

TESTIMONY

BY

COMMISSIONER GREGG BISHOP

NEW YORK CITY

DEPARTMENT OF SMALL BUSINESS SERVICES

BEFORE

THE COMMITTEE ON SMALL BUSINESS

OF THE

NEW YORK CITY COUNCIL

MONDAY, MARCH 18, 2019

Good morning **Chair Gjonaj** and members of the Committee on Small Business. My name is Gregg Bishop, and I am the Commissioner at the New York City Department of Small Businesses Services ("SBS"). At SBS, we aim to unlock economic potential and create economic security for all New Yorkers by connecting them to quality jobs, building stronger businesses, and fostering thriving neighborhoods across the five boroughs. I am joined by my interagency colleagues who will be available to answer questions. Today, I will be testifying on how this administration works together to support small businesses in New York City.

Small businesses are essential to the local economy and character of neighborhoods. Small business ownership and entrepreneurship can help uplift generations of families while providing neighbors with essential goods, services and job opportunities. While we know many businesses face challenges in our competitive market and struggle to adapt to changes in the business environment, our agency wants to ensure that small businesses have the tools necessary to succeed. The underlying causes of these issues are complex and vary from neighborhood to neighborhood, corridor to corridor, and property to property. To address these challenges, this administration has invested in several programs designed to help small businesses launch, grow, and operate more efficiently.

At SBS, we are committed to providing businesses with services to improve outcomes for every step of their development. We accomplish this through a range of free services including navigating government; comprehensive business education

courses and trainings; and assistance with access to capital, all offered at our NYC Business Solutions Centers located throughout the five boroughs. We also rely on the expertise of local, on-the-ground partners, such as BIDs and other community-based organizations, to connect business owners with our existing services and work together to develop solutions to address the unique challenges faced by New York City's diverse neighborhoods and commercial corridors.

We know that one of the biggest challenges business owners face is navigating the leasing process. To support businesses that are facing issues with their lease, we provide free legal services through our **Commercial Lease Assistance Program**. Attorneys help businesses with understanding and negotiating new commercial leases, amending, renewing or terminating an existing lease, negotiating on behalf of the commercial tenant with their landlord, and providing advice and referral services when litigation cannot be avoided. This program is serving small business owners that have historically lacked access to quality services. Of the businesses served, 80% are minority-owned, 60% are immigrant-owned, and nearly half are owned by women.

Another common issue businesses face is navigating government. Through the work of **Small Business First (SB1)**, the administration implemented thirty commitments to reduce the regulatory burden on small businesses by making City regulations easier to navigate, while still protecting the health and safety of New Yorkers. SB1's commitments were developed by gathering feedback from community stakeholders and more than 600 business owners, all of which have been implemented and are projected to save

businesses \$50 million annually. Business owners can connect with these regulatory resources through our online **NYC Business Portal**, or directly at their door through our **Compliance Advisor** program. Compliance Advisors are regulatory experts who provide on-site consultations to help business owners comply with the City's regulatory requirements to avoid common violations. Since launching, Compliance Advisors have served 5,000 small business owners.

SBS oversees the largest network of **Business Improvement Districts (BIDs)** in the country. SBS provides the BID network and other community development organizations with technical assistance, grant opportunities, and capacity building services which further strengthens the direct connection between our Agency and our local small businesses. At SBS we work with community partners to identify the needs of local commercial districts and plan targeted solution through our **Commercial District Needs Assessments**, or CDNAs. CDNAs identify the strengths, challenges, and opportunities within a commercial corridor to better inform subsequent investments. Last year, SBS shifted the focus of our **Avenue NYC** grant program from project-specific awards to long-term community commitments. The new Avenue NYC program allows community-based organizations the opportunity to hire a full-time program manager, conduct a CDNA in their neighborhoods, and implement programming based on the findings.

To further increase the capacity of our community partners SBS developed the **Neighborhood 360° Fellows program**, which pairs ten paid, full-time neighborhood

development professionals with local community-based organizations. The program not only provides local organizations with dedicated support for commercial revitalization projects, but also builds a pipeline of diverse talent in the neighborhood development field.

SBS is also developing and testing solutions to help longstanding neighborhood businesses adapt to changing market conditions through our **Love Your Local** initiative. Love Your Local helps support small businesses through a promotional campaign and competitive grant program that connects awardees with industry experts to determine and implement projects to help their business remain competitive in an ever-changing city. Through our first round of the program, SBS awarded up to \$90,000 in grants to help 20 small businesses. This program will also allow SBS to test interventions to help businesses remain competitive and scale up successful strategies through integration with our NYC Business Solutions Center, local community groups, and other partners.

We look forward to working with the Council in consideration of the bills before the Committee today. While we continue to review the details of the legislation, we share many of the Council's goals in offering it. This is especially true as it aligns with the efforts the City has made over the past five years to better assist businesses in areas like navigating regulations and negotiating leases, and to better assist neighborhoods in maintaining the vibrancy of their commercial districts.

In particular, we agree that more data is needed to better fully understand the scale of commercial vacancies and address them. To that end, the Administration will continue to actively work with you on a vacancy registry. Such a registry would be an important part of our effort to pass a vacancy tax in Albany.

This administration shares Council's belief in the importance of thriving small businesses and healthy commercial corridors, and we look forward to working with you and other advocates to create a fairer environment for our small businesses.

Thank you, and I will now take your questions.



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Gale A. Brewer, Borough President

**Testimony of Gale A. Brewer, Manhattan Borough President
Regarding Small Business Legislation
New York City Council Committee on Small Business
March 18, 2019**

My name is Gale Brewer, and I am the Manhattan Borough President. I want to thank Chairman Gjonaj for holding this hearing on Intro No. 1472-A and the other bills aiming to support small businesses that you will hear about today.

The crisis facing small businesses which inspired the Small Business Jobs Survival Act (SBJSA) decades ago has only grown worse. National chains steadily spread throughout the city, storefronts sit vacant for years, and online shopping is reducing foot traffic to our local shops. We need to act now to protect the storefronts which make our neighborhoods vibrant and healthy.

I am proud to sponsor Intro No 1472-A along with Speaker Johnson and Councilmembers Rosenthal and Levine. This bill will require property owners to report the vacancy status of their storefront properties to the Department of Small Business Services (SBS). Owners will also be required to report the asking rent and previous rent of each vacant property; the space's use capabilities; total square footage; and the owner's contact information. SBS will be responsible for maintaining a regularly updated database with this information on the Open Data Portal. New Yorkers will be able to monitor their local businesses and help ensure that property owners are in compliance by reporting vacant storefronts to SBS through an anonymous complaint hotline.

As the primary sponsor of the Open Data Law of 2012, I know the value of data. It allows us to track and identify issues and measure results. This database will identify vacancy trends throughout the city, spot areas where vacancies are rapidly increasing, and identify specific property owners and managers who demonstrate a pattern of forcing out small business. Additionally, it will be a resource for small business owners looking for new space. Everyone I have talked to about this issue agrees we need a database to track the problem and to develop effective responses.

As many of you know, I worked on the SBJSA during my time as a city council staff member and have continued to fight for small businesses in New York City throughout my career. Following the October hearing on the SBJSA, I formed a task force dedicated to analyzing the issues facing small businesses in New York City today and finding solutions to those problems.

Together, we are looking at every possible solution to help small business in New York City, including legacy business rent regulation (a form of rent regulation for businesses that have been

around for more than 20 years); a provision requiring that small business leases specify the percentage of annual rent increases and other mechanisms by which property owners can impose large increases; some form of required mediation to cover proposed increases; and zoning regulations to create Special Enhanced Commercial Districts similar to the one I helped put in place in the Upper West Side that has successfully curtailed the spread of formula retail by limiting the size of storefronts.

We are also discussing how to help small businesses compete with online retail and the digital economy. If we don't address this issue, we will see more and more money flowing out of our neighborhoods, out of our city, and into large corporations thousands of miles away. Our task force is discussing improving and increasing services for small businesses, including training to create and maintain an online presence; legal help for businesses in negotiating leases; assistance with utilizing government resources; training business owners in the use of free accounting and operations software; creating standardized lease provisions; and tax reform that reduces the sales tax for transactions completed in storefronts, and increases the tax on e-commerce transactions.

Our goal is to protect the local small businesses that are essential to the character and identity of neighborhoods, especially the storefronters that have contributed to the stability and neighborliness of communities for many years. There is no single solution to the crisis facing small retail business, but we must act to reduce the burden with reforms and incentives that are carefully tailored. And help ensure their success through close monitoring and adjustment, including additional legislation in the Council and in Albany if necessary.

**Comments For the Committee on Small Businesses
March 18, 2019**

FOR THE RECORD

**Mark Caserta, Executive Director
Park Slope Fifth Avenue Business Improvement District**

My name is Mark Caserta. I am the Executive Director of the Park Slope Fifth Avenue Business Improvement District, which runs from Dean Street, adjacent to the Barclays Center to 18th Street. That's 30 blocks of storefronts through the heart of Park Slope, Brooklyn. Our commercial district is host to more than 500 businesses, a vast majority of which are small and locally owned. We walk the entire BID, all 3 miles of it, and talk to our merchants every single day.

I also want to add that I was once a small business owner, myself. For 7 years I had a small ground floor retail shop in Park Slope and one in Maplewood, New Jersey.

As part of my work in the BID world, I am the secretary of the NYC BID Association and co-chair of the Working Group on Storefront Vacancies. I have attached a copy of our white paper, which was approved by the BID Association in December, as part of my testimony. I am also an active member of the Manhattan Borough President's Task Force on Storefront Vacancies. In short, I've done a lot of work on this issue and I have a lot of direct experience with the struggles of our small businesses

I'd like to approach this testimony by providing brief comments on each bill and offering our help as the bills are developed. Small Businesses are struggling in this city and we want to be helpful in any way we can to improve conditions for them.

Intro-1049-2018: *Requiring the dept of small business services to assess the state of storefront businesses.*

This is generally a good idea, but I want to add one thing. Any assessment should include an anonymous survey to allow business owners to express their concerns and their struggles. Just because a business is occupying a storefront doesn't mean that it is healthy. We've always suggested that the City come out, walk our BID and talk to business owners and workers in order to understand the real challenges they face. This should happen all over the city on a regular basis.

Intro-1048-2019: *Establishing an affordable retail space requirement at city financially assisted development projects.*

We would like to learn more about this bill as it is discussed. One concern is that buildings with affordable housing requirements often require market rate (and above) storefront rents in order to meet the financial obligations of the project.

Intro-1410-A: *Requiring a certification of no harassment prior to the approval of construction documents or the issuance of permits for demolition or renovation of certain commercial buildings and broadening commercial tenant harassment to include acts or omissions*

We feel that more information is needed. We look forward to hearing more about the intent and implementation of this bill.

Intro-1466-2019: *Recommend cure periods for violations of certain provisions.*

This bill would require the City to take a hard look at the rules and regulations that effect small businesses. We strongly support this idea, although we believe that any such effort should include direct input by representatives of the small business community.

Intro-1467-2019: *Compilation and online publication of a list of all city laws and rules that apply to small businesses.*

This law would appear to be complimentary to 1466. We generally support any effort to educate the public on the rules and regulations that affect small businesses and we support reducing the regulatory burden on small businesses at every opportunity possible. One word of caution; publishing a list of rules and regulations without first reviewing the rules and regulations (via 1466 above) could set up another situation like the sign and awning violations that burdened small businesses until recently. It could assist those who see to "weaponize 311".

Intro-1470-2019 *Providing legal services to small business owners facing eviction proceedings.*

We are interested in learning more about this bill. We do know that there are some legal services available to small business owners who are concerned about their leases, through the Department of Small Business Services. However the intent of this bill may go beyond what this program can currently provide. One thing that we know from talking to our merchants every day along Fifth Avenue: it's critically important that landlords and tenants start renewal discussions early. We recommend that our store owners start asking for renewal details a year in advance, in order to give them some time to plan in case the offer they receive is not viable. In addition, while not all BID's share this opinion, I believe that the City should require and enforce a minimum renewal period of 90-180 days for commercial leases. While it is true that leases spell out the due dates for lease offers, these due dates often go ignored to the detriment of small businesses. The only recourse is time in court, which is costly and damaging.

Intro-1471-2019 *Requiring the dept of small business services to offer certain business assistance.*

This bill appears to require the Department of Small Business Services to enhance their business assistance programs and measure their impact. As part of my work with the NYC BID Association, I am co-chairing a working group to evaluate and enhance their business assistance programs. I am interested in learning more about this bill and we are eager to find ways to reach more small business owners with the programs that are offered.

Intro-1472-2019 *Requiring the dept of small business services to maintain a database of storefront properties.*

There is a stunning lack of information on small businesses, storefronts and vacancies. We are interested in the goals of this bill. Having more information is critical to helping to solve the challenges that small businesses face in NYC. However, we are concerned that enforcement and compliance will be quite challenging. We are happy to work with the City Council in developing this idea further.

Intro-1473-2019 *Requiring the registration of vacant storefront property*

As we noted above, there is a lack of information on the vacant storefronts in this city. As a BID, we do know where our vacant storefronts are and we know why a number of them are vacant. This is true of the other 75 BID's in the city, but we cover only a small portion of the commercial corridors. A database is a natural first step in order to better understand this issue and tackle the challenges. We do know that there is some great work being done on this front by a private company called Live XYZ and there have been some initial studies done by the Department of City Planning. We suggest speaking with them as this bill is developed. Also, note that as part of this bill, standards as to what constitutes a vacant storefront should be established. Some storefronts are empty but are not for rent, some appear empty but are being used for storage. Clear, easy to understand definitions are critical to the success of the database.

In closing I want to thank you for taking these important issues seriously. We look forward to working with the sponsors of these bills and the City Council, as a whole, to help make NYC a better environment for small and micro businesses as well as for budding entrepreneurs.



Storefront Vacancy Working Group

Policy Statement and Recommendations

Approved by the Membership

December 4, 2018

As stewards of commercial corridors throughout the five boroughs of New York City, the Directors of the City's 75 Business Improvement Districts have a unique and vested interest in cultivating an active street life. Our collective goal is to encourage vibrant commercial corridors, with a wide and healthy range of businesses and services to meet consumer needs.

Storefront vacancies are a concern. Ground floor commercial vacancies discourage pedestrian activity and are detrimental to our mission to cultivate dynamic commercial corridors. But every vacancy has its unique story, and we believe that resolving the issue of storefront vacancies cannot be done with a "one size fits all" approach. In a time of dramatic and ongoing transformation in the retail sector, small businesses, communities, and property owners need more flexibility, not less.

The storefront vacancy problem is not unique to New York City. In fact, municipalities across the globe are grappling with how best to address the issue. We believe that the City has an opportunity to lead internationally by embracing creative approaches to encourage street-level commerce and developing strategies and policies to help activate vacant storefronts.

CAUSES OF VACANT STOREFRONTS

Not all storefront vacancies occur for the same reasons. A non-exhaustive list of factors would have to include:

- **Changing Consumer Demand**, including consumer goods and services that have become less popular or obsolete, along with increased online shopping;
- **Public Works Projects, Construction, and Natural and Man-Made Disasters**, which discourage pedestrian traffic and effectively obscure many small businesses throughout the City, often resulting in long term vacancies;

- **Unrealistic Asking Prices**, which can force a storefront business to move and can also keep a space empty. Outdated financing models out of step with the 21st Century retail market also play a role in real estate asking prices; and
- **Taxes, Laws, Regulations, and Mandates** that can sharply reduce business profitability.

Because there are so many factors behind storefront vacancies, we feel it is imperative that the City conduct a thorough study on root causes, numbers, and types of vacant stores and develop a comprehensive approach to the issue before taking action.

CREATIVE GOVERNMENTAL APPROACHES

We believe there are creative approaches the City can utilize to strengthen the brick and mortar business community and mitigate the occurrence of storefront vacancies.

- **Lease Renewal Notice Requirements**
The relationship between landlords and tenants should include reasonable lease renewal notification requirements.
- **Quality of Life Concerns**
Small businesses are heavily impacted by quality of life concerns, including aggressive panhandling, over-crowded sidewalks, and illegal vending, which discourage commercial activity and investment by property owners and merchants. The City should adopt a better-coordinated approach to address detrimental quality of life issues.
- **Regulatory Reform**
The City should adopt a uniform policy that uses punitive measures and fines as a last resort. For example, some City agencies – notably the Department of Consumer Affairs – have helped strengthen storefront businesses by using their regulatory authority in an educational way, rather than punitively. In addition, the City should assist businesses in meeting federal, state, and municipal regulations (including the Americans with Disabilities Act.) Small businesses are also burdened by onerous public approval processes, often for minor improvements.
- **Encourage Flexible and Creative Use of Ground Floor Space**
Retail is in flux across the nation as mom-and-pop stores and international brands adjust to e-commerce and changing consumer preferences. The City should recognize the changing nature of retail and encourage property owners to take flexible, creative approaches to activating storefronts. Examples include encouraging short-term leases for “pop up” tenants, changing regulations governing physical culture establishments to make it easier for fitness and lifestyle businesses to occupy retail space, and incentivizing leases for cultural tenants.
- **Small Business Advisory Council**
We suggest creating an independent Small Business Advisory Council, with an agenda

limited to advocacy for small businesses (under 50 employees) and microbusinesses (10 employees or less). Working in tandem with NYC Small Business Services and other City agencies, this entity would benefit storefront businesses throughout the city, much as the newly appointed Executive Director of the Mayor's Office of Nightlife is charged with promoting that industry.

- **Require Business Impact Analysis for New Legislation**

The City Council plays a crucial role in regulating business activity to protect both consumers and workers. Too often, however, new regulations are enacted with little thought to the regulatory burden placed on small businesses. Requiring a fiscal analysis of new regulations that defines the cost of implementation for small businesses would help the Council better understand these impacts.

FINANCIAL AND TAX POLICY

Storefront businesses are particularly challenged by taxes and financial policies that put them at a competitive disadvantage. In recognition of this reality, governments around the world are looking at ways in which they can use tax codes and creative financial incentives to grow small businesses.

Among policies we feel would benefit ground floor commercial businesses are reforms to commercial property taxes, which often annually increase by double digits and endanger the economic viability of small independent businesses.

Other tax and fiscal policy reforms which should be explored as incentives to strengthen small businesses are the full elimination of the Commercial Rent Tax; enhancement of the Industrial and Commercial Abatement Program (ICAP) to allow for better retail-related modernization in mixed-use buildings, and the establishment of a low-interest loan fund targeted to new small retailers, to help level the playing field between them and national online retailers.

CONCLUSION

We strongly believe that fresh, creative approaches to the issue of storefront vacancies will prove to be more beneficial than adding new layers of restrictive legislation to the already overburdened property owners and small businesses of the City of New York. A comprehensive approach geared at filling vacant storefronts and strengthening existing retail will also avoid the unintended negative consequences of punitive policies placing the sole burden on the landlord-tenant relationship, when it is unarguable that a number of factors play a role in business success and failure.



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TESTIMONY OF LENA AFRIDI BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON SMALL BUSINESS

March 18th 2019

Good morning. Thank you to Chair Gjonaj and to the members of the Committee on Small Business.

My name is Lena Afridi and I am the Director of Economic Development Policy at the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of over 100 NYC- neighborhood based community groups across the five boroughs. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We are speaking as a part of United for Small Business NYC, a citywide coalition of community organizations fighting to support and protect New York City's small businesses from the threat of displacement, with particular focus on owner-operated, low-income, minority and immigrant run businesses.

United for Small Business NYC (USBNYC) applauds the New York City Council's newly released package of small business bills. USBNYC has been urging transformative changes to the small business landscape in neighborhoods across New York City for years, and this package is an exciting response to that advocacy. While both residential and commercial tenants in New York City are at risk of landlord harassment and subsequent displacement, commercial tenants lack meaningful rights and protections. It is past time that the City acknowledge this reality by clearly defining the rights of commercial tenants and taking necessary action to protect those rights. The small business package represents a significant step forward in reaching those goals.

Since the passage of the Commercial Tenant Harassment Law in 2016 and the launch of the Commercial Lease Assistance program in 2018, USBNYC has urged city government to expand the rights and protections available to commercial tenants in all five boroughs. Expanding the definition of Commercial Tenant Harassment and ensuring a small business's right to counsel is necessary to shifting the power imbalance that currently exists between tenants and landlords. Councilmember Vanessa Gibson's bill, Intro 1410, would create a Commercial Certificate of No Harassment for commercial buildings in rezoning neighborhoods and expands the existing definition of Commercial Tenant Harassment citywide. Councilmember Mark Levine's bill, Intro 1470, would establish a small business's right to counsel, ensuring that commercial tenants facing displacement have accessible legal representation. This follows the successful advocacy of the Coalition Against Tenant Harassment to establish a Residential Certificate of No Harassment in 2017.

Where these battles against displacement have already been lost, communities are left with empty storefronts. In spite of the widespread recognition of commercial vacancies across the city, there is still no citywide count of commercial vacancies. Councilmember Helen Rosenthal's bill, Intro 1473 will, for the first time, establish a registry for commercial spaces that have remained vacant for more than 90 days.



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A vacant storefront registry, with strong penalties, is a necessary first step to determine where vacancies are occurring, how long these spaces are kept off the market, and who is responsible for these vacancies. Ongoing data collection on a citywide scale is similarly necessary to direct future policy interventions. Councilmember Carlina Rivera's bill, Intro 1049, would require the Department of Small Business Services to assess the state of storefront businesses by collecting information on every neighborhood district's small businesses. The Council's small business package begins the overdue policy discussion to address these issues.

While these bills provide a great step forward at creating protections for commercial tenants, they must not come at the expense of affordable housing. ANHD recognizes the need for affordable retail spaces in New York City, but cannot support Councilmember Espinal's bill, which would require low-price ground floor retail space in city subsidized affordable housing developments. In a recent survey of immigrant small businesses, ANHD found that 56% of immigrant small business owners live in the neighborhood in which their business operates. Access to affordable housing deeply impacts immigrant small businesses. Without the appropriate city-financing tools in place, this bill will make developing housing at deeper levels of affordability more challenging than it already is this and put financial constraints on the nonprofit developers who are fighting to address the affordable housing crisis in New York City. We recommend that City Council work with Housing Preservation & Development (HPD) to create financial incentives rather than penalties for developers who incorporate low cost retail space in their affordable housing developments to address the City's retail affordability problem.

Collectively, the bills represent a dramatic shift in the landscape for commercial tenants from just a few years ago. This is a major step forward in preserving the spaces that make New York City what it is. We look forward to engaging with all council sponsors on their respective bills and advancing a multi-pronged strategy that empowers tenants, holds unscrupulous landlords accountable, and protects the community spaces that make New York special.



In support of small business relief proposals, including Intros 1049, 1466, 1467, 1470, 1471, 1472, and 1473

Good morning. My name is Kathleen Reilly and I am the NYC Government Relations Coordinator for the New York State Restaurant Association, a trade group that represents food and beverage establishments in New York City and throughout New York State. The Association is the largest hospitality trade association in the State of New York, and it has advocated on behalf of its members for over 80 years. Our members represent one of the largest and most impacted constituencies regulated by the City, as nearly every agency regulates some aspect of the restaurant industry.

Restaurants are crucial to the economic and cultural fabric of New York City – they employ hundreds of thousands of New Yorkers, they are a backbone of the tourism trade, and the many small, immigrant-owned, minority and women owned restaurants contribute to the vibrancy of our city. To ensure the continued viability of the restaurant industry, New York City must prioritize regulations that enable these hardworking New Yorkers to continue pursuing their livelihoods.

I am here today to voice the industry's support and appreciation for the many helpful proposals being discussed today. In an atmosphere where costs are constantly growing, rent and the minimum wage are rising, and regulation is ever-tightening, restaurants and other small businesses are desperate for some relief. Today, I'd like to highlight several proposals that we at NYSRA expect to be smart and effective ways for New York City to support its small businesses.

For City Council, knowledge is power. Some of today's proposals (Intros 1049, 1472, 1473) would require the City to conduct studies and maintain databases of commercial properties and vacant commercial properties, as well as the state of storefronts in general. For a body that does an enormous amount of legislating to affect the commercial landscape in New York City, City Council is wise to suggest gathering data on the current state of affairs. With data in hand, City Council will be better positioned to make informed decisions on future legislation, as well as evaluate the impact (intended, and unintended) of past legislation. NYSRA supports this goal, and is eager to see how data-driven legislation could look in the future.

For business owners as well, knowledge is power. A second grouping of proposals today (1467, 1470, 1471) would facilitate small business owners' access to information on applicable city regulations, legal expertise, and crucial business training. Small business owners know their businesses, they know about serving their communities, but they are typically not government or legal experts. They want to be compliant, and they want to correctly and wisely proceed through the legal system, but often are limited by lack of familiarity with these institutions. Well-intentioned people doing their best to follow all the rules shouldn't be punished by complexity and lack of transparency; they should be assisted however possible. NYSRA fully supports providing legal services to small businesses facing eviction, and finally compiling an easy-to-navigate database

with the disparate regulations from various agencies all together in one place. Furthermore, we support SBS increasing their services to support existing, struggling small businesses with trainings, covering topics such as e-commerce, new business systems, and marketing.

Finally, NYSRA supports Intro 1466, which would call upon the city's departments to evaluate existing regulations across all areas – health, fire and safety, building, and more – to see if any rules can be repealed, or if cure periods can be provided. This is pure common sense, and it's something the business community has been calling for. At a hearing held by this Committee at the end of January addressing the state of the restaurant industry, one of the most persistent requests made in testimony was for the city to consider adding more cure periods for violations that do not pose immediate risk to the public. And with thousands of regulations on the books, it seems more than likely that some have become redundant or obsolete, and can be repealed. NYSRA fully supports the goals of Intro 1466.

In conclusion, the New York State Restaurant Association truly supports and appreciates the work being done by this Committee today, in putting forward so many helpful proposals. Between them, the City and its business owners will have the benefit of greater access to useful information, which can be implemented to help everyone succeed. By recording and tracking the state of commercial space, City Council will be better informed when crafting legislation. By offering access to legal and government resources, and business training, City Council gives small business owners the tools they need to continue pursuing their livelihoods. Finally, by reviewing regulations to repeal or add cure periods, City Council ensures that their regulations are sensible and fair. These are all laudable goals, and we at NYSRA look forward to a continued collaboration with this Committee, and all of City Council, to accomplish them.

Respectfully Submitted,

Kathleen Reilly

NYC Government Relations Coordinator

New York State Restaurant Association

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NYC ARTIST COALITION

Testimony on: Intr. 1466-2019 & Int 1467-2019
The New York City Council Committee on Small Business by Jamie Burkart
Monday March 18, 2019

Honorable Council Members,

My name is Jamie Burkart. I am a member of the NYC Artist Coalition. We advocate for the safety and preservation of New York City's small diverse neighborhood cultural spaces for the city that gave birth to Hip Hop, Bebop, and Salsa, where the Velvet Underground, Talking Heads, and nobel laureate Bob Dylan got their start.

We strongly support the Introductions discussed at today's hearing. Cultural spaces are small businesses. Cultural spaces close due to rent, harassment, and eviction. Cultural spaces strive to be in regulatory compliance.

I want to focus in and offer specific recommendations to expand Council Member Espinal's Intro #1466 and Council Member Gjonaj's Intro #1467. Both require reporting on the City's laws and practices related to small businesses. And both have the potential to fill a critical information gap that would help many small businesses more easily discover and navigate the path to legality, safety, and compliance.

As a member of the Artist Coalition I meet frequently with cultural space operators who strive to create and sustain small businesses with limited means, compensated by a roll-up-your-sleeves work ethic. I meet with City Agency staff and volunteer de-facto community case workers who help spaces navigate licenses, permits, certificates and inspections in pursuit of compliance.

A common sentiment is the City could provide a clear unified way to understand the path to legality, a map of the process for navigating the City's many agencies and processes. An answer to the the questions every small business must face.

Expand Intros #1466 and #1467 to create datasets on the City's Open Data Portal that we and City Agencies can build off of, to create online tools for all New York City's small businesses to discover and navigate the path to legality and compliance.

NYC's Small Business Services has a "Step by Step" business wizard website that asks operators questions and brings forward a list of more than 40 permits, certificates, licenses, requirements and regulations. But there is key information missing in this view, the practical path of how to fulfill the requirements is unclear.

As we now review all the regulations and practices related to small business, let's take note in a machine-readable way with rows and columns to answer these questions:

Does this law require a license or permit? If so, how much does it cost? What are the requirements? How long does the process take? For a small businesses trying to open, waiting time is money in rent that must be planned.

NYC ARTIST COALITION

Does this involve inspections? If so, how often do inspections occur? What agency performs the inspection? Is there a checklist to prepare? Who do you call if you have a question?

Does this impact where I can open my business? Rules like zoning could be delivered in a way that relates geographic regions directly to types of services. Do churches and schools impact where I can open my business? Whole classes of issues are easiest to resolve before a lease is ever signed.

Today the path to legality is often unclear. This is why people of means may hire an expeditor to navigate it for them. Small businesses should not have to hire somebody to navigate the City for them.

Clarifying this process in a machine readable way will give operators a map to the path to legality, improve the laws of the City of New York, and standardize permitting and inspection processes.

**NYC Council Committee on Small Business Hearing
March 18, 2019**

Testimony of the Microenterprise Project of Volunteers of Legal Service

Good morning. My name is Ivia Cardozo and I am a staff attorney at the Microenterprise Project of Volunteers of Legal Service (VOLS). As legal service providers and as a member of the United for Small Business NYC (USBNYC) coalition, we applaud the City Council's commitment to support small business tenants in our City.

VOLS' Microenterprise Project provides free legal services for eligible underserved small businesses in New York City. Through our staff attorneys and network of pro bono lawyers, we offer a variety of transactional services including forming legal entities, drafting contracts and governance documents, protecting intellectual property rights and, most recently, directly representing small business tenants. Additionally, we conduct commercial leasing educational programs for small businesses and worked with the City to produce the *Comprehensive Guide to Commercial Leasing in New York City*.

As one of the three providers participating in the SBS-funded Commercial Lease Assistance Program (CLA), we serve small business tenants in need of assistance with negotiating new leases or renewals with tenant-favorable terms, negotiating lease amendments, terminations, assignments or sublets, enforcing and understanding their rights, responsibilities or legal remedies, and resolving disputes with landlords in an effort to avoid litigation.

We see first-hand how the lack of nearly any legal protections results in the potential financial ruin facing small business owners trying to make a living for themselves and their families. We encounter these challenges in our daily practice because commercial tenants are limited to the legal protections found in the four corners of their often landlord-friendly leases, if such tenant is even lucky enough to have a lease. Some examples of the challenges our clients face include being served eviction papers or lease termination notices at the whim of landlords, being held responsible for exorbitant real estate taxes, and getting sued for deficiency rent well after they vacate or are evicted.

The need for the universal provision of legal services for commercial tenants expressed in Intro 1470 cannot be overstated. Currently, commercial tenants who cannot afford an attorney rarely receive their fair day in court during eviction proceedings. Corporate entities are statutorily prohibited from appearing pro se in a civil action, and so many small business owners in financial distress are shut out of the very lawsuit that results in their eviction. On the other hand, when commercial tenants are personally named in the eviction proceeding, they are forced to proceed with or without an attorney and too often enter into detrimental settlement agreements with pressure from landlords' attorneys. The proposed right to counsel bill would provide critical access to justice for vulnerable commercial tenants by stemming the tide of commercial tenants facing pro forma eviction and serving to enhance the transactional services currently provided under the CLA program.

We welcomed the passage of the Non-Residential Tenant Harassment Law in 2016 and recognize that it must be expanded to provide enforcement mechanisms that hold landlords accountable for their bad actions. Requiring owners to obtain a certificate of no harassment and expanding the definition of harassment as proposed by Intro 1410 is a positive step in this direction.

Finally, collecting comprehensive small business data as proposed in Intros 1049 and 1473 is crucial to protecting small businesses and combating commercial warehousing. By establishing a public registry to track commercial vacancies, the City could help prevent the high turnover of small business tenants and incentivize landlords to consider more agreeable rent terms when commercial leases are set to expire. Additionally, a citywide Community District Needs Assessment would further expose the conditions that lead to the economic and cultural displacement that we are now witnessing.

Small businesses are the backbone of New York City's unique economy; great strides have been made in protecting residential tenants in this City. It is now time to also attribute the City's diverse history to hardworking microentrepreneurs by providing the legal protections they desperately need to secure their legacy in our vibrant city.



COMMUNITY DEVELOPMENT PROJECT

TESTIMONY

Of

**The Community Development Project
at the Urban Justice Center**

**Int 1049-2018, Int 1408-2019, Int 1410-2019, Int 1466-2019, Int
1467-2019, Int 1470-2019, Int 1471-2019, Int 1472-2019, Int
1473-2019: “Legislating a Vision for New York City that
Centers the Small Business”**

Presented to:

**New York City Council
Committee on Small Business
Hon. Mark Gjonaj, Chair
Monday, March 18, 2019**

Presented by:

**Julian M. Hill, Staff Attorney
Community Development Project
Urban Justice Center**

**123 William St., 16th Floor
New York, New York 10038
Phone: (646) 459-3009 | Fax: (212) 533-4598**

Introduction

Chairman Gjonaj and distinguished members of the Committee on Small Business -

Thanks for this opportunity to testify with respect to the present group of bills that, as I understand it, are designed to collectively, and/or individually, protect small businesses as vital employers, creators of culture and staples in our communities.

My name is Julian Hill, and I am a Staff Attorney at the Community Development Project at the Urban Justice Center. Among other things, the Community Development Project, or CDP, offers legal advice to new and existing worker cooperatives, nonprofits and small businesses, works with grassroots groups, organizations and coalitions to ensure marginalized communities are not pushed out of their neighborhoods, and supports our partners' work towards racial, economic and social justice.

CDP is one of three legal service organizations funded by the City to provide free, non-litigation legal services regarding commercial leases to small businesses as part of the Commercial Lease Assistance, or CLA, Program. CDP is also a proud member of United for Small Business NYC, or USBNYC, coalition.

Our Experience and Recommendations

We've served over sixty small business clients as part of the CLA Program over the past year who run clothing stores, restaurants, beauty shops and countless other types of businesses. Our clients are Wolof-, Spanish- and Cantonese-speakers; women; people of color; and low-income folks throughout the City.

Instead of discussing each of the nine bills being considered today, I will instead share three high-level thoughts, with a focus on landlord harassment, vacancy and expanded legal services.

Landlord harassment, whereby a landlord engages in behavior causing tenants to vacate their space, is among the most common cases that I see in my practice. There is Araceli, who took out a loan and invested over \$30,000 to open up her dream restaurant. Her landlord refused to timely address important city violations, and Araceli went months without being able to open, wasting time and money preparing to open. There's Natalia, whose landlord removed her boiler after city inspectors came by. The landlord refuses to replace it, saying that it is her responsibility to replace what he took out. With little protection under their commercial leases and the threat of eviction looming, my clients are terrified. This Council passed a bill last session that should provide relief to Araceli and Natalia. They should be able to take their landlords to court. But, without access to lawyers who can represent them, the new law's relief is out of reach. The CLA program only provides support for reviewing, negotiating and memorializing leases, not for dealing with the relationship between the landlord and commercial tenant in general. Commercial tenant access to legal representation in disputes arising out of landlord behavior is an important piece of today's legislation.

Moreover, a commercial tenant certificate of no harassment would be useful for such clients. Yet, it's important to think about (a) expanding upon what "harassment" means in a meaningful way, including capturing excessive rent increases, (b) ensuring that the bill facilitates improving conditions for business owners and does not create a barrier to Dept. of Building permits where work is needed to make a space viable for use by a business and (c) providing funding for community-based organizations, who know their communities, to help implement this program, not as a pilot program limited to certain areas subject to rezoning, but as a citywide program.

A program for vacancy registration would be an important tool for avoiding the warehousing of commercial property. Fundamental to this bill is having a definition of "vacancy" that is meaningful, ensuring that it captures not-for-profit tenants, imposes a time limit for situations where a lease is signed but the tenant has not yet taken possession of the space and ensures that the time period capturing "pop-up" shops is sufficient in length to deter landlords from using that as a tactic to avoid a space being seen as vacant. With respect to fees, it's important that they are sufficiently high to deter vacancy and that they escalate with length of vacancy at each three-month registration.

Once again, thank you for the opportunity to testify, and we look forward to continuing this dialogue around how to help small businesses in this City.



Testimony for Laura O'Reilly, Founder of Wallplay
New York City Council, Committee Meeting on Small Business
Monday, March 18th, 2019

Good morning, Chair Gjonaj and committee members

My name is Laura O'Reilly and I'm the CEO and Founder of Wallplay, an arts and innovation network that has been filling empty storefronts with retail pop-ups & art installations since 2013. The programming is almost always free to the public and the spaces we operate are available for subsidized rent to the creative and start-up community. My co-founders and management team join me today.

I appreciate the opportunity to discuss the City's newest efforts in assessing the storefront crisis and to assist small businesses who struggle to survive and battle eviction. The passing of such legislation began in 2018 with Mayor de Blasio's announcement of the Commercial Lease Assistance Program, which offers free pre-litigation services to small businesses and now will hopefully expand to litigation assistance during eviction proceedings and a sweeping revision of small business policies.

I also appreciate the opportunity to address how Wallplay can help in this pressing matter.

I have lived in Manhattan since I was 6 months old have been aware of financial pressure to remain in the city I grew up in since middle school. At 19 years old a high school band mate's family had vacant space in SoHo which they provided access to us for hosting art events. Over the past decade, that same landlord, known as Alfa Development, allowed me to program many others of its vacant retail spaces. In that time, my company has hosted over 200 public art and cultural exhibitions.

I came to view artists and independent curators as small businesses which bring energy to New York and keep the city engaging, relevant, and attractive to locals and tourists alike. My company Wallplay seeks to be the bridge between landlords and small

businesses of all kinds. With the property owner's enthusiastic cooperation, we activate vacant or underused spaces until permanent tenants are secured. While doing so, we monetize the use of their space through sponsorship, rentals or other forms of funding.

In March 2018, I began speaking with the property owners of United American Land, LLC (UAL) about Canal Street west of Broadway, where numerous properties had remained vacant for two to five years. Not only were the rising rental rates keeping small business owners from occupying the spaces but ever increasing neighborhood vacancies created an unattractive, uninviting stretch of cityscape. With over a decade of experience working with and offering properties, including Alfa Development storefronts and The Hole Gallery, it became clear that Wallplay's creative network could temporarily fill these otherwise vacant locations with programming through a series of short-term rentals and exhibitions. This short term programming, whether it was an alternative art installation space, fashion showcase, or flower shop, would bring life back into the neighborhood, attracting long term tenants. UAL agreed.

Beginning in August 2018, Wallplay launched ON CANAL, a project we would operate in over twenty storefronts, all situated on Canal St between Broadway and West Broadway. Many of these storefronts are consecutive, assembling what would become a Creative-driven, pop-up district for emerging artists and brands.

Since launching eight months ago, ON CANAL has already hosted over 100 pop-ups, which are not only free to the public but which are actively inviting the community and its passersby to engage with, experience, and enjoy each installation.

Through our relationship with the property owners, we have been able to thus far subsidize over 50% of the program and retail experiences on display, providing opportunities to startups, native e-comm companies and small businesses to test the market, as well as their own ideas and business models, in a high foot traffic location that is historically, although not recently, conducive to successful retail.

Driving the narrative that short-term and flexible lease terms are the way of the future, we have fully booked our spaces on Canal Street with engaging, interesting, and exciting paid rentals through July of 2019. Through this experiment we have also seen that two of our tenants have opted for long-term leases, one of them with a ten-year lease at 199 Mott Street, affirming our belief that if given the opportunity to first test the market, these businesses would feel safer making a long term commitment.

Although the MTA cited in 2017 that over 288,000 passersby were crossing Canal Street during peak hours on weekdays, the location itself was not attracting business or business owners to occupy vacant storefronts. Over the last eight months, Wallplay has visibly transformed the landscape of Canal Street west of Broadway. Through our capsule website, oncanal.nyc, we have captured tens of thousands of digital impressions and geotagged photos of the district, generating a fanbase that seeks out new content on the block each month.

With experiential marketing a key component of each exhibition, and with these retail spaces that average more than 50 visitors a day and operate six to seven days a week, over 100 articles published by outlets such as the New York Times, New York Mag, Business Insider, Vice, and Vogue, have recognized the project and pop-ups hosted by the operators and their programming partners.

Comprehensive data about the retail vacancy in Manhattan doesn't currently exist beyond the 5.6% self-reported vacancies per year throughout New York City. Yet we can see it with our own eyes and through grassroots data projects like Vacantnewyork, efforts similar to Vacantnewyork are needed to generate such data, acquire results and find comprehensive solutions.

Storefront vacancies deprive all stakeholders of benefits: community residents and consumers are left with less options (and incentive) to spend money and time in the neighborhood; landlords are left with less revenue and disincentivized to make improvements to their properties; and the City of New York is left with fewer tax receipts from all parties. The biggest threat, however, is a negative halo effect whereby blocks--and even whole stretches of streets--become corridors of inactivity, dragging down property values, repelling future development and long-term tenancies, and creating pockets of commercial blight that are painstakingly hard to reverse once it has taken hold.

Wallplay seeks to work in partnership with landlords, the City, and local leaders to utilize its operating system and forthcoming technology-driven platform to program vacant spaces. Stakeholder opt-in is what facilitates innovation and what we believe strongly will define the future of urban retail. Imagine a future where storefronts are time-shared and the burden of long-term leases is not exclusively carried by small business owners who struggle to pay rent.

What if there were another way? Wallplay is committed to helping facilitate the use of vacant space by those who would not normally have access. Beyond market rate brand activations, we have hosted over 100 artists and designers who would not have otherwise had showroom space to sell their goods. Wallplay has been committed to providing space to small businesses in a pop-up model since 2013. I believe the future is modular & mobile.

I am in favor of the registration of vacant storefront properties. A comprehensive registration, supported with real-time data, will help further identify the problem and lead towards the alleviation of the crisis and ensure that the City does not lose its vitality.



Council of New York Cooperatives & Condominiums INFORMATION, EDUCATION AND ADVOCACY

250 West 57 Street • Suite 730 • New York, NY 10107-0700

TESTIMONY BEFORE THE COMMITTEE ON SMALL BUSINESS Monday, March 18, 2019

Good morning Chair Gjonaj and members of the committee and thank you for this opportunity express our views on some of the many pieces of legislation before you today. My name is Mary Ann Rothman and I am an executive director of the Council of New York Cooperatives & Condominiums; the largest of several membership organizations for housing cooperatives and condominiums in the five boroughs and beyond. More than 170,000 New York families make their homes in our member buildings, which span the full economic spectrum from very modest housing to upscale dwellings.

A significant portion of the housing cooperatives and condominiums in our city have commercial space at the ground floor. When the commercial space is actually owned by the cooperative or condominium, revenue from the commercial tenants supplement the carrying charges paid by the shareholders or unit owners, helping to offset property taxes and other expenses to keep homeownership affordable.

Co-op and condo boards work hard to find tenants for their commercial space who will be an enhancement to the building and the neighborhood, who will pay on time, will comply with sanitation laws and all other city laws; who will not create noise or other disturbances. They are happy to retain such tenants. But there are disappointments! When tenants fail to meet these reasonable criteria the cooperative or condominium board looks forward to the expiration of the lease and begins a more careful search for a better tenant. No cooperative or condominium willingly leaves commercial space vacant for a moment longer than is necessary; there is no better way to mitigate cost to the home owners than to be collecting rent on the building's commercial space.

CNYC supports this committee's efforts to assess the state of storefront businesses, to help owners of small businesses obtain counsel to understand their rights and their responsibilities, and to facilitate small business' efforts to locate viably and affordably.

Please turn the page.....

However, we must express our concerns about Int. 1472 and 1473 which would respectively require property owners, including condominiums and cooperatives, to register storefront “vacancies” with the City and to require the City to create a searchable database of all storefront properties. Int. 1473 does not provide a clear definition of vacancy, and its proposed penalties of \$1000 per week for failure to register are unduly harsh, especially for small property owners. Int. 1472 would require the City to create and maintain database of constantly changing information, based on self-reporting by property owners. In an era of diminishing resources, we urge the City to consider other means of data collection and analysis to address the worthy cause of maintaining streetscape and retail vibrancy. We are pleased to support efforts to help keep our city streets active and vibrant, but we urge that this be done in a realistic way,,that doesn’t impose lease renewals on the owners of commercial spaces nor punish then for unavoidable vacancies

Thank you for this opportunity to share our thoughts.

CHAIR

CHRISTY MACLEAR

PRESIDENT

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MAS Comments to the New York City Council Committee on Small Business

March 18, 2019

Background

The Municipal Art Society of New York (MAS) commends the New York City Council for its recently released package of small business bills. For more than a century, MAS has been a leading advocate for the indelible character and vibrancy of our city's streets, which is inextricably connected to the health of our small business community.

Unfortunately, the vacancy rate in some of our city's retail corridors is higher than 20%, or more than four times the rate expected in a healthy market.¹ Although many types of retail businesses have shuttered in recent years, the increasingly frequent loss of small, "mom and pop" businesses has had the most profound effect on the neighborhoods.

The small business package is a significant step toward addressing the city's vacancy issue and the lack of fundamental rights and protections available to commercial tenants. While we are supportive of the legislation set forth in the small business bill package in its entirety, certain bills highlighted below best adhere to MAS's values with respect to protecting and promoting a meaningful public sphere and a high quality of life for all New Yorkers.

Recommendations

Int. No. 1049-2018 requires the Department of Small Business Services (SBS) to conduct routine evaluations of the state of the storefront business environment in every community district at least once every five years. This is a crucial first step in gauging the changes in streetscape composition over time and identifying those neighborhoods most in need of protections.

Further, assessment criteria promulgated under this legislation includes a variety of factors such as district demographics, number of vacant storefronts, community involvement, opportunities for promoting a vibrant mix of commercial uses and improving the built environment, and a survey of storefront business owners. The flexibility provided by these factors will allow SBS to fairly and adequately assess the overall health of small businesses. This, in turn, has the potential to better inform decision-makers who will continue to update and improve the parameters of legislative protections as the issue of commercial tenant harassment and displacement evolves.

MAS supports Int. No. 1408 which would require developers of projects receiving \$1 million or more in financial assistance from a City agency or economic development entity to provide affordable ground floor retail space at such projects. Int. No. 1408 would promote small business entrepreneurship opportunities while fulfilling local retail needs and reducing vacancies.

The creation of a public, online searchable database of all taxable premises and the monthly rent for such premises, as delineated in Int. No. 1472-2019, would promote greater transparency and equity in commercial landlord-tenant lease negotiations and/or renewals. MAS believes that the database will provide a vital mechanism for the collection of necessary data that can be monitored and analyzed to determine trends and/or areas of particular fragility for small businesses.

¹ C. J. Hughes, *A Sign of the Times: More For-Rent Notices in Manhattan*, N.Y. TIMES, Mar. 7, 2017, <https://www.nytimes.com/2017/03/07/realestate/commercial/for-lease-vacant-storefronts-manhattan.html>.

Int. No. 1473-2019 requires the owner of any storefront property to register with SBS after such storefront has been vacant for 90 days, and thereafter, obligates the owner to update the registration every 90 days until the property is leased or occupied. Further, the bill also imposes a civil penalty of \$1,000 per week for owners who fail to register their properties with SBS. MAS supports Int. No. 1473-2019 because it addresses commercial vacancy directly through the imposition of monetary penalties. Such fines will serve as a much-needed deterrent to landlords seeking to warehouse vacant property for excessive durations.

Conclusion

As a member of the United for Small Business NYC coalition (USBnyc), MAS is supportive of the package of small business bills which create the legislative protections necessary to maintain the small business landscape of New York City in the years ahead.

Retail spaces are a significant part of what makes New York City's neighborhoods vibrant places to live, work, and spend leisure time. MAS believes that the loss of many small businesses and prolonged vacancy are a threat to the vitality of our city, but the small business legislative package is a proactive and necessary step to protect these businesses.

Thank you for the opportunity to provide comments on this critically important matter.

Testimony of Loycent Gordon, Owner of Neir's Tavern

New York City Council
Committee on Small Business

March 18, 2019

Good morning friends, elected officials and civic leaders.

My name is Loycent Gordon, Owner of Historic Neir's Tavern, a small community business seeking to reach 200 years-old in 10 years with the help of these basic protections presented in these bills.

My purpose with the 2-3 minutes is to talk about the cultural significance small business have to contribute to the value of NYC.

And like most of you, I didn't understand that until I walked in through the doors of Neir's Tavern and a gentleman jumped out of his seat towards me and asked "you're the owner right?"

I admitted I was the owner and he raised his hand towards me.
He said "I want to thank you for keeping this place open".

Reason he said that was NYC's oldest bar was 3 days from closing forever when I help to bring it back. I responded, "It wasn't me It was the community because after all I can't eat all the burgers or drink all the beers".

He chuckled and said, "I don't think you understand, sir".

He continued saying, "You know my father loved this place. It was his second home. We were never close for one reason or another".

"But he died a few months ago and I felt this hole that I should have gotten to know him or at least tried harder, you know?"

"And after searching around they told me this was his favorite place. Now I'm sitting here in his favorite seat in his favorite place and I feel I'm having beer with my father I never knew. So, you see, I want to thank you for keeping this open".

You see we all want to maximize our investments. It's not only about maximizing monetary investments but also what about maximizing our cultural investments in NYC. The things you can't put a price on.

Leaving small business to fend for themselves against predatory practices is like giving free reign to developers to fill Central Park with more skyscrapers.

You see, NYC small businesses are our Central Park.

Question is this. Are we allowing the monetary investments to outperform our priceless cultural values?

When that guy returns to that small business to have a beer & burger with his father that passed and he sees a "FOR RENT" sign at the store front for over a year with graffiti, garbage, and vandalism in front, does that maximize NYC's cultural value?

I don't believe 60 million tourists come to NYC to only see high rise skyscrapers or more corporate franchises. They come to experience the cultural value of NYC.

No protection for small businesses to invest in the cultural value to NYC is like selling the Grand Canyon to developers to fill it in with dirt to build high-rise casinos.

I believe progress without protection is eventual regression.

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In support of small business relief proposals, including Intros 1049, 1466, 1467, 1470, 1471, 1472, and 1473

Good morning. My name is Kathleen Reilly and I am the NYC Government Relations Coordinator for the New York State Restaurant Association, a trade group that represents food and beverage establishments in New York City and throughout New York State. The Association is the largest hospitality trade association in the State of New York, and it has advocated on behalf of its members for over 80 years. Our members represent one of the largest and most impacted constituencies regulated by the City, as nearly every agency regulates some aspect of the restaurant industry.

Restaurants are crucial to the economic and cultural fabric of New York City – they employ hundreds of thousands of New Yorkers, they are a backbone of the tourism trade, and the many small, immigrant-owned, minority and women owned restaurants contribute to the vibrancy of our city. To ensure the continued viability of the restaurant industry, New York City must prioritize regulations that enable these hardworking New Yorkers to continue pursuing their livelihoods.

I am here today to voice the industry's support and appreciation for the many helpful proposals being discussed today. In an atmosphere where costs are constantly growing, rent and the minimum wage are rising, and regulation is ever-tightening, restaurants and other small businesses are desperate for some relief. Today, I'd like to highlight several proposals that we at NYSRA expect to be smart and effective ways for New York City to support its small businesses.

For City Council, knowledge is power. Some of today's proposals (Intros 1049, 1472, 1473) would require the City to conduct studies and maintain databases of commercial properties and vacant commercial properties, as well as the state of storefronts in general. For a body that does an enormous amount of legislating to affect the commercial landscape in New York City, City Council is wise to suggest gathering data on the current state of affairs. With data in hand, City Council will be better positioned to make informed decisions on future legislation, as well as evaluate the impact (intended, and unintended) of past legislation. NYSRA supports this goal, and is eager to see how data-driven legislation could look in the future.

For business owners as well, knowledge is power. A second grouping of proposals today (1467, 1470, 1471) would facilitate small business owners' access to information on applicable city regulations, legal expertise, and crucial business training. Small business owners know their businesses, they know about serving their communities, but they are typically not government or legal experts. They want to be compliant, and they want to correctly and wisely proceed through the legal system, but often are limited by lack of familiarity with these institutions. Well-intentioned people doing their best to follow all the rules shouldn't be punished by complexity and lack of transparency; they should be assisted however possible. NYSRA fully supports providing legal services to small businesses facing eviction, and finally compiling an easy-to-navigate database

with the disparate regulations from various agencies all together in one place. Furthermore, we support SBS increasing their services to support existing, struggling small businesses with trainings, covering topics such as e-commerce, new business systems, and marketing.

Finally, NYSRA supports Intro 1466, which would call upon the city's departments to evaluate existing regulations across all areas – health, fire and safety, building, and more – to see if any rules can be repealed, or if cure periods can be provided. This is pure common sense, and it's something the business community has been calling for. At a hearing held by this Committee at the end of January addressing the state of the restaurant industry, one of the most persistent requests made in testimony was for the city to consider adding more cure periods for violations that do not pose immediate risk to the public. And with thousands of regulations on the books, it seems more than likely that some have become redundant or obsolete, and can be repealed. NYSRA fully supports the goals of Intro 1466.

In conclusion, the New York State Restaurant Association truly supports and appreciates the work being done by this Committee today, in putting forward so many helpful proposals. Between them, the City and its business owners will have the benefit of greater access to useful information, which can be implemented to help everyone succeed. By recording and tracking the state of commercial space, City Council will be better informed when crafting legislation. By offering access to legal and government resources, and business training, City Council gives small business owners the tools they need to continue pursuing their livelihoods. Finally, by reviewing regulations to repeal or add cure periods, City Council ensures that their regulations are sensible and fair. These are all laudable goals, and we at NYSRA look forward to a continued collaboration with this Committee, and all of City Council, to accomplish them.

Respectfully Submitted,

Kathleen Reilly

NYC Government Relations Coordinator

New York State Restaurant Association

315 W 36th St., 7th Floor

New York, New York 10018

URBAN
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CENTER



STREET VENDOR PROJECT

Testimony from the Street Vendor Project

Chair Gjonaj, Council Members.

My name is Mohamed Attia, I'm co-director with Street Vendor Project. We're a part of the coalition United for Small Business NYC.

Street vendors are the ultimate version of small businesses, and they care a lot about how the city government helps and protect small businesses in our city.

Every vendor we know hopes that one day they will be able to expand their business, have a roof on the top of their heads and fulfill their American Dream.

But it's really hard for obvious reasons. One reason is the system that governs vending another reason is how hard and expensive it is to have a storefront in our city!

We're supporting intro (1473, 1470, 1049, 1410) as we believe it's the first step to protect small businesses from disappearing in our city after rezoning and developing many neighborhoods, small business owned by marginalized groups find it really hard to survive, and even harder for folks who want to start new businesses.

Commercial tenants are essential part of every neighborhood's fabric and culture. The city should protect them from harassment and eviction by all means.

We hope to see more legislations in the near future to support and protect small businesses in our city.

Mohamed Attia.

Co-Director. Street Vendor Project

NYC ARTIST COALITION

Testimony on: Package of Small Business Legislation
(Int. 1049-2018, Int. 1410-2019, Int. 1470, Int. 1472-2019, Int. 1473-2019, Int. 1466-2019, Int 1467-2019)
The New York City Council Committee on Small Business by Olympia Kazi
Monday March 18, 2019

Thank you for holding this hearing. My name is Olympia Kazi and I am a member of the NYC Artist Coalition. We advocate for the **safety and preservation of grassroots cultural spaces** that are critical to our city's vitality. These spaces are talent incubators; they create and support communities; and they are **treasured small businesses**. Our members are deeply affected by issues of **affordability, commercial tenant harassment, and bureaucratic hurdles**.

We are part of USBNYC and we **support this package of bills**. We are particularly encouraged by the proposed legislation that will establish a **commercial certificate of no harassment** and the **right to counsel for commercial tenants** (Int. 1410 and 1470). These two bills will create much **needed protections for commercial tenants** and we look forward to continuing to working with the bill sponsors to ensure that these protections are strong and effective.

It's great to see that several of the package bills (Int. 1049, 1472 and 1473) will collect long awaited data on **commercial tenants and vacancy**. We need the bills to **include a clear definition of vacancy**. Int. 1472 (**database of commercial properties**) should be expanded upon to create a more accurate dataset:

- Include a **unique id** for each business to track across time and location
- Include the **licensing numbers for other agencies** like DCA and DOHMH to further understand the types of businesses that exist and to understand demographic and use shifts that are happening in NYC.
- Create **stronger incentives for landlords to register**, as it is unclear how effective the enforcement of this legislation will be.

Int. 1473, (**vacant storefront registry**) should be expanded to **include all commercial spaces**, especially in light of Int. 1472. The bill language should be **clarified regarding pop-up commercial ventures**. Ultimately, we believe that in order to put an end to rampant commercial vacancy, the City should **work with the State** to establish a **vacancy fine**.

We support Int. 1466 and Int. 1467 that will create a clear understanding of the city's **laws affecting small business**. This legislation can become more impactful by **connecting small business laws to the permitting process** so agencies and small businesses can understand the laws, the permits required by law, but also the **time, order, and cost** of these permits.

The NYC Artist Coalition supports tackling the challenges faced by small businesses and grassroots cultural spaces from many angles: We need **commercial tenant protections, vacancy control** and a framework for **affordable rents**. The bills discussed today are a great first step and we look forward to continue working with you toward putting an end to cultural displacement in NYC. #EndCulturalDisplacement



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TESTIMONY ON:

Proposed Int. 1410A-2019 (Gibson): Requiring a certification of no harassment prior to the approval of construction documents or the issuance of permits for demolition or renovation of certain commercial buildings. The bill would also broaden the acts and omissions that constitute commercial tenant harassment to include those that cause or intend to cause a tenant to vacate or to surrender or waive rights.

Int 1470-2019 (Levine): Providing legal services to small business owners facing eviction proceedings.

Int 1473-2019 (Rosenthal): Requiring the registration of vacant storefront property.

Proposed Int. 1472-A (Rosenthal): Requiring the department of small business services to maintain a database of storefront properties.

Int. 1049-2018 (Rivera): Requiring the department of small business services to assess the state of storefront businesses.

TESTIMONY OF:

COOPER SQUARE COMMITTEE
A MEMBER OF UNITED FOR SMALL BUSINESS NYC COALITION

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL COMMITTEE ON
SMALL BUSINESS

HON. MARK GJONAJ, CHAIR

PRESENTED BY:

ABIGAIL ELLMAN
DIRECTOR OF PLANNING AND DEVELOPMENT
COOPER SQUARE COMMITTEE

MARCH 18, 2019

Thank you for the opportunity to testify today.

I am Director of Planning and Development at the Cooper Square Committee, a community development organization on the Lower East Side and organizational member of the United for Small Business NYC (USBnyc) Coalition.

Cooper Square Committee has been at the forefront of anti-displacement organizing on the Lower East Side for decades, with a particular focus on fighting predatory landlords and developers. Unfortunately, harassment is a well-documented part of their business model.

And until very recently, we had absolutely no leverage to help commercial tenants in buildings experiencing harassment. As a result, we saw many of them disappear. The first Commercial Tenant Harassment Law—which we advocated for and helped to pass—was a good start. But we clearly need more tools to fight back.

We recently completed a survey of business owners in the Lower East Side. A quarter of businesses we surveyed had experienced harassment from their landlord.

I will share an example of this predatory approach in action: Icon Realty. They are a known bad actor; quick to initiate law suits against tenants, slow to initiate repairs. In one of their buildings in the East Village, three of the seven ground-floor commercial spaces are vacant because Icon failed to address a serious maintenance issue and the tenants could not continue to run their businesses. One of the remaining tenants is planning to vacate and another is seriously contemplating it. One of the business owners who has already left shared with me how difficult the decision was for her. She said, “I was committed to be in the East Village for the long haul. Now I’m in limbo.”

We strongly support Int. 1410-A, the Commercial Certificate of No Harassment, with a few suggestions:

- Commercial tenant harassment is a pressing issue in the Lower East Side. We strongly encourage that this program be implemented citywide, or at least take into account other neighborhood conditions (such as those I describe above) that may produce a strong risk of harassment.
- The program should include funding for community outreach and Know Your Rights training.
- We applaud the expanded definition of harassment in the proposal and encourage it be amended further to include the forms of displacement tactics we commonly see: (1) refusing to provide a lease or engage in lease negotiations and (2) demanding an excessive rent increase (such as double or triple the previous rent).

We strongly support Int. 1470-2019, for legal services to small business owners facing eviction.

Expanding legal services will go a long way towards supporting commercial tenants to defend themselves and their rights. We have been involved in the outreach efforts for the Commercial Lease Assistance Program, and it is helpful to that narrow segment of businesses needing help with a lease. And yet legal services are only helpful if tenants have rights to defend. So we strongly encourage exploring other legislation to establish a more robust framework of rights.

We strongly support Intros 1473, 1472-A, and 1049, for collecting and publishing data on storefront properties.

Standardized and publically available data would help community-based organizations target our outreach and organizing to businesses who are most at risk for displacement. We would further suggest that this data be used in conjunction with the CONH and factor patterns of neglect or warehousing into the building harassment index.



chhaya CDC

Sustaining Homes
Strengthening Communities

Good Morning Council members of the Committee on Small Business:

My name is William Spisak, I am the Director of Programs at Chhaya CDC in Queens, New York. Chhaya's mission is to build the power, housing stability, and economic well-being of South Asian and Indo-Caribbean New Yorkers.

Last year, Chhaya became a grantee of NYC Small Business Services as part of the Avenue NYC program and began conducting a Commercial District Needs Assessment. In addition to the CDNA, Chhaya participated in distributing surveys and conducting focus groups for a report published by the Association of Neighborhood and Housing Development on the experience of immigrant small businesses owners.

The primary takeaway from these experiences has been that commercial tenants are extremely vulnerable. 37 percent of small business owners surveyed in Jackson Heights said they experienced harassment by their landlord, and 68% said they are rent burdened.

I want to highlight the experience of two small business owners in the neighborhood.

Yamuna Shrestha is a Nepali immigrant who owns a restaurant, Banchha Ghar, on 37th road. After starting a business with a partner, her partner decided to leave and sold her share of the business to Yamuna. When Yamuna told the landlord, the landlord said she would have to sign a new lease and doubled the rent. When she refused to do so, her landlord began verbally harassing her and even went as far as to reduce power in to the restaurant resulting in her industrial refrigerators failing and many of her products spoiling, causing her significant loses.

Two storefronts down, another business owner, Tashi Lama of Potala Restaurant, had a similar experience. Using predatory landlord tactics Chhaya has seen over and over again in residential organizing, the landlord said a lease needed to be rewritten because the business expanded, but increased the rent by 50% over what had been agreed upon before the expansion took place. Furthermore, the landlord demanded rent payments be made in cash. When Tashi and his partner pushed back against these demands, the landlord began intimidating the tenants and sent people on a regular basis to demand the cash payments.

Small business owners shouldn't have to experience this kind of harassment just to make a living. It is unconscionable that the city currently has such weak commercial tenant harassment protections. Small businesses are the true drivers of economic development and well-being in our communities, and yet they are all too often at the mercy of real estate speculators and unscrupulous landlords looking to extract the greatest amount of rent they possibly can from a property without any thought of the communities, families, and livelihoods they are putting at risk.

Chhaya CDC asks that this committee and the City Council at-large take every step possible to reign in the power of predatory commercial landlords and give peace of mind to hardworking commercial tenants.



TESTIMONY OF
THIRD AVENUE BUSINESS IMPROVEMENT DISTRICT
Michael Brady, Executive Director
before the
New York City Council
Committee on Small Business
Monday, March 18, 2019, 10:00am – City Hall Chambers

Good morning. Chair Gjonaj, Councilmembers Ayala, Levin, Perkins, and Rivera; thank you for the opportunity to speak today. I am Michael Brady, Executive Director of the Third Avenue Business Improvement District and Southern Boulevard Business Improvement District, both located in the South Bronx – one neighborhood undergoing hyper development and in the full swing of gentrification with the other being positioned for a future rezoning. I am also a small business owner – owning two brick and mortar businesses along Bruckner Boulevard.

The Third Avenue Business Improvement District is the Bronx's oldest BID, has approximately 250 member businesses – slated to grow to 800 by 2019 - and greets over 250,000 visitors daily – our ground floor commercial vacancy rate is 8% and positioned to be reduced to 5% pending 3 lease negotiations. In addition to leading the Third Avenue Business Improvement District, my organization currently manages the Southern Boulevard Business Improvement District to our east, and the Bruckner Boulevard Commercial District to our south. Collectively these areas represent the majority of the South Bronx with over 700 member businesses, slated to grow to 1,500 member businesses by 2019 – some locally owned mom and pops, others are larger franchises – a healthy mix of destination and convenience retailers and service providers. Our organizations have had a great impact on ensuring that businesses, particularly those in the outer boroughs, can exist and thrive in the rapidly changing economic landscape that is New York City.

As you know, business improvement districts are legislated partners of the City of New York. Funded and self-sustained by contributions in the form of a special assessment on property owners, business improvement districts have management agreements with the City of New York and are some of the earliest examples of public and private partnerships. At the very heart of what we do is maintaining the stability and growth of small businesses and commercial districts. In 2017, over \$147 million in services were provided by New York City's network of 76 BIDs across all five boroughs, assisting over 93,000 small and micro businesses.

I am here today, as I have been at every Small Business Committee Hearing, because, we, as a city, have not created an environment whereby micro and small businesses can grow nor where small businesses want to or can stay.

The New York City Council Small Business package that has been presented today is a sign that this Council is paying attention to small business – something that we have not seen coming from New York City in a very long time – and a move that we are heartened by. All of the legislation introduced today is not perfect and we look forward to working with the Council to hone and develop areas that are inadequate.

These areas include:

Data – Intro 1049, Intro 1472, and Intro 1473, while well intentioned, lack the proverbial teeth to be of assistance to small business and do not provide sustainable, accurate, or reliable data that can be used in litigation. Additionally, many portions of this legislation rests in the hand of NYC Small Business Services. As you know NYC SBS is a strong partner to the NYC BID Network, however, they have very little enforcement authority, nor do they have the stable internal infrastructure or legal standing to collect reliable data, enforce penalties, and move through likely litigation. At first light, a vacant storefront registry is a very good idea. However, it is only a good idea if the information is accurate. Not all vacancies are vacant – some are in court action, others are being held by a previous tenant, and still others are under construction, or have long term LOIs or in prolonged closing processes. Before New York City legislates this process and gives the City yet another regulation – we would recommend that the City establish a framework whereby all vacancies can be understood for what they are.

The data must also be maintained with weekly reporting regularity – something this legislation does not outline.

In response to Intro 1049, while this data collection would be very helpful and in many cases is already being monitored and tracked through various technology platforms, a report published every five (5) years is essentially useless and does not provide the rapid response necessary to compete and monitor changing trends in the New York City retail and services landscape.

Our recommendation on data would be to go back to the drawing board and present one piece of legislation that tracks all of this information in real time. Other metropolitan cities have similar systems and best practices should be investigated before we clog the legislative system with repetitive regulations seeking the same or similar information.

Business Service Program Offerings – Intro 1471 is redundant. NYC Department of Small Business Services already provides these types of program offerings and tracks its data in its annual Trends Report, as well as through its general yearly data collection from various grant programs the agency oversees.

In addition to the SBS services many BIDs offer business development and anti-displacement programs.

Litigation – We are very much in support of Intro 1410, 1466, 1467, and 1470. We would caution the City's Law Department to undergo significant due diligence to ensure that the City of New York can assist in commercial litigation stemming from eviction proceedings. It is our understanding that there are various liabilities involved in this. In order to have meaningful impact, legal assistance in the area of litigation is essential.

Regarding Intro 1467, this legislation must also include the Law Department and not just NYC Small Business Services. Often agencies are constrained by or hide behind the Law Department, in the areas of understanding all City small businesses laws and rules, but also in categorizing, and disseminating them.

Commercial Developer Fund – This has been something that we have been advocating for over the course of the last several years. It is my hope that this Council can pull best practices from the Industrial Developer Fund and work with the Office of Management and Budget to not just create a program, but create a program that can be used and easily accessed to small, largely immigrant owned businesses. We must be smart about how this is created and implemented. Trust is very hard to build with our communities, but very easy to lose.

Lastly, and this is something that has not been addressed at the Council and is something that I think we like to ignore. In New York City commercial properties pay in approximately 54% to the tax base, yet only represent about 23% of the base.

In roughly 9 out of 10 commercial leases, a share of the property taxes are passed through to the tenant. When our City raises property taxes we are essentially raising rent on the same small businesses that we seek to assist. If we are not going to take a very hard look at that impact then all of this legislation we have discussed today is superficial and a band aid on our small business economy.

The solution to rebuilding New York City's small business backbone is multi-faceted and the legislation introduced today is a step in the right direction, but clearly not enough to create a sustainable and meaningful impact beyond the next election cycle. Whatever the course of action it must be thoughtful, enforceable, and data relevant, while also paying close attention to other pressing issues like trash and commercial waste, the impact of New York City capital projects on small business, opioid and substance misuse, homelessness, non-compliant street vending, and so many other challenges that this Council has the power and resources to address.

While the above points do not illustrate the entirety of challenges New York City has self-imposed they do represent strategic areas for improvement. If the Mayor of the City of New York is serious about creating the fairest big City in America then we must start by ensuring our small businesses have an opportunity to fairly compete in the NYC marketplace.

It is my hope that this brief conversation today can continue a dialogue that changes the course for business development in New York City. If we can even accomplish one or two of these goals we will be in a far better place.

Thank you.



TESTIMONY REGARDING SMALL BUSINESS BILLS
BEFORE THE CITY COUNCIL SMALL BUSINESS COMMITTEE

March 18, 2019

EXECUTIVE DIRECTOR

Andrew Berman

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Justine Leguizamo

Leslie S. Mason

Ruth McCoy

Andrew S. Paul

Robert Rogers

Katherine Schoonover

Marilyn Sobel

Judith Stonehill

Naomi Usher

Linda Yowell

F. Anthony Zunino III

232 EAST 11TH STREET

NEW YORK NY 10003

212 475-9585

WWW.GVSHP.ORG

Good morning Councilmembers, I am testifying on behalf of **Village Preservation**, the *Greenwich Village Society for Historic Preservation*, the largest membership organization in Greenwich Village, the East Village, and NoHo. Small, independently-owned stores in our neighborhoods, as in so many New York City neighborhoods, face tremendous pressure, and in the last few years we have lost an increasing number of long-standing local small businesses due to unsustainable rents and landlord intransigence, among other factors.

It's vital that the City Council do something. We believe that the single most important thing the Council can do is pass the Small Business Jobs Survival Act, which we have been working towards and hope will be released for a vote soon. We know there are some important issues that need to be worked out there, but we also know that time is of the essence on this issue.

We do believe that some of the bills before you today could provide some additional assistance to small businesses. We particularly believe that Intro. 1410-A requiring a certification of no harassment prior to the approval of buildings permits and broadening the definition of commercial tenant harassment, and Intro. 1470 providing legal services to small business owners facing eviction, could be very helpful. Too often small businesses are pushed out of their spaces with little recourse or ability to fight back. Anything that would even the playing field or prevent or discourage landlords from harassing or wrongfully evicting retail tenants would be welcome.

However at the end of the day, what most businesses need to be able to stay and survive is help to ensure that they are offered a lease renewal at a fair and reasonable rate which reflects the market and which they can afford. While the SBJSA does that, none of these bills would. So while they may help, they do not address the core problems that many small businesses face. We hope the Council will do that. In addition to moving on the SBJSA as soon as possible, we would also urge the Council to explore further the possibility of a vacancy tax to discourage property owners from keeping their storefronts empty while they wait for an unrealistically high rent for their space.

Thank you.

The New York City Council
Committee on Small Business
Committee Room - City Hall
March 18, 2019

FOR THE RECORD

Dear Council Members:

My name is Frank DeLeonardis. I am a Board Member of the Fordham Road Business Improvement District and a commercial property owner with six Bronx properties. Thank you for this opportunity to share my views on the proposed legislation that will impact the management of commercial properties throughout New York City. These ten proposals, if enacted, will lead the way to government oversight in an area that until now has been controlled by market forces. Overall, this has worked reasonably well.

Retail leasing has major challenges as a result of internet sales and lack of disposable income in many neighborhoods. The elimination of street parking in favor of express bus lanes as well as restricted traffic patterns has also taken a toll. Shopping centers have proliferated in recent years. The proposed oversight will make the situation worse. Retail diversity is limited in many areas because of poverty. It is for this reason that variety stores, discount stores and dollar stores have proliferated. Most property owners are not pleased with this but vacant stores are often the alternative. This type of retailing seriously impacts the bottom line as these businesses are only able to pay a limited rent.

Proprietary information would be disclosed to those who have access to the data base. In some cases, this will have significant consequences for the property owner. "asking" rent and "negotiated" rent are often quite different.

At present, the Department of Finance obtains actual rental information from property owners through the annual RPIE disclosure forms. This is used to establish assessed valuations and is not a problem as the information is closely guarded by Finance.

The Department of Small Business Services will have to be greatly expanded to meet the new mandates. Millions of dollars in new funding will be needed for a very controversial program, the result of which will be very limited in my opinion. Government intervention has its place; this appears to be overreach in every respect. We are attempting to fix something that appears to be working reasonably well at this time. Thank you for your careful consideration of the issues that I have enumerated.

Yours very truly,

Frank DeLeonardis

Frank DeLeonardis

TESTIMONY – NYC COUNCIL SMALL BUSINESS COMMITTEE HEARING
Monday, March 18, 2019 – 10AM

FROM

David Rose, President
AUTOMOTIVE REALTY CORP
573 E. Fordham Road
Bronx, NY 10458

FOR THE RECORD

RE: Int 1049-2018, Int 1408-2019, Int 1470-2019, Int 1472-2019,
Int 1473-2019

The proposed legislation together will have many undesirable affects. These are just a few:

- To support the proposed legislation, NYC's budget will have to be increased at the usual expense of increasing property taxes, in this case imposed directly and indirectly on property owners
- A massive data collection effort will begin which duplicates certain data already being collected, adds data that until now has been kept private for reasons that should be re-evaluated before changing it
- Increased regulation by government of the real estate industry taking away rights and privacy from property owners
- Limiting free market enterprise
- Puts BIDS in the cross fire having to weigh in on certain aspects of the legislation that aid tenants/merchants at the expense of Landlords
- Furthers the disintermediation of brokers
- Invades the privacy of owners who choose for many reasons not to make their information publicly available
- Makes rent public information; which Landlords and Tenants often do not disclose
- Lack of clearly defined goals, objectives and desired outcomes for most of the proposed local law
- Influencing commercial landlord – tenant court (Housing court) which already favors tenants at the expense of Landlords often costing commercial landlords months of rent before getting possession of storefronts occupied by tenants failing to pay rent
- Paves the way for government to impose additional taxes on owners of vacant property that may be vacant through no fault of their own but because of forces out of their control

Here are some recommendations for the committee to consider:

More thought should be given to the effects of the proposed legislation

Equally important should be a clear statement of goals, objectives and desired outcomes of each proposed local law.

With respect to data being collected, a clear statement should be articulated describing exactly how the newly collected data will be used and the extent to which these proposed local laws may be expanded in the future.

Thanks for your time and consideration.

Testimony of: Bonnie Slotnick

Presented before: The New York City Council Committee on Small Business,
Hon. Mark Gjonaj, Chair

Presented by: Bonnie Slotnick
Bonnie Slotnick Cookbooks
28 E Second St., New York, NY 10003
212-989-8962
bonnieslotnickbooks@earthlink.net

March 18, 2019

Good morning. My name is Bonnie Slotnick, and I am the owner of a 22-year-old business, Bonnie Slotnick Cookbooks, on East Second Street. Believe it or not, I don't sell my books online, and I'm still here.

I would like to testify in support of Intros. 1410A, 1470, 1473, and 1408.

In 2014 my previous landlord, HM Village Realty, refused to renew my lease at 163 West Tenth St. I'd been there since 1999, but had never been given more than a 3-year lease. Every third year I'd be choked with panic wondering if I would be offered a renewal.

The first year on Tenth St. I was billed \$800 for property tax. It was a shock, but there was worse to come: by 2014 the monthly property tax bill was almost equal to my rent.

I endured many sub-freezing winter days and weeks when there was no heat. A recurring leak in the ceiling one day became a cascade of filthy water onto a table full of books—and then took weeks longer to repair. There was an infestation of mice from the basement, for which I had to pay an exterminator and a DOH fine. Had Councilmember Gibson's bill regarding a Certificate of No Harassment been in force at the time, the landlord would not have been able to deny me services to which I was entitled. In fact, I would never have rented space in his building, because it would not have been in compliance.

When my lease came up for renewal in 2014, I braced myself for another rent increase. Instead, I got a letter stating that HMV would not discuss a lease renewal. They didn't answer my phone calls or letters, and when I ran into my landlord on the street, he jumped into his car and slammed the door.

I got the word out about my predicament, and State Senator Hoylman even called to ask if he could help, but I knew there was nothing he could do. Councilmember Levine's bill, providing pro bono legal services, might have helped me negotiate with my landlord.

When I began my search for a new space, I looked at tiny, overpriced storefronts in the East Village, some of them long vacant; a number of them, four years later, are still empty. Councilmember Rosenthal's vacancy registry bill, and the possibility of future penalties, would help stop owners from warehousing retail spaces while they wait for the tipping point of gentrification that will allow them to charge multiples of current rents.

As long as entities like Steve Croman and Icon Realty continue to own property, landlord harassment will continue, and commercial tenants will need City Council's help to stand up to them. We likely wouldn't have lost the Stage restaurant, the Clayworks pottery shop, or the Taste of Lima restaurant if their owners had been afforded the protections being discussed today.

As for Int. 1408, I don't know if it would have applied to Hudson Yards, or to the late unlamented Amazon development, but it will be very welcome wherever it can be enforced. Too many new buildings are designed with a ground floor that is "bank ready," even as bank branches continue to dwindle.



NEW YORK STATE ASSOCIATION FOR AFFORDABLE HOUSING

**Testimony Submitted to the New York City Council, Committee on Small Business
March 18, 2019
Re: Int. 1408**

We at the New York State Association for Affordable Housing (NYSFAH) would like to thank Chair Gjonaj and the Committee on Small Business for the opportunity to submit the following testimony.

The goal of incorporating retail, commercial and community space within the affordable housing projects that NYSAFAH members fund, develop, build and operate is a laudable one. We support efforts to encourage this goal through zoning, incentives, and tools available to City agencies, such as HPD's term sheets. However, the broad and vague mandate offered by **Int. 1408** creates more problems than it solves.

The community where a site, such as an affordable housing project, is being placed is the best source of input on neighborhood need for ground floor space. This may be a pharmacy, a supermarket, a doctor's offices, or it may be a nonprofit provider of senior services or a daycare facility. Some neighborhoods may even have very different opinions on what a chain retailer can bring in terms of affordable products and local jobs.

This give-and-take between community and developers of the site is a healthy and beneficial part of the planning process. This bill would limit those discussions by mandating retail—in fact, non-chain retail—at every site. Further, it necessitates that the administering city agency is the best source for deciding what tenant is preferable, through a “needs assessment” that the bill spells out. We disagree. The best needs assessment comes from the community and its representatives, through a robust pre-development process that involves all stakeholders.

Further, it is a misconception that retail and/or community space is necessarily a cash cow for projects. The tenants that a project can attract and the rents it can generate vary greatly by area—in some areas where our members develop, they are often trailblazers in terms of bringing retail corridors to otherwise underserved areas. It can therefore be impossible to find local comparisons to know what will thrive or fail. It is a risky proposition. Many of these spaces lose money for the projects they are meant to benefit, due to a difficulty to attract tenants and high upfront costs of building out the space.

NYSFAH is eager to discuss with this Committee ways to incentivize retail and commercial space in the affordable housing projects its members develop, but we oppose **Int. 1408** for the above reasons. Thank you for your consideration.

NYSFAFH is the trade association for New York's affordable housing industry, with nearly 400 members, including developers, lenders, investors, attorneys, contractors, architects and others active in the financing, construction, and operation of affordable housing.

Contact: Patrick Boyle, Director of Policy, 646-473-1209

Martin Collins
New York City Council
Committee on Small Business
Hearing Testimony
March 18, 2019

Washington Heights and Inwood had over 3,500 small businesses a decade ago, but in recent years the steady stream of mom-and-pop closures has left scores of storefronts empty on Broadway north of West 155th Street, West 181st Street, Dyckman and West 207th Street, in Manhattan. The job losses have hit the community hard, like a punch to the stomach, and family-owned businesses have lost everything. Citywide there's a starker picture.

Between 2017 and 2018, commercial evictions skyrocketed from 1,720 to 1,841 and through the first two months this year, there has been 349 commercial evictions, which puts us on pace for over 2,000 commercial evictions in 2019, according to statistics from the City Marshal's office.

The real estate firm Douglas Elliman reported that approximately 20 percent of all retail space was vacant, or on the threshold of becoming vacant, well above the five percent vacancy rate economists recognize is healthy.

Small businesses define a neighborhood and the alarming rate of their demise is killing the heart and soul of our communities. We must address this issue now because the vacancy crisis in all five boroughs has reached a precipice. No one should have to face a legal battle with their landlord without the benefit of an attorney.

For this reason, citywide legislation is needed, modeled after the Right to Counsel bill, which in its first full year recorded 84 percent of all tenants who were provided an attorney in Housing Court remained in their homes, per the NYC Office of Civil Justice. That figure exceeded the 77 percent mark projected by the NYC Independent Budget Office.

Many mom-and-pops face various legal issues and don't have access to or cannot afford legal help. We need someone standing with commercial tenants before a judge to hear their case. This legislation will give small business owners the help they need to resolve legal issues without driving them out of business.

I ask the City Council to pass this legislation, Intro. 1470, which will help small businesses fight back against landlords trying to evict them by connecting them to counsel free of charge. Thank you.



Testimony before the New York City Council Small Business Committee
RE: Intro 1049-2018
March 18, 2019

Presented by Matthew Bauer, President, Madison Avenue Business Improvement District

Thank you Council Member Gjonaj and members of the City Council Small Business Committee. My name is Matthew Bauer, and I am the President of the Madison Avenue Business Improvement District, which covers Madison Avenue and its adjacent side streets from East 57th Street to East 86 Streets.

Madison Avenue on the Upper East Side features over 800 businesses, including the flagship boutiques of many of the world's most famous fashion and jewelry designers, and houses over a hundred art galleries and some of the city's most iconic hotels.

We are glad that the Council is considering legislation, such as Intro 1049 (introduced by Council Member Rivera), that would study the state of storefront businesses, although we defer to the Department of Small Business Services regarding details of the legislation. However, any study of the causes and factors relating to vacancies and the ability to sustain the vibrancy of the city's commercial corridors must take into account the rising and uncertain nature of NYC property taxes.

Most retail leases in New York City require commercial tenants to pay their respective share of the increase in local property taxes charged beyond the base, or first year of the lease. While a prospective store or restaurant can see in the lease the amount of rent they would need to pay in each year of the term of the lease, neither the prospective tenant nor property owner can easily judge what the increases in taxes shall be.

For example, property taxes at 888 Madison Avenue have gone up 54% from June 2015 to June 2016, up another 40% from June 2016 to June 2017, and up another 22% June 2017 to June 2018. Indeed, some commercial buildings on Madison Avenue have had their real estate taxes go up 15 percent over the past three years, others between 20 and 40 percent over the past three years, while others up over 140% from 2015 to 2018. This wide berth in the rate of NYC property tax increases provide not only a real challenge for businesses to afford, they further discourage businesses to make a longer-term commitment to a spot on corridors such as ours where a significant component of ones fixed costs could rise so dramatically.

To succeed, businesses need the tools by which to budget their expenses over time. Building out a new store or restaurant is certainly a long haul commitment. For both property owners and retail tenants alike, there needs to be transparency and consistency from City government as how much of their income they must allocate in the coming years to meet their property tax responsibilities to New York.



Brooklyn Legal Services Corporation A

TESTIMONY OF
BROOKLYN LEGAL SERVICES CORPORATION A,
A MEMBER OF THE UNITED FOR SMALL BUSINESS NYC COALITION

PRESENTED BEFORE:

The New York City Council
Committee of Small Business
Hon. Mark Gjonaj, Chair

Monday, March 18, 2019

PRESENTED BY:

Samantha Rauer, Senior Staff Attorney
Brooklyn Legal Services Corporation A
619 Throop Avenue, 3rd Floor
Brooklyn, NY 11225
(718) 487-2300

1. Introduction

Good morning Chairman Gjonaj and members of Committee on Small Business. Thank you for holding this important hearing, and for the opportunity to testify today.

I am a Senior Staff Attorney at Brooklyn Legal Services Corporation A (“Brooklyn A”) in the Community and Economic Development Program, and we’re a member of the United for Small Business NYC (USBnyc) Coalition. Brooklyn A’s mission is to advance economic and social justice through high-quality legal representation and neighborhood-based advocacy. For over 40 years, Brooklyn A’s Community and Economic Development Program has provided legal services to community-based organizations and community development corporations, and recently has expanded its scope to provide assistance to small businesses throughout New York City through the city-funded Commercial Lease Assistance Program.

I submit this testimony to comment on the potential impact of the small business bills being discussed today for our client population, particularly Int. No. 1473, which would establish a vacant storefront registry; Int.1410-A, which would create a certificate of no harassment pilot program (“CONH”) for commercial buildings; and Int. No. 1470, which would expand access to legal services for small business tenants.

2. Our Clients

Through my work on the Commercial Lease Assistance Program, I have experienced firsthand how little leverage small business tenants have in fighting against neighborhood displacement. Small commercial tenants typically have very limited rights under their written lease (if they have one at all) and frequently experience landlord harassment as a result. In addition, without any obligation to renew a commercial lease or maintain affordable rent, landlords can easily displace small business tenants for any reason.

Common forms of landlord harassment that we’ve seen include landlords refusing to make necessary repairs or cutting off essential services to tenants. Under the standard commercial lease, there is no warranty of habitability and no right to a rental abatement for bad conditions.

For example, one Brooklyn A client Mr. W recently rented out a new space where he plans to open a hair salon. The space is located on the same block in Flatbush where Mr. W grew up and lived for over twenty years. In his own words, “the reason I wanted to open the salon at this location is it is on the block I lived on since I was 14. I always wanted to have something in the neighborhood.” Shortly after he signed a lease for his salon, Mr. W learned that there was illegal PVC plumbing throughout the building. After questioning his landlord on the matter, the landlord cut off the water supply to the hair salon and began threatening to evict Mr. W if he couldn’t fix the plumbing problem himself. Mr. W has invested over \$50,000 in the business already, but remains unable to open without running water and is still being charged ongoing rent.

Another one of Brooklyn A's clients was forced to shut down his dry cleaning business last fall, after new ownership took over his mixed-use building in Bushwick. Mr. L moved to Brooklyn from Puerto Rico in 1979, and had operated his dry cleaning business in the same location for 22 years under a month-to-month oral agreement. He was not aware, until connecting with Brooklyn A, that a month-to-month tenancy could be terminated at any time. By then, it was too late, since the new owner refused to offer him a new lease and had issued him a notice to terminate. I spoke with Mr. L last Friday and he confirmed that his former dry cleaning space has remained vacant and untouched since last fall. He reports that most of the residential units in the building are also vacant and the building is slowly undergoing renovation.

3. Support & Recommendations

- a. Vacant Storefront Registry: Brooklyn A strongly supports this registry, which would require building owners to pay a fee to register vacant commercial spaces, or be subject to civil monetary penalties for failure to register. In order to effectively discourage owners from displacing tenants, we recommend that the registration fee and penalties be imposed for *each* three-month registration period, and that the amount of the fees and penalties gradually increase as the vacancy period increases. We also recommend that a building owner be required to submit a signed written lease in order to be removed from the registry. Finally, we recommend that there be public access to the registry, as well as a means for members of the public to report unregistered vacant storefronts.
- b. CONH Program: We strongly support this bill, which would strengthen the existing commercial tenant harassment law and expand the impact of the existing residential CONH Program. We recommend that the program be implemented citywide, instead of as a pilot program. We also recommend that the program include funding for community outreach and education, and that community groups be involved in the implementation of the CONH initiative.
- c. Legal Services Expansion: There is a clear need for increased access to legal services for small business tenants, and Brooklyn A supports the expansion of funding to assist small business owners at imminent risk of eviction. We recommend that the Committee elicit feedback from legal services providers, including those with experience with residential landlord-tenant representation, on how to effectively expand access to legal services for small business owners.

Thank you again for your work on these vitally important matters. Small business owners make up the fabric of New York, and commercial displacement is cultural displacement. On behalf of Brooklyn A and USBnyc, we appreciate the Committee on Small Business's interest in strengthening protections for small business owners across the city.

**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: Genevieve Michel

Address: HPD

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: 3/18/19

(PLEASE PRINT)

Name: Michael Beatty

Address: 2825 Third Avenue

I represent: Third Avenue BTD

Address: Southern Blvd BTD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1472-A Res. No. _____

in favor in opposition

Date: 3/19/19

(PLEASE PRINT)

Name: Gile Brewery, Manhattan Borough President

Address: 1 Centre Street

I represent: _____

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: 3/18/19

(PLEASE PRINT)

Name: Sheelah Feinberg

Address: One Centre St

I represent: NYC Dof

Address: _____

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

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Carl Laska

Address: 375 Pearl St

I represent: Dept of Finance

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: 3/18/19

(PLEASE PRINT)

Name: Sheelah Feinberg

Address: One Centre St

I represent: NYC Dof

Address: _____

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gregg Bishop, Commissioner

Address: 110 William Street

I represent: NYC SBS

Address: 110 William Street

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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: _____

(PLEASE PRINT)

Name: Will Spisak

Address: _____

I represent: Chhaya CDC

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: _____

(PLEASE PRINT)

Name: MANNY GOMEZ

Address: 50-05 45th Ave Apt 21 Woodside

I represent: SUNNYSIDE CHAMBER OF

Address: SUNNYSIDE NY COMM EXCE

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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: 3/18/19

(PLEASE PRINT)

Name: Laura O'Reilly

Address: 265 Canal St., NY, NY

I represent: Wallplay

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1416, 1470 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: HARRY BUBBINS

Address: 232 E 11th

I represent: VILLAGE PRESERVATION

Address: 22

**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: MARTIN COLLINS

Address: 50 PARK TERRACE EAST

I represent: _____

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: March 18, 2019

(PLEASE PRINT)

Name: Mary Ann Rothman
Address: 110 Riverside Drive, NYC 10024

I represent: CNYC - Council of NY Cooperatives & Condominiums
Address: 250 W 57 St # 730 NYC 10027

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1472/3 Res. No. _____

in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: Laura Sewell
Address: 441 E 12th St 3C

I represent: East Village Community Coalition
Address: 143 AVE B Simplex

**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: Loycent Gordon
Address: 87 48 78th St Woodhams NY 11781

I represent: NEIR'S TAVERN
Address: SAME

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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: 3/18/19

(PLEASE PRINT)

Name: Samantha Rauer

Address: 619 Throop Ave, Brooklyn NY

I represent: Brooklyn Legal Services Corporation

Address: _____ A

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1970 Res. No. _____

in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: Ivia Cardozo

Address: 40 Worth St, Suite 800, NY NY

I represent: Volunteers of Legal Service

Address: 40 Worth St. NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: Judith Hill

Address: 123 William St, 16th Floor, NY NY 10038

I represent: Community Development Project, @ UIC

Address: Same

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

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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: 3/18/2019

(PLEASE PRINT)

Name: OLYMPIA K421

Address: _____

I represent: NYC ARTIST COALITION

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: 03/18/2019

(PLEASE PRINT)

Name: Minister Akoom Walker

Address: 132 E 43rd St Brooklyn NY 11203

I represent: United Small Business Owners

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: 3/16/19

(PLEASE PRINT)

Name: ABIGAIL ELLMAN

Address: 101 E 4th St. NY NY 10003

I represent: COOPER SQUARE COMMITTEE

Address: 101 E 4th St. NY NY 10003

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. 1410 etc Res. No. _____

in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: Bonnie Slotnick

Address: 68 W 10 St

I represent: Bonnie Slotnick Cookbooks

Address: 28 E 2 St NYC 10003

**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: Lenca Afridi

Address: _____

I represent: ANHD

Address: 50 Broad St Suite 1402 NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1410, 1470 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mohamed Attia

Address: _____

I represent: Street Vendor Project

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. SMALL BUSINESS Commercial Lease Res. No. PACKAGE
 in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: JAMIE Burkart

Address: 196 Clinton Ave

I represent: NYC Artist Coalition

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1049, 1466, 1467, 1470, 1471, 1472, 1473 Res. No. _____
 in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: Kathleen Reilly

Address: _____

I represent: New York State Restaurant Assn.

Address: 315 W. 36th St. NY, NY 10018

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

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

Date: _____

(PLEASE PRINT)

Name: Danielle Christenson

Address: 166 AVENUE OF THE AMERICAS

I represent: GOD'S Love we Deliver

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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

in favor in opposition

Date: 3/18/19

(PLEASE PRINT)

Name: TAYLOR KATHERINE

Address: _____

I represent: MUNICIPAL ART SOCIETY

Address: 488 MADISON AVE

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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: 3/18

(PLEASE PRINT)

Name: Rob Bookman

Address: _____

I represent: NYC HOSPITALITY ALLIANCE

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: 3/18

(PLEASE PRINT)

Name: ANDREW RIGIE

Address: 65 W 53 ST #203A

I represent: NYC HOSPITALITY ALLIANCE

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. 1049-2018/1408-2019, Res. No. 470-2019

in favor in opposition

Date: 3/18/19

Name: Wilma Alonso (PLEASE PRINT) on behalf of Fordham BID

Address: _____

I represent: David Rose - Automotive Realty

Address: 573 E Fordham Road

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1049-2018 Res. No. _____

in favor in opposition

Date: 10/3-2019
11/20-2019
11/22-2019
11/27-2019

Name: Frank DeLeonardis (PLEASE PRINT)

Address: 15 Laurel Road

I represent: Fordham Road Business

Address: Implementation

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