Development.pdf

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3-22-19

(PLEASE PRINT)

Name: Jay Glavinhe

Address: 374 Prospect Pl, Apt 9

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/22/2019

(PLEASE PRINT)

Name: Leroy Alexander

Address: 130 Glen St

I represent: Neighbors Together

Address: 2094 Fulton St Bklyn

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Date: 3-22-19

(PLEASE PRINT)

Name: Barry Weinberg

Address: 604 Riverside Drive #2D

I represent: Manhattan CB9

Address: _____

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Date: _____

(PLEASE PRINT)
Name: Greg Waltman (Waltman)

Address: _____

I represent: GI Quantum

Address: _____

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Appearance Card

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Date: _____

(PLEASE PRINT)
Name: DAMARIS RODRIGUEZ

Address: 615 West 150th St #59 NY 10031

I represent: TRK Association

Address: 1411 Amsterdam Ave. NYC

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Appearance Card

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 in favor in opposition

Date: _____

(PLEASE PRINT)
Name: Lucywoody Queen Mother

Address: 521 W 124th St

I represent: VOCAL.org/gov

Address: _____

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Date: _____

(PLEASE PRINT)

Name: Luisa Rodriguez

Address: 530 W. 144 St.

I represent: TIL Coalition

Address: 1411 Amsterdam Ave.

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Date: 3/22/2019

(PLEASE PRINT)

Name: Donna A. Gray

Address: 138 West 137th St

I represent: TIL Coalition

Address: 1411 Amsterdam Ave

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in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Felix Guzman

Address: 1196 Eastern Parkway D12, Brooklyn, NY 11213

I represent: Vaal-NY, Coalition for the Homeless

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Bernadette Devlin-Steede

Address: 465 W 157 St Apt 2c NY NY 10032

I represent: T.A. for above address

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

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in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Isabel Adon

Address: 1600 Nelson Ave

I represent: 1600 Nelson ADFC

Address: 1600 Nelson Ave

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Towaki Komatsu

Address: _____

I represent: Self

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 3/22/2019

(PLEASE PRINT)

Name: ROBBY GUY THIA GREEN

Address: 145 CLINTON STREET

I represent: Coalition for the homeless

Address: children's center

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JULIA DURANTI-MARTINEZ

Address: _____

I represent: NEW ECONOMY PROJECT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Wanston Williams

Address: _____

I represent: Brax Princess Samar Place

Address: Mr. Housing is Healthcare

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Leroy Alexander

Address: _____

I represent: Neighbors Together

Address: 2094 Fulton St BK NY 11233

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Harold Alexis

Address: 279 Butler Avenue BK NY

I represent: Neighbors Together

Address: 2094 Fulton St BK NY 11233

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/2019

(PLEASE PRINT)

Name: Andre Lewis

Address: _____

I represent: Louis Rosen

Address: NYC

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Victoria Wolf

Address: 74 Eldert Lane BK NY 11207

I represent: Neighbors Together

Address: 2094 Fulton St BK NY 11233

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/2019

(PLEASE PRINT)

Name: Ramon Leclerc

Address: _____

I represent: New Alternatives For Homeless
LGBTQA Youth

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Nicole Johnson

Address: 509 New Jersey Ave Bklyn NY 11207

I represent: PFTH

Address: _____

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: SAM CHIERA / BROOKLYN LEGAL SERVICES

Address: 27 ORCHARD ST CORPORATION A / STS
NEW YORK, NY 10002

I represent: STS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Shane Correia

Address: 520 8th Ave

I represent: Center for Court Innovation

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

SS in favor in opposition

Date: 3.22.19

(PLEASE PRINT)

Name: Jackie DeValle

Address: Urban Justice Center

I represent: Stabilizing NYC Housing Initiative

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Caroline Nagy

Address: 55 Broad St

I represent: Center for NYC Neighborhoods

Address: 55 Broad St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: BENJAMIN DULCHIN

Address: _____

I represent: ASSOCIATION FOR NEIGHBORHOOD

Address: AND HOUSING DEVELOPMENT.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ada Tejada

Address: 551 W 157 ST # 63 New York 10032

I represent: TENANT ASSOCIATION

Address: 551 W 157 ST

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: James Harvey

Address: _____

I represent: myself

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3-22-19

(PLEASE PRINT)

Name: Charisma White

Address: 902 44th St Brooklyn NY

I represent: Urban Pathways

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: BENJAMIN DULCHIN

Address: _____

I represent: Association for Neighborhood Housing

Address: 30 Broad Street, NY, NY

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Rosa Rodriguez

Address: 79 Post Avenue #54 NYC 10038

I represent: TIL Coalition

Address: HPD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Matt Murphy

Address: _____

I represent: HPD

Address: 100 Gold

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eric Enderlin

Address: _____

I represent: HPD

Address: 100 Gold St

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

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Molly Park

Address: _____

I represent: HPD

Address: 100 Gold

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ann Marie Santiago

Address: _____

I represent: HPD

Address: 100 Gold St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Eva Trimble

Address: _____

I represent: HPD

Address: 100 Gold

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Tom Faricello

Address: Acting Commissioner

I represent: DOR

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/23/19

(PLEASE PRINT)

Name: Sheron Veit

Address: Deputy Commissioner

I represent: DOR

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 3/22/19 Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Sharon Kelly

Address: Deputy Commissioner

I represent: DOB

Address: _____

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

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/22/19

(PLEASE PRINT)

Name: Patrick Weble

Address: Assistant Commissioner

I represent: DOB

Address: _____

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