

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDING,  
JOINT WITH CAPITAL BUDGET

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March 22, 2019  
Start: 10:41 a.m.  
Recess: 3:05 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Robert E. Cornegy, Jr.  
Co-Chairperson

Vanessa L. Gibson  
Co-Chairperson

COUNCIL MEMBERS: Margaret S. Chin  
Barry Grodenchik  
Carline Rivera  
Helen Rosenthal  
Mark Gjonaj  
Bill Perkins  
Keith Powers  
Steven Matteo

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

Thomas Fariello  
Acting Commissioner  
New York City Department of Buildings

Sharon Neil  
Deputy Commissioner

Patrick Wehle  
Assistant ~~Commissonier~~Commissioner  
External Affairs

Eric Enderlin  
Acting Commissioner  
HPD

Molly Park  
Deputy Commissioner for Development  
HPD

Eva Trimble  
Executive Deputy Commissioner  
HPD

AnnMarie Santiago  
Deputy Commissioner for Enforcement and  
Neighborhood Services  
HPD

Members of HPD Senior Leadership Team

Leroy Alexander

Victoria Wolf

Harold Alexis

Benjamin Dulchin

Ramon Leclerc

Felix Guzman

Julia Durante Martinez

Cynthia Green

Wanston Williams

Andrew Lewis

Isabel Adon

Bernadette Delvin-Steed

Rosa Rodriguez

Donna Gray

Luisa Rodriguez

Lucy Woody

Demaris Rodriguez

Greg Waltman

Jackie Del Valle

Charisma White

James Harvey

Joy Clark

Barry Weinberg

Aida Tejado

Caroline Nagy

Shane Correia

Sam Chiera

Nicole "Nicky" Johnson

~~Tawaki Camacho~~ @Towaki Komatsu

@



2 [sound check] Today is March 22, 2019.

3 Today's hearing is on Housing and Buildings, joint  
4 with Capital Budget, being record by Sharice Torres.

5 [pause]

6 CHAIRPERSON CORNEGY: Good morning and  
7 thank you all for coming to today's hearing on the  
8 fiscal year 2020 preliminary budget for the  
9 Department of Buildings and the Department of Housing  
10 Preservation and Development. I'm Council Member  
11 Robert Cornegy and I'm the chair of the council's  
12 Committee on Housing and Buildings, and I'd like to  
13 acknowledge that I'm joined by Council Member  
14 Grodenchik and Council Member Chin. We're here to  
15 conduct an oversight hearing on the fiscal year 2020  
16 preliminary budget, the preliminary capital plan for  
17 fiscal years 2019 to 2023 and the fiscal 2019  
18 preliminary Mayor's Management Report. We'll first  
19 hear from DOB, where we will examine all components  
20 of DOB's 194 million dollar expense budge and 327  
21 million dollar revenue budget, along with details and  
22 progress related to construction site safety and  
23 training compliance and enforcement efforts related  
24 to recently enacted legislation. Local Law 196 of  
25 2017 mandated new construction site safety training

2 requirements for workers of all 45,000 active  
3 construction sites citywide. However, recent  
4 performance indicators from the administration reveal  
5 that the number of construction-related injuries and  
6 accidents has increased in the current fiscal year.

7 In conjunction with these alarming trends, DOB has  
8 been tasked with identifying 12 million in savings by  
9 the fiscal year 2020 executive budget next month.

10 The committee would like to glean additional details  
11 on where DOB would seek these savings and whether its  
12 enforcement efforts will be negatively impacting.

13 After DOB we'll be joined by my co-chair, Council  
14 Member Vanessa Gibson, and we will hear from HPD. I  
15 would like to thank DOB for joining us today. We'll

16 now swear in representatives from DOB before turning  
17 it over for testimony. Raise your right hands,

18 please. Do you affirm to tell the truth, the whole  
19 truth, and nothing but the truth in your testimony

20 before this committee and to respond honestly to  
21 council member questions?

22 UNIDENTIFIED: I do.

23 UNIDENTIFIED: I do.

24 UNIDENTIFIED: I do.

2 CHAIRPERSON CORNEGY: Thank you. You may  
3 begin with your testimony. Good morning, by the way,  
4 I'm sorry.

5 UNIDENTIFIED: Good morning.

6 UNIDENTIFIED: Good morning, Chair Cornegy  
7 and members of the Housing and Buildings Committee.

8 I am Thomas Fariello, acting commissioner of the New  
9 York City Department of Buildings. I am joined by  
10 Sharon Neil, Deputy Commissioner of Finance and  
11 Administration, and Patrick Wehle, Assistant  
12 Commissioner of External Affairs, and other members  
13 of my senior staff. The fiscal year 2020 preliminary  
14 budget allocates approximately 194 million in expense  
15 funds for the department. Of this funding,  
16 approximately 158 million is for personal

17 ~~services~~services, funding for 193 budget employees,  
18 and 36 million is for other than personal service.

19 The department is a revenue-generating agency and as  
20 such is expected to generate approximately 327  
21 million in fiscal year 2020, which does not include  
22 the more than 70 million in ~~penalties~~penalties the  
23 city is expected to collect as a result of OATH/ECB  
24 violations issued by the department. The fiscal year  
25 2020 preliminary budget adds approximately 2.5



1 million in new funding, which allows the department  
2 to hire an additional 35 positions to represent the  
3 department at OATH. THIS funding accommodates a  
4 change in OATH's hearing schedule, whereby the  
5 department cases will be heard four days per week in  
6 the busiest boroughs instead of the current one day  
7 per week. This change will reduce wait times for  
8 ~~respondants~~respondents and ensure that the department  
9 is able to appear on all cases. I would now like to  
10 highlight the department's work over the past year.  
11 The department continues to make tremendous progress  
12 in improvement service to its customers and  
13 protecting the public by rigorously enforcing the  
14 laws and regulations that govern the more than one  
15 million buildings and 45,000 active construction  
16 sites under its jurisdiction, all while facing a  
17 scale of construction unparalleled in the city's  
18 history. In fiscal year 2018 the department  
19 ~~isused~~issued approximately 173,000 initial and  
20 renewal construction permits combined, a nearly 5%  
21 increase from fiscal year 2017. Of these e permits,  
22 111,000 were initial construction permits and the  
23 remaining 62,000 were renewal permits. Despite the  
24 slight uptick in construction activity, our plan  
25

2 review times remain well below target. On average,  
3 we are completing our initial plan review for new  
4 buildings and major alterations in less than six  
5 days. And for minor renovations in less than two  
6 days. For plans filed electronically, on average we  
7 are completing our initial plan review for new  
8 buildings and major alterations in four days, and for  
9 minor renovations in less than a day. These plan  
10 review times can be attributed to the hiring of  
11 additional plan examiners and the development of plan  
12 examination guidelines for a wide variety of  
13 projects, which help ensure that plan review is  
14 efficient and consistent. Department inspectors  
15 conducted approximately 188,000 development  
16 inspections in fiscal year 18. ~~Despite~~Despite the  
17 uptick in construction activity, the wait time  
18 between the development inspection request and an  
19 inspection continues to decrease across the board.  
20 The wait time for general construction inspection was  
21 under three days, for an electrical inspection under  
22 four days, and for a plumbing inspection. Wait times  
23 for development inspections have decreased nearly 40%  
24 from just two years ago. Progress on development  
25 inspection service levels can be attributed to the

2 hiring of additional inspectors and efficiencies  
3 gained from the implementation of DOB NOW  
4 inspections, which allows for nearly all types of  
5 development inspections to be scheduled online.  
6 Concerning development, the department continues its  
7 efforts to maintain the city's building construction  
8 standards. We are in the midst of committee work to  
9 revise the construction codes, which were last  
10 updated in 2014. The amendments to the plumbing  
11 code, traditionally the first of the codes to be  
12 completed, have been transmitted to the City Council  
13 with the hopes of being introduced for public hearing  
14 soon, with the balance of the amendments to the  
15 construction codes being estimated for submission to  
16 the City Council by the end of 2019. These  
17 amendments will bring the city's construction codes  
18 up to date with the 2015 International Code Council  
19 Family of Codes, the national model code for  
20 construction. The department is also in the process  
21 of revising the city's energy conservation code, last  
22 updated in 2016. To bring the city sustainability  
23 requirements in line with Local Law 32-2018, which  
24 required more stringent energy efficient standards  
25 for certain buildings and the ~~NYSERD~~DAN YSE RDA Stretch

1  
2 Energy Code. These amendments are estimated to bring  
3 14% energy saving stomach projects complying with  
4 such standards. We anticipate these revisions being  
5 submitted to the City Council for adoption this fall.  
6 We have also kicked off for the first time in seven  
7 years revisions to the city's electrical code. In  
8 all, the department is managing 23 stakeholder  
9 committees with almost 795 members from across the  
10 spectrum of those impacted by construction, including  
11 architects, engineers, developers, labor  
12 representatives, manufacturing association, and our  
13 agency partners. In 2018 alone committee membranes  
14 met for more than 24,000 hours, over 205 meetings,  
15 which is a significant committee of time and  
16 expertise to ensure our codes are representative of  
17 the city. The department is also managing an effort  
18 to develop a code for waterfront structures to  
19 address the types of existing and future waterfront  
20 structures types in the cities. The project is  
21 kicked off in code development and operational  
22 research activities will launch next month. The  
23 project will continue over multiple years with the  
24 city's consultant providing recommendations on the  
25 development, adoption, and implementation of a

2 waterfront code and agency operations for the city.

3 The department also continues to make progress in

4 responding to complaints from the public

5 expeditiously. We received nearly 17,000 Priority A

6 complaints in fiscal year 2018. A complaints capture

7 violating conditions that if occurring present an

8 immediate threat to the public and includes unsafe

9 demolition, building instability, and improper

10 egress. It should also be noted that the department

11 is now treating complaints that allege that work is

12 being conducted without a permit in an occupied

13 building as an A complaint. While our target to

14 respond to these complaints is 24 hours, we responded

15 in 10 hours of receipt and even faster for the most

16 serious cases, down 50% from nearly 20 hours just two

17 years ago. We also received 78,500 Priority B

18 complaints in fiscal year 2018. B complaints capture

19 violating conditions that if occurring, while

20 serious, do not present an immediate threat to the

21 public. These includes complaints of excessive

22 construction debris, cracked retaining walls, and

23 tampering with posted notices. While our target to

24 respond to these complaints is 40 days, we respond

25 within 13 days. That is down 70% from the nearly 43

2 days just two years ago. As a result of responding  
3 to such complaints and our proactive enforcement  
4 concerning safety and tenant protection, the  
5 department issued more than 84,000 OATH/ECB  
6 violations, a nearly 75% increase from just four  
7 years ago. The department also continues to issue  
8 its monthly enforcement bulletins, which are publicly  
9 available on our website and which detail the  
10 department's actions to sanction and deter bad actors  
11 in the construction industry through the enforcement  
12 of safety laws and codes of conduct for construction  
13 professionals. Last year enforcement actions  
14 resulted in the city's collection of nearly 75  
15 million dollars in penaltiespenalties as a result of  
16 OATH/ECB violations issued by the department.

17 Additionally, the department continues to take action  
18 to spend and/or revoke the licenses, registrations,  
19 or filing privileges of professionals who work  
20 unsafely and put their lives and the lives of others  
21 at risk. In 2018 the department took disciplinary  
22 action against 100 licensees, including revoking or  
23 suspending the licenses of 10 individuals or  
24 corporations and 22 design professionals either  
25 surrendered filing privileges or had them revoked.

2 Notable disciplinary actions are highlighted in the  
3 monthly enforcement bulletin. Construction safety  
4 continues to be a focus of the department. The  
5 department has hired additional enforcement  
6 inspectors, increased ~~penalties~~penalties for safety  
7 violations, required safety professionals on more  
8 construction sites, and strengthened education and  
9 outreach programs, while working with industry  
10 professionals to raise awareness about best safety  
11 practices. While the number of industries increased  
12 slightly in 2018, the number in fatalities has  
13 remained the same for the past four years. Such  
14 increases in accidents could be contributed to the  
15 uptick in construction activity and required safety  
16 professionals on more construction sites reporting  
17 accidents that have previously gone unreported. The  
18 bottom line is that construction is dangerous and  
19 workers and their supervisors need to be trained to  
20 ensure that construction work can proceed in a safe  
21 manner. The department is hard at work implementing  
22 Local Law 196-2017 and would like to thank the City  
23 Council and particularly this committee for its  
24 partnership on the important issue of construction  
25 safety. When fully phased in, Local Law 196 will

2 require that workers at many job sites receive 40  
3 hours of safety training and that supervisors of such  
4 job sites receive 62 hours of safety training. Since  
5 the enactment of Local Law 196 the department has  
6 been hosting numerous information sessions for all  
7 facets of the construction industry and has also been  
8 providing regular updates concerning the law's  
9 implementation through a number of different channels  
10 reaching many thousands of stakeholders. Leading up  
11 to the second and third major implementation  
12 milestones, June 1, 2019, and September 1, 2020,  
13 respectively, the department continues to perform  
14 outreach to stakeholders and is monitoring capacity  
15 to ensure that all workers and supervisors are able  
16 to receive the training they need to continue working  
17 safely on construction sites. Additionally, to hold  
18 construction professionals accountable for  
19 prioritizing safety on their construction sites, the  
20 department launched a new construction safety  
21 compliance unit in September 2018. The CSE unit,  
22 which when fully staffed will have 50 dedicated  
23 inspectors, is tasked with performing proactive  
24 periodic safety inspections on all active  
25 construction sites, including ensuring that workers



2 and supervisors have the training required by Local  
3 Law 196. To date, the CSE unit has performed over  
4 6000 inspections, which resulted in the issuance of  
5 3000 violations and 1000 stop-work orders. The  
6 department is also hard at work protecting tenants  
7 living in buildings under construction. Last year  
8 the department implemented over a dozen laws aimed at  
9 combating the issue of construction as harassment.  
10 As previously mentioned, the department is  
11 prioritizing its inspection of work without permit  
12 complaints related to construction work in an  
13 occupied building. It is required more detailed  
14 tenant protection plans. It is performing proactive  
15 inspections to ensure that tenant protection plans  
16 are being complied with and is ordering more  
17 professionally certified applications for work in  
18 occupied buildings. The department also launched the  
19 Office of the Tenant Advocate over the summer, which  
20 serves as a resource to help tenants understand the  
21 laws that govern construction and to investigate  
22 complaints of construction as harassment. The  
23 department looks forward to working with the City  
24 Council on measures to further increase protections  
25 for tenants, particularly to shift the burden of

2 creating and submitting a tenant protection plan to  
3 the department from owners to contractors, and making  
4 construction sites for which such plans are required  
5 subject to periodic special inspections. Given that  
6 contractors are performing the work, they are in a  
7 far better position than owners to determine the  
8 means and methods for protecting the tenants from  
9 construction. This reform will greatly improve the  
10 quality of and compliance with tenant protection  
11 plans. The multi-year replacement of the  
12 department's core information system is also  
13 progressing as we continue to shift additional filing  
14 types off the mainframe system that the department  
15 has relied on for over 30 years to a new browser-  
16 based system called DOB NOW. Upon completion  
17 customers will be able to perform virtually all  
18 interactions with the department online and the  
19 system will also result in increased transparency,  
20 both externally and internally. The department  
21 recognizes the significant impact that construction  
22 can have on the public. As such, the department has  
23 made enormous strides in improving the public's  
24 access to its data. The public now has more access  
25 to the department's data than ever before. For

2 example, Building on My Block, which is a searchable  
3 online database that is organized by committee board  
4 for easy reference, allows users to search by  
5 property, address, or community board to find major  
6 projects near them. Over the last year the  
7 department also released a real-time Construction on  
8 Your Block map, which allows users to identify the  
9 status of all major construction projects and an  
10 elevator report which shows the history, current  
11 status, and vital statistics of more than 84,000  
12 elevators. Additionally, earlier this money we  
13 released an Interactive Building Profiles map, which  
14 shows the location of each of the more than 128,000  
15 buildings in the city that have had interactions with  
16 the department in the last year. The Interactive  
17 Building Profiles map includes information on  
18 construction permits issued, complaints generated,  
19 inspections—~~conducted~~~~conducted~~, violations  
20 issued, and construction-related accidents to which  
21 the department responded. We thank the council for  
22 the continued support and look forward to continuing  
23 our work together to improve the department for the  
24 benefits of all New Yorkers, and we welcome any  
25 questions you may have.

2 CHAIRPERSON CORNEGY: Thank you for your  
3 testimony. I'm going to begin, oh, first I want to  
4 just recognize that we've been joined by Council  
5 Members Rosenthal and Rivera. I will begin by  
6 addressing a few questions on construction site  
7 safety and training compliance. So DOB added  
8 resources to the fiscal 2019 preliminary plan  
9 totaling 13.2 million for the hiring of 145 positions  
10 related to construction site safety enforcement and  
11 compliance, with the new construction safety training  
12 law pursuant to Local Law 196 of 2017. How many  
13 inspections have been conducted and how many  
14 instances of noncompliance has DOB found?

15 THOMAS FARIELLO: So, Chair, specific to  
16 Local Law 196 the CSE inspectors have found 71 job  
17 sites where 210 workers did not have the required  
18 training, and 724 violations and 67 stop-work orders  
19 were issued on these sites.

20 CHAIRPERSON CORNEGY: How many course  
21 providers have been approved and how many applied  
22 since the effective date of Local Law 196?

23 THOMAS FARIELLO: Currently we have 53  
24 course providers offering training.

2 CHAIRPERSON CORNEGY: How many total  
3 course providers are currently offering this site  
4 safety training?

5 PATRICK WEHLE: Good morning, Mr. Chair.  
6 There are a total of 53, as the acting commissioner  
7 said, DOB-approved course providers providing  
8 training, but there is also another universe of folks  
9 who are providing training as well, as you know.  
10 Within the site safety training there's also training  
11 required for OSHA 10 and OSHA 30. So there's in  
12 addition to the DOB-approved course providers,  
13 there's a much larger universe of OSHA providers, who  
14 are providing OSHA training as well.

15 CHAIRPERSON CORNEGY: Do we know that, I  
16 mean, do we know the number in that universe? Those  
17 are nonprofits, I'm assuming.

18 PATRICK WEHLE: It runs the gamut. It  
19 does include nonprofits. They are OSHA providers, so  
20 we don't regulate them. It is a significant size,  
21 but we don't we don't have the exact number.

22 CHAIRPERSON CORNEGY: OK. Does DOB  
23 believe that the number of course providers is  
24 sufficient to meet the second compliance date, which  
25 is June 2019.

2 THOMAS FARIELLO: Well, I think, you  
3 know, we are, we're concerned. I think everyone is  
4 concerned that everyone, we want everyone to meet the  
5 deadline, and so in our speaking with the course  
6 providers, you know, they feel that they have enough  
7 capacity to deliver these courses. However, like  
8 right now the courses are not being filled, right? So  
9 if every day the courses were being, you know,  
10 attended by 100% then they will have capacity. But  
11 most people seem to be procrastinating, waiting for  
12 the June deadline and so this is a concern that we  
13 have that, you know, there are not going to be enough  
14 courses because everyone is pushing it to the end,  
15 right, so we're trying to get outreach and we welcome  
16 any effort that the council may have to help to get  
17 it out that we want people to go these courses and  
18 take them right away and not wait until the end,  
19 because there may not be enough out there and you may  
20 be shut out.

21 CHAIRPERSON CORNEGY: So I'd like to talk  
22 to you offline about maybe some recommendations that  
23 you have and that we can share about getting that  
24 number up before the deadline, because that's a  
25 concern that we share as well here at the council.

2 THOMAS FARIELLO: Absolutely.

3 CHAIRPERSON CORNEGY: So how many workers  
4 need to be trained by such a ~~compliance~~compliance  
5 date?

6 THOMAS FARIELLO: So the best data that  
7 we have available comes to us from the New York State  
8 Department of Labor and the State Department of Labor  
9 tells us there's about 150,000 workers who work in  
10 building construction in New York City. However,  
11 that's an imperfect number for our purposes because  
12 that number largely under counts transient workers,  
13 such as day laborers, and the other thing we need to  
14 consider is also that, as you may know, Local Law 196  
15 does not require this training for all building  
16 construction workers, only for those jobs that  
17 require licensed safety professionals. So in certain  
18 respects this number over counts as well.

19 CHAIRPERSON CORNEGY: The last question  
20 that I would like to ask on site safety before I  
21 allow my colleagues to ask questions is DOB recently  
22 announced it has established a construction safety  
23 compliance unit. How many staff are dedicated to  
24 this unit and what is the annual cost to run that  
25 unit?

2 THOMAS FARIELLO: OK, so the construction  
3 safety compliance unit is budgeted at 4.1 million.  
4 We have funding for 59 positions, so 50 of those  
5 positions are inspectorial, three technical, and six  
6 clerical staff, so that's the 59 total.

7 CHAIRPERSON CORNEGY: Is that sufficient?

8 THOMAS FARIELLO: Yes, we feel that's  
9 sufficient.

10 CHAIRPERSON CORNEGY: What's the annual  
11 cost?

12 THOMAS FARIELLO: It's budgeted at 4.1  
13 million.

14 CHAIRPERSON CORNEGY: OK, thank you. I'm  
15 going to allow my colleagues to field a few  
16 questions, starting with Council Member Rosenthal.

17 COUNCIL MEMBER ROSENTHAL: Thank you so  
18 much, Chair, and Commissioner, nice to meet you. I  
19 look forward to meeting you and sitting down and  
20 talking. So I'm going to be asking about the Office  
21 of the Tenant Advocate and really appreciate the work  
22 that you guys have done implementing this office.  
23 Right now it's in the budget for two people to work  
24 there, is that right?

25 THOMAS FARIELLO: That's correct.



2 COUNCIL MEMBER ROSENTHAL: And there's  
3 one person there now. Have you hired a second  
4 personens?

5 THOMAS FARIELLO: Yeah, we have selected  
6 a candidate and they're going through the hiring  
7 process right now.

8 COUNCIL MEMBER ROSENTHAL: OK.

9 THOMAS FARIELLO: We expect that to  
10 happen in a couple weeks.

11 COUNCIL MEMBER ROSENTHAL: OK. One of  
12 the, could I ask the you look into the Mayor's Office  
13 of Special Enforcement, which is an office that does  
14 very similar work as the Office of Tenant Advocate,  
15 but they are laser focused on buildings that are  
16 switchover to illegal hotels, and what they do is go  
17 to a building or an apartment and notice if there are  
18 transient people there, you know, using it as a  
19 hotel, and when we, the de Blasio administration  
20 started there was something like 12 people in that  
21 office. Now they are up to, I think, hang on,  
22 they're up to 51 employees and their enforcement has  
23 reflects, the work they do reflects that growth in  
24 employees and they're now inspecting many more  
25 buildings, following up on complaints, and they have

2 now set up a data system so they can proactively look  
3 at buildings, given the pattern of where these  
4 buildings are and the nature of the illegal activity,  
5 and they have able to close and keep safe all the  
6 people in the buildings who are not renting out their  
7 apartments like hotels. Currently when we envision  
8 the Office of the Tenant Advocate we thought of it in  
9 a very similar way, that this could be an office that  
10 would have a data analytic team, it could have  
11 perhaps building inspectors that specifically worked  
12 in the Office of the Tenant Advocate that could  
13 follow up on complaints, identify patterns, and do a  
14 lot more work. Would you consider asking for more  
15 staff for this office? I've noticed that the director  
16 has come to see it as a place that could really be  
17 used to enforce the new tenant harassment laws, etc.

18 THOMAS FARIELLO: I think I'd like to  
19 hear your vision a little bit more, and I think we  
20 could sit down and I could hear what you're thinking,  
21 and I can also see how we can maybe incorporate it  
22 into our everyday business. Because we have an  
23 analytics team already. I really would not want to  
24 duplicate services that we're doing in the department  
25 now, you know, to be, OK, here's this group, here's

2 this isolated group and they're doing  
3 ~~somehings~~something. I already have a group that does  
4 analytics, where, you know, this is how we're using  
5 the Office of the Tenant Advocate now is that they  
6 don't have dedicated inspectors to the unit. But we  
7 have inspectors that they go out and do these  
8 inspections, and so the same with plan reviews and  
9 all that, we share the resources that we have  
10 already. So, you know, even though it sounds there's  
11 only two people that are in this unit it's really,  
12 you know, the whole agency that supports them, right?  
13 And so, you know, the Mayor's Office of Special  
14 Enforcement is this separate entity that other  
15 agencies [inaudible]. Like, we have inspectors and  
16 they do that, and so they're sharing from these other  
17 agencies and they're separated from them. So I'd to  
18 sit down with you and...

19 COUNCIL MEMBER ROSENTHAL: Great.

20 THOMAS FARIELLO: ...you know, hear what  
21 you're thinking.

22 COUNCIL MEMBER ROSENTHAL: Great, and  
23 follow up with you. Thank you so much.

24 CHAIRPERSON CORNEGY: I'm sorry. Council  
25 Member Rivera?

2 COUNCIL MEMBER RIVERA: Thank you, Chair  
3 Cornegy. Thank you so much for your testimony and  
4 for being here, and to everyone who is taking time  
5 out to be at this hearing. According to some of the  
6 data that we have, the number of building permits has  
7 steadily increased in recent years, but in 2018 DOB  
8 issued permits decreased a bit. Would you agree with  
9 that data?

10 THOMAS FARIELLO: If that what's the data  
11 says, then, sure.

12 COUNCIL MEMBER RIVERA: All right, you  
13 trust our, well, we have very talented staff and  
14 analysts, so I would trust our data, too.

15 THOMAS FARIELLO: I would say, though,  
16 that the number of permits is not always indicative  
17 of the amount of work that is going on. So, for  
18 instance, in 2005-6 we had a building boom in the  
19 city and then, you know, 2014 and we're still kind of  
20 in the middle of it now, there was a different  
21 building boom, and a similar number of permits, you  
22 know, I think earlier ones were, there were more  
23 permits being issued then than there were now. But  
24 the size of the buildings that are being built in  
25 this building boom are much larger, something like

2 30% larger, and so the number of permits doesn't  
3 always indicate how much work is actually out there.

4 PATRICK WEHLE: And good morning, Council  
5 Member, too. Directly to your point, if measured by  
6 fiscal year there has been a slight decrease in  
7 permit issuance, but if you look at it on a calendar  
8 year basis there has been a slight increase in permit  
9 issuance.

10 COUNCIL MEMBER RIVERA: OK, interesting.  
11 So I agree, I think that the buildings are getting  
12 taller. They certainly do take a while in terms of  
13 from start to finish, and my office and a lot of my  
14 colleagues, we get complaints about early morning  
15 hours and late night hours, and something that is  
16 called after-hours variances. And so I wondered if  
17 you had any data on how many have been issued, what's  
18 the general revenue that the city receives from  
19 after-hour variances, and what is your office doing  
20 to address a situation that many people feel is a bit  
21 out of control?

22 THOMAS FARIELLO: I'm just looking for  
23 these numbers, so, these are here. OK, so in 2018 we  
24 issued 18,886. In comparison, 2017 was 18,306. So  
25 500 increase from the year before. We've renewed

2 48,000, so the initial after-hour variance and then  
3 they ask for a week later, a week later, a week  
4 later. Those are the renewals. So we count all  
5 those. And so and that was an uptick. So 45,974 in  
6 2017, 48,738 in 2018. So it was a 3000 increase in  
7 after-hour variances. [inaudible]

8 COUNCIL MEMBER RIVERA: Do you know where  
9 the majority of those permits are issued? I realize  
10 that Manhattan is constantly under construction, but,  
11 you know, I'm just curious as to whether there are  
12 trends and if you do identify trends is there some  
13 sort of mechanisms in place to grant relief to the  
14 people that live there?

15 THOMAS FARIELLO: So, yes, so Manhattan  
16 are the ones that ask for it the most, varying  
17 reasons, you know, midtown in the office areas, they  
18 want to have it when it's quieter, you know, it's  
19 safer. You know, it's actually safer to be doing  
20 this work. They also do a lot of office renovations  
21 that are interior only and they want to do that over  
22 the weekend when people are working, you know, are  
23 home for the weekend. They get it done and then they  
24 come back Monday and it's all done, and there's less  
25 disturbance. So the vast majority of these are

2 interior. We do hear the concerns from the  
3 communities about the noise that happens, the  
4 deliveries in, you know, the mornings and the nights.  
5 So, I think it's kind of like a balance. There's  
6 people get, you know, there, it's annoying to have  
7 these constructions projects going on in the morning  
8 and night and all that, but it's also, if they  
9 weren't allowed to do them these hours it would  
10 extend the project much longer. So the community  
11 would be, you know, impacted for a longer period of  
12 time, over much, much longer versus they condense it  
13 and make the noise before. It's a balance. We  
14 certainly understand the committee's concern and we  
15 try to do our best.

16 PATRICK WEHLE: And Council Member, we'd  
17 be happy to provide data specific to your district or  
18 any other members of the committee or council as  
19 well. But I do want to add that one trend that we've  
20 seen that's somewhat interesting is that over the  
21 past several years the number of initial after-hour  
22 variances that we've been issuing has actually  
23 decreased over time. However, the renewals have  
24 increased over time at a rate greater than the  
25 initials. So that's telling us that throughout the

2 city fewer locations are actually receiving after-  
3 hour variances. But for those locations that are  
4 getting them they're getting more renewals for a  
5 longer period of time. And as the acting  
6 commissioner mentioned, that speaks to the sort of  
7 scale and complexity of the construction that's  
8 happening throughout the city.

9 COUNCIL MEMBER RIVERA: So I understand.  
10 I would love the data for my district, and I'm sure  
11 my colleagues would love that data as well. If we  
12 can sit down and talk about the relief that I  
13 mentioned because I do feel like it, they are  
14 prolonged and I understand the kind of ripping off  
15 the Band-Aid here. But sometimes people in Manhattan  
16 just it's hard to get a good night's sleep. So I  
17 would love to talk to you about how we can figure out  
18 a way to look at neighborhoods that are just  
19 continuously under construction, and so I thank you  
20 for your answers and I look forward to working with  
21 you.

22 CHAIRPERSON CORNEGY: Thank you, Council  
23 Member. Council Member Grodenchik.

24 COUNCIL MEMBER GRODENCHIK: Thank you,  
25 Mr. Chair. Good morning, Commissioner. It's good to



2 see you. I wanted to ask you about page 5. You  
3 talked about the Construction Safety Compliance Unit,  
4 and I'm happy to see that. Can you, do you have  
5 authority just to walk onto any worksite in the city,  
6 or do you need, you know, it's interesting because if  
7 I want somebody to check a basement apartment, you  
8 know, out they can't get in. But can you walk into  
9 any active worksite that has a permit issued?

10 THOMAS FARIELLO: Yes, the code allows us  
11 that once the department issues a permit we should be  
12 gained access. If we are not given access then we  
13 immediately issue a stop-work order on the project.

14 COUNCIL MEMBER GRODENCHIK: And can you  
15 tell the committee when you expect to have all the  
16 inspectors dedicated to that task? Are you waiting  
17 for a new class of inspectors or? I would think these  
18 inspectors would not be, you know, literally brand  
19 new. You would want people with some experience, at  
20 least in my thought. But I don't, maybe you could  
21 tell me otherwise.

22 SHARON NEIL: So the unit currently has  
23 50 inspector positions funded and there are currently  
24 37 active. We've reassigned some staff to perform  
25 these duties and we are constantly recruiting for

2 inspector staff. It's extremely competitive to hire  
3 inspectors, but we've been making some pretty good  
4 progress on filling our ranks, but we're hoping that  
5 we will be able to add more folks between now and the  
6 end of the fiscal year.

7 COUNCIL MEMBER GRODENCHIK: So it's  
8 reasonable to expect on any given day like today  
9 there are people out looking at job sites, doing a  
10 form of preventive maintenance, because we obviously  
11 are all concerned about the number of construction  
12 deaths that just seem to be a very stubborn issue for  
13 this city.

14 THOMAS FARIELLO: Yes, that's correct.

15 COUNCIL MEMBER GRODENCHIK: OK, thank you  
16 very much. I yield the balance of my time, Mr.  
17 Chair.

18 CHAIRPERSON CORNEGY: Before we have  
19 Council Member Chin with questions, we've been joined  
20 by Council Member Gjonaj. Council Member Chin. I'm  
21 sorry, and Council Member Perkins.

22 COUNCIL MEMBER CHIN: Thank you, Chair.  
23 In 2017 the council passed a package of 12 laws to  
24 increase DOB's oversight over tenant harassment and  
25 dangerous construction. Two years later, Stand for

2 Tenant Safety Coalition ~~is used~~issued a report card on  
3 the implementation of these laws. My legislation,  
4 Local Law 149, mandates greater city oversight over  
5 self-certified applications for construction and  
6 prohibits self-certification in buildings owned by  
7 landlords with a history of harassment. What data  
8 can you provide to show that this law is being fully  
9 implemented? How many audits of professionally  
10 certified applications have been conducted since the  
11 implementation date of the Local Law and also does  
12 DOB feel that they have enough inspectors to make the  
13 needed number of visits and complaint tracking to  
14 fully meet what is mandated through the Stand for  
15 Tenant Safety package of laws?

16 PATRICK WEHLE: Good morning, Council  
17 Member. So we are aware of the report card that the  
18 Stand for Tenant Safety Coalition released a short  
19 while ago, and we do strongly disagree with the  
20 grades that were assigned by the coalition. The  
21 department is meeting or exceeding goals set forth in  
22 these laws and we regularly give the coalition  
23 updates on our progress. Specific to each of the  
24 laws within that package, just at a sort of high  
25 level, and we go into it in more detail if you like,

2 the package includes 12 local laws. Two of those  
3 local laws directly affect the Department of Finance.  
4 So I'll leave it to them to speak to their  
5 implementation. For the remaining 10 laws, nine of  
6 those 10 laws are fully implemented, including Local  
7 Law 149 that you sponsored. The coalition has asked  
8 us for data on the auditing that we're doing, and in  
9 conversations with the coalition we're happy to  
10 provide them with that data and we're working towards  
11 providing that. But, to be clear, the law does not  
12 require the department to provide that data. And  
13 that's why it has not been provided. But we're happy  
14 to do so. So we do think it's unfair to sort of  
15 criticize the department for not implementing  
16 something that the law does not require us to  
17 implement, but to put a point on this we're happy the  
18 provide the coalition and the council with data on  
19 the work that we're doing to audit these [inaudible]  
20 filings.

21 COUNCIL MEMBER CHIN: I think even though  
22 you said it's not required, don't you think that  
23 you're, I mean, the Department of Buildings, you're  
24 doing the work, you should provide the data.  
25 Especially to the council.

2 PATRICK WEHLE: Understood, and we're  
3 happy to provide that data, but the law did not  
4 require any type of reporting. So that's why we  
5 didn't provide it. But we're happy to do so.

6 COUNCIL MEMBER CHIN: Yeah, because from  
7 the commissioner's testimony it's really great to see  
8 that change are happening, because I remember, you  
9 know, in my office the amount of complaints we were  
10 getting from tenants about construction that's going  
11 on in their building, where the landlord is telling  
12 the Department of Building that the building is  
13 vacant. Meanwhile, there are people living in there  
14 and they're breathing in all this dust and all these  
15 debris, and Department of Building, you know, we work  
16 together and you are responding, and which is great,  
17 and you are responsible for a lot of things. We just  
18 want to make sure that you have the resources to hire  
19 the inspector to be able to do the job, to protect  
20 the tenants, and also to monitor all the construction  
21 and all the codes and everything that you're  
22 responsible for, and that's why, you know, we want to  
23 work with you to make sure that you have the  
24 resources and that's why it's unacceptable,  
25 unacceptable for the administration to, you know,

2 give you a [inaudible] that you have to find savings  
3 when you should be using that resource to have enough  
4 staff to make sure your jobs gets done.

5 THOMAS FARIELLO: If I understand, I  
6 think, you know, we had a lot of laws that were  
7 passed that amended our code and we're doing our best  
8 to implement them all, and sometimes it's not, you  
9 know, as easy to do and, you know, we're doing, we  
10 look at the law, we say OK, this is what we're  
11 required to do and we do it, right? And then we move  
12 on to the next one. And so we're not trying to shirk  
13 our duties. We're not trying to hide the data, and  
14 we will put the data, you know, we'll send you the  
15 data and there's no issue with that. But I think our  
16 first goal is to, here's what the law says, we're  
17 trying to implement it and we're trying to get going,  
18 right? Because there's a number of laws, as I said,  
19 you know, that we're trying to implement.

20 COUNCIL MEMBER CHIN: No, we appreciate  
21 that, and we look forward to continue working with  
22 you. Thank you, Chair.

23 CHAIRPERSON CORNEGY: Thank you, Council  
24 Member. Council Member Gjonaj. So we're going to  
25 allow, unconventionally, another question by Council

2 Member Rosenthal and then we'll go to Council Member  
3 Gjonaj, and then I have a few questions.

4 COUNCIL MEMBER ROSENTHAL: All right,  
5 I'll be the, I'll give you the three minutes to get  
6 it together. Commissioner, I just want to follow up  
7 on Council Member Rivera's questions about after-hour  
8 variances and, um, I echo her sentiment that I'd be  
9 very interested in seeing that data on variances for  
10 my community, either by community district or by my  
11 council district, um, and I think what's frustrating  
12 to my staff, frankly, to our office, is that we do  
13 sit down with the community and with the, um,  
14 developers and their construction team and we do ask  
15 those exact questions to the community. Do you m-~~ind~~  
16 if this project drags out longer but, you know,  
17 there's no after-hour work, or do you want it to be  
18 shorter, um, but you're going to endure this after-  
19 hour work? And the community is often, you know,  
20 it's very thoughtful and they'll say OK to, you know,  
21 just not weekends, but nighttime is fine, we'll work  
22 out a compromise in our office, and our problem is  
23 that the developer then goes back on their word and  
24 just gets permits for after-hour work variances, you  
25 know, for every day of the week and all the weekends.

2 Is there some way to work together on, um, not, the  
3 DOB not issuing automatic after-hour work variances  
4 if some sort of deal has been worked out?

5 THOMAS FARIELLO: Um, I think we're open  
6 to listening to the community, um, but the basis for  
7 these after-hour variances, you know, is about  
8 safety, right? That's it's safer to do this work on  
9 these off hours. So certainly if I am lifting some  
10 giant HVAC equipment to the roof and it's a lot  
11 quieter on the streets where they're going to be  
12 safer. You know, there's less people there and we're  
13 not controlling, you know, 12 o'clock traffic and  
14 again I'll use midtown as an example, you know, that  
15 Sunday morning is probably the better, safer time to  
16 do it, that's what the basis of all of these are  
17 about, you know, but...

18 COUNCIL MEMBER ROSENTHAL: No, no, no, a  
19 hundred percent, sorry to cut you off, it's only  
20 because I'm on the clock. Um, I mean, and that's  
21 what the conversation is about, so for example  
22 pouring concrete, you know, these trucks can only go  
23 over the George Washington Bridge at a certain time  
24 and, you know, they have to do this work at a certain  
25 time, and that's the dialogue, and we totally



2 understand that and defer to that type of, um, you  
3 know, challenge for the construction firm. But with  
4 that taken into account, that's how we make those  
5 deals so that they're fair to both sides. And then,  
6 but yet...

7 THOMAS FARIELLO: You're, our challenge  
8 as a department of courses is about striking that  
9 right balance, and as part of that process we  
10 routinely have conversations with elected officials'  
11 offices, including your own, and with contractors and  
12 developers in trying to do so, and as part of that  
13 process we certainly listen to the concerns that are  
14 raised by the community and it's not an infrequent  
15 occurrence, where as the result of those productive  
16 conversations we make adjustments to those after-hour  
17 variances, either changes in scope of work, reduction  
18 in hours, changing days, whatever the case might be.  
19 But, you know, we see it as part of our process to  
20 have those dialogues to ensure that we're doing  
21 everything we can to strike that right balance.

22 COUNCIL MEMBER ROSENTHAL: Great. Look  
23 forward to continuing the conversation. Thank you.

24 CHAIRPERSON CORNEGY: So I just had a  
25 couple of questions that I didn't get to related to

2 construction safety. So according to the Preliminary  
3 Mayor's Management Report during the fiscal 2019  
4 reporting period DOB reported 270 construction-  
5 related injuries and 265 construction-related  
6 accidents. You mentioned that in your testimony.  
7 Both categories increased over the same period in  
8 fiscal year 2018. Can you explain these increases  
9 despite the new construction safety law, which is  
10 concerning, obviously, 196 of 2017?

11 THOMAS FARIELLO: Um, sure, you know,  
12 first of all I'd like to thank the council and this  
13 committee in particular for passing this law because,  
14 I mean, it is all about safety and that's what our  
15 department, you know, we want people occupying the  
16 building to be safe. And we, you know, we heard loud  
17 and clear from the workers that, you know, if they  
18 had more training they would, you know, they would be  
19 safer and there would be less injuries and less  
20 fatalities on sites. And so, and that's what this  
21 bill is aimed and doing. And I think, though, as I  
22 said earlier, these projects that we're seeing now  
23 are much larger than previous-size projects, and with  
24 those larger projects come site safety managers which  
25 are required by law to give us reporting on every

2 little injury that happens on their site. So we are  
3 seeing more notifications than we had ever seen  
4 before, and I think that's a credit to the site  
5 safety managers doing their job. And so I think  
6 we're getting better reporting and we just have more  
7 sites that have this reporting on them, right? I  
8 mean, the fatalities, you know, honestly we want zero  
9 fatalities, but they've been 12 for the last four  
10 years. Nothing is good about that, but they have  
11 been steady, where the injuries have gone up, and we  
12 believe that that's about the reporting, that has a  
13 big factor into it.

14 PATRICK WEHLE: And if I can add, Council  
15 Member, certainly as it relates to Local Law 196 I  
16 just want to note that we are in a relative infancy  
17 in implementing this law. To date, all that's  
18 required on the site safety jobs is an OSHA 10, and  
19 even prior to Local Law 196 many of these jobs  
20 requested an OSHA 10. So as it relates to Local Law  
21 196 and its impact on safety we're not quite there  
22 yet. But to echo the acting commissioner's comments,  
23 certainly some of the signs that we are seeing is  
24 encouraging. Clearly the number is zero, zero  
25 fatalities, zero injuries, that's what we want to

2 focus on it. But according to the US Department of  
3 Labor workplace deaths rose 55% in New York City in  
4 2017. But our fatalities remain the same. In  
5 addition to that, NYCHA just released their annual  
6 report that credited the department for the work that  
7 it's doing in that the pace of injuries and accidents  
8 throughout New York City, the pace of which is  
9 slowing relative to the rest of the state, and the  
10 crediting the work that the department is doing in  
11 terms of ~~penalties~~penalties, in terms of greater  
12 supervision, in terms of the rollout of Local Law  
13 196, um, and seeing that that happen. So while we  
14 think, while slow, we're moving in the right  
15 direction, and as Local Law 196 continues to be  
16 implemented that's where we would expect to see a  
17 larger impact on safety.

18 CHAIRPERSON CORNEGY: So I want to ask an  
19 unusual question but, um, so you don't feel as though  
20 it's necessary to implement a plan in particular to  
21 decrease the numbers, you just feel like the increase  
22 in construction and some other mitigating  
23 circumstances are the contributing factors to any  
24 increase that you see, um, not any, ah, slow  
25 implementation of the law, because my next question

2 would have been while there is an increase is what,  
3 what are we going to do to decrease it. But you feel  
4 like it's, it's not, ah, the increase doesn't warrant  
5 a strategy or plan to decrease based on, um, infancy  
6 in the implementation of Local Law as well as, ah,  
7 like the commissioner mentioned, more construction  
8 happening, so almost like a law of averages kind of  
9 thing.

10 THOMAS FARIELLO: I think that's, you  
11 know, what's attributable to it, and that's how I  
12 answered it. I think the plan is to implement Local  
13 Law 196. I think it's a great plan. And our CSE  
14 unit is going to be out there making sure that these  
15 workers are trained, right? And then the, you know,  
16 once they're trained and we know that they're  
17 trained, now they have to implement it. So when  
18 we're out on these sites and we're seeing that, yes,  
19 you've been trained and you have this card and that's  
20 great, but you're still not doing what you were  
21 trained. Now, you know, the site is going to be shut  
22 down. These sites are going to get  
23 ~~penalties~~penalties for it, right? And that's going,  
24 you know, it's going to hurt the whole site and  
25 because the people aren't doing their job, right? And

2 so that is the plan. But, you know, I tried to  
3 answer your question. You asked what was  
4 attributable and I think right now, as Patrick  
5 mentioned, you know, we're in the beginning of it for  
6 Local Law 196, but I think we also have these big  
7 jobs and we have a lot of people to report, more  
8 than we ever did before.

9 PATRICK WEHLE: And furthermore there's,  
10 you know, 12 fatalities over the past four years, 700  
11 injuries last year. That's clearly unacceptable and  
12 we need to get that to zero. And we do have plans in  
13 place to try to do that. I think chief among them is  
14 this further implementation of this Local Law 196.  
15 But as you heard, we've also just released this new  
16 construction safety compliance unit, which for the  
17 first time is all about proactive enforcement on  
18 construction sites. Checking to make sure that  
19 workers have their proper training, and also checking  
20 to make sure that those sites are properly  
21 safeguarded to ensure that workers and the public  
22 don't get hurt. So there are a number of things that  
23 we're implementing to try and drive down those  
24 numbers.

2 CHAIRPERSON CORNEGY: So I wasn't, I  
3 wasn't trying to get you. What I'm trying to get at  
4 is that we shouldn't be alarmed as a council and as a  
5 committee if the numbers increase because reporting  
6 is such. With implementation of Local Law 196 there  
7 will be a greater emphasis on reporting, right? So  
8 this is, I'm trying to prevent us coming back and  
9 going oh, my God, the numbers are off the charts.  
10 When in reality, ah, based on your testimony they  
11 could increase just based on, just based on the  
12 implementation of the Local Law and reporting.

13 THOMAS FARIELLO: That's correct, and  
14 maybe a little bit of context would help. So, you  
15 know, looking at, um, there were about 750 injuries  
16 last year, in calender year 2018. There are 45,000  
17 active construction sites at any one point in time.  
18 So this means, at most, as much as 1.5% of  
19 construction sites citywide reported any injuries in  
20 2018, and most of those injuries were relatively  
21 minor in nature.

22 CHAIRPERSON CORNEGY: But ultimately, you  
23 know, so we're going to be, um, ah, for lack of a  
24 better term, part of the success of the program will  
25 yield, potentially, greater numbers of reporting, and

2 I'm only saying that because I need my colleagues and  
3 myself to hear that so that I'm not alarmed, ah, when  
4 the numbers, like, the intended outcome, or the  
5 expected outcome will be an increase in reporting  
6 based on the Local Law.

7 PATRICK WEHLE: To your point, you know,  
8 an increase in construction activity plus an increase  
9 of the department require more safety professionals  
10 on site who are reporting accidents will likely yield  
11 an increase in other reporting of accidents, yes.

12 CHAIRPERSON CORNEGY: So we'll have to do  
13 that in a different when that ultimately happens?

14 THOMAS FARIELLO: Right, but I think if  
15 we do have that increase it doesn't mean that Local  
16 Law 196 is failing in any way. I just, it's just a  
17 reflection of the activity that's happening.

18 CHAIRPERSON CORNEGY: I just wanted to  
19 have that on the record, because it could, those  
20 numbers viewed without context could mean a failure  
21 depending on how you're viewing the numbers.

22 THOMAS FARIELLO: Agreed. They need to  
23 be looked at in context of the work that's happening  
24 and the supervision that's on sites, yes.



2 CHAIRPERSON CORNEGY: Thank you. Council  
3 Member Gjonaj?

4 COUNCIL MEMBER GJONAJ: Thank you, Chair.  
5 Good morning. I want to talk briefly, I'm sure you  
6 touched on the PEG cuts, 12 million dollars, roughly  
7 6% of your operating budget. Have you been in  
8 negotiations with this administration on where those  
9 cuts are going to take place?

10 SHARON NEIL: Yeah, so, um, our budget  
11 for, our financial plans savings target for next, for  
12 the plan for the next fiscal year is 12 million  
13 dollars. We're currently in negotiation with the  
14 Mayor's Office of Budget to, um, come up with some  
15 different options. It's still in negotiation. We're  
16 trying to, ah, obviously address those, which would  
17 have a minimal impact on our operations.

18 COUNCIL MEMBER GJONAJ: So what areas  
19 would be you seeking cuts in since you're negotiating  
20 now?

21 SHARON NEIL: Um, obviously we would try  
22 to get credit for our revenue, additional revenue to  
23 offset any financial plan savings so that we would  
24 not necessarily have to take them against expense  
25 budget cuts, but if, um,...

2 COUNCIL MEMBER GJONAJ: So more  
3 violations?

4 SHARON NEIL: Well, there is an uptick  
5 overall in terms of, um, additional  
6 ~~penalties~~penalties and fines which we would  
7 obviously lobby to get credit for, as well as any  
8 other, um, revenues that are available for us to get  
9 credit for. But if not we would have to look and  
10 prioritize expense budget savings.

11 COUNCIL MEMBER GJONAJ: Like, so I guess  
12 the plan is collect more so we can spend more. Got  
13 it. [laughter] Seventy-six positions are being added  
14 as a head count. That's a 30% increase, which I'm  
15 excited for and hope we can start targeting some of  
16 the major issues, including the illegal apartments  
17 and I'm going to just state something that was  
18 brought to my attention. Please stop referring to  
19 them as illegal apartments, but let's called them  
20 undocumented apartments, um, I thought that was  
21 hysterical, but the point was being made these  
22 illegal apartments have existed because of the lack  
23 of enforcement. Um, they plague our neighborhoods,  
24 they risk the residents of the illegal apartments  
25 because they are a serious threat. Many of them are

2 death traps and we need to be more proactive as to  
3 how we're going to legalize apartments that can  
4 comply with the law that are not death traps and then  
5 go after those that could not be legalized because  
6 they don't offer a second means of egress or the, or  
7 they're in a boiler room where the health and safety  
8 of those residents come first. I hope that moving  
9 forward we can focus on truly addressing this issue,  
10 and I know it's a very difficult issue and there's no  
11 appetite for it, because on one hand we don't want to  
12 force people out of these apartments and create a  
13 bigger strain on the limited apartments that we have  
14 available in New York City. Chairman, I ask for a  
15 little, thank you. There's been a spike in 311-  
16 initiated complaints about storefront signage  
17 violations. The number skyrocketed from 20 or so  
18 calls per month to about 400 calls per month in  
19 December, we suspect that mostly driven by predatory  
20 sign vendors seeking to weaponize the 311 system.  
21 How much did the city collect in fines related to the  
22 311-driven escalation on the city's mom and pop shops  
23 in FY19? Additionally, the council passed Local Law  
24 28, a law that would put 1) a moratorium on the city  
25 enforcing the signage law, 2) convene a task force to

2 study the issuance surrounding the law and  
3 enforcement, and 3) establish a refund program for  
4 businesses that have received recent fines related to  
5 the law. I'm going to highlight on number three.  
6 Specific to the DOB, the law requires that the  
7 department work to publicize the temporary program to  
8 make sure businesses are aware of their rights to  
9 have a refund. Furthermore, the law only gives a  
10 business owner 180 days after the law was enacted to  
11 apply to receive their refund. The law went into  
12 effect February 2. That's about 45 days ago. What  
13 steps have the department taken to fulfill its  
14 commitment to educate the owners of this program and  
15 process their refund, or is this going to be another  
16 dog and pony show where those businesses that paid  
17 hefty fines from \$5000 to as high as \$20,000 are not  
18 going to be aware of their rights to get a refund,  
19 and I'll just read, "The Commissioner of the  
20 ~~Buidings~~Buildings shall no later than 30 days after  
21 the legislation takes effect provides to the council  
22 a report containing the following information for  
23 each applicable violation issued after June 1, 2006,  
24 and before the effective date of the legislation, 1)  
25 the location of each applicable violation, 2) a

2 description of the provisions of the administrative  
3 code, zoning resolution, agency rules, or  
4 accommodation thereof associated with the applicable  
5 violation and the associated fine, and 3) the status  
6 of each applicable violation." Thus far we have not  
7 received anything. We are behind on the 30-day  
8 requirement. Forty-five days ago this law took  
9 effect and the clock is ticking. Thank you.

10 PATRICK WEHLE: Good morning, Council  
11 Member. Ah, so just to start with, broadly speaking,  
12 as you might know the department's enforcement of  
13 signage violations is [inaudible] when we receive a  
14 complaint we're obligated to go out and perform an  
15 inspection. That being said, as you well know, the  
16 recently acted law establishes a two-year moratorium  
17 on the issuance of signage violations that is now in  
18 place, and the department is working very closely  
19 with the Department of Small Business Services to  
20 ensure that businesses are aware of the applicable  
21 regulations and that they can bring their signs into  
22 compliance within this two-year period.

23 Specifically, as it relates to the implementation of  
24 the law, as you noted, the law went into effect last  
25 month and that two-year moratorium is now in place on

2 enforcement. The department did send a list of  
3 violations issued since 2006 to the council, as the  
4 law requires. We'll make sure we send a copy of that  
5 directly to you as well.

6 COUNCIL MEMBER GJONAJ: I'm the Small  
7 Business chair, worked really hard on this bill with  
8 my colleagues...

9 PATRICK WEHLE: Understood.

10 COUNCIL MEMBER GJONAJ: Espinal in  
11 particular...

12 PATRICK WEHLE: I don't know offhand who  
13 specifically we sent it to, but it was certainly sent  
14 to the council. We'll make sure you get a copy of  
15 that right away as well. The department is in the  
16 process now of working on outreach materials. We  
17 issued a service notice. We have been having  
18 conversations with a number of elected officials and  
19 community boards, BIDs, other organizations, um,  
20 about the implementation of this law. We've attended  
21 a number of outreach sessions in a variety of  
22 communities. We would love the opportunity to engage  
23 you further in your specific district, holding  
24 forums, and sharing information as well. And the  
25 remainder of the law does go in effect in the summer

2 and we are in the process now of coordinating with  
3 SBS and the finance department on the implementation.

4 COUNCIL MEMBER GJONAJ: Do you think  
5 you're going to be able to meet the deadline? We  
6 have 45, we have how many days left now? One-hundred  
7 and eight minus 45, so you're looking at roughly 135  
8 days.

9 PATRICK WEHLE: Correct, and the  
10 opportunity to resolve these issues starts, the clock  
11 starts on that process in the summer. So again we're  
12 now in the process of doing our outreach and ramping  
13 up our outreach, sharing information, and yes, you  
14 know, those who have been affected by these  
15 violations will have the opportunity a) to not  
16 receive ~~penalites~~penalties, and b) make sure that  
17 they have the opportunity to correct those  
18 conditions.

19 COUNCIL MEMBER GJONAJ: Right. And what  
20 about my questions on the illegal apartments? What  
21 are we going to do to legalize the apartments? What  
22 initiative are we going to take, um, to 1) protect  
23 those that occupy these apartments and secondly  
24 protect the single-largest investment for New  
25 Yorkers, which is their home, and they're certainly

2 jeopardizing that valuable asset when it comes to  
3 insurance claims, um, and other issue.

4 THOMAS FARIELLO: Sure. I mean, the  
5 illegal conversion is a problem. I mean, our biggest  
6 problem is getting access into the apartment to  
7 determine that it's unsafe or safe, right? And so,  
8 um, we have a dedicated team that does this and they  
9 go out and if they see any evidence of an illegal  
10 apartment there then we go and use, um, you know, we  
11 go to our law department and we get, um, access  
12 warrants to go into the space, and I think we've had  
13 287 of them last year, something like that.

14 COUNCIL MEMBER GJONAJ: Two hundred and?

15 THOMAS FARIELLO: Eight-seven. I can get  
16 you the exact number.

17 COUNCIL MEMBER GJONAJ: Warrants?

18 THOMAS FARIELLO: Yeah.

19 COUNCIL MEMBER GJONAJ: How many  
20 complaints did you have that you couldn't get access  
21 after three visits?

22 THOMAS FARIELLO: Ah, I can get that  
23 number.

24 COUNCIL MEMBER GJONAJ: I would imagine  
25 that's somewhere in the thousands.



2 THOMAS FARIELLO: Yeah, I think it's  
3 around, I think we get around 3000 complaints in this  
4 area, so.

5 COUNCIL MEMBER GJONAJ: So 3000  
6 complaints on average a year. What percentage, or do  
7 you have that information available as to how many  
8 you actually get into visibly make an inspection?

9 PATRICK WEHLE: So I don't have the  
10 specific numbers in front of me, we can get them for  
11 you. But as a general matter, for the complaints  
12 that we receive it's something in the neighborhood of  
13 50% of the time we're able to obtain access and as  
14 the acting commissioner mentioned one of our biggest,  
15 that's our biggest challenge, getting access, because  
16 oftentimes the work is not permanent, so we can't  
17 like require ourselves to get in. When we cannot get  
18 access, assuming there is indicia of there being  
19 illegal conversion, the department works hard to  
20 prepare a package of materials, working with the law  
21 department to seek an access warrant. Last year we  
22 sought, we sought and received 287 access warrants.  
23 Year to year that number has been increasing, so  
24 we're pleased with the work that we're doing and the  
25 success that we're having in obtaining these access

2 warrants, and I think once we have that warrant it  
3 does increase our ability to get access by about  
4 half, roughly.

5 COUNCIL MEMBER GJONAJ: Chair, perhaps we  
6 can, um, work together on this with the department on  
7 coming up with a proactive approach. We just did a  
8 pilot program in Brooklyn where we're going to  
9 legalize apartments, um, these illegal apartments.  
10 We came up with a format that will legalize them.  
11 But a number that I was not very pleased with, it was  
12 way too expensive. I really do believe that we can  
13 be more proactive, and when I say proactive in a  
14 sense of taking this challenge on by giving  
15 homeowners the opportunity to legalize them, by  
16 offering very small incentives, such as we won't give  
17 them violations for work without a permit and then  
18 give them a credit of some sort to the expenses that  
19 they would have to undergo to legalize their  
20 apartments. There's a two-pronged approach. We  
21 can't turning a blind eye to this widespread problem  
22 that jeopardizes residents of these dwellings, and  
23 I've been in some of these apartments. They are  
24 truly death traps.

2 CHAIRPERSON CORNEGY: I would love to  
3 work with you as well as DOB on that.

4 COUNCIL MEMBER GJONAJ: Thank you.

5 CHAIRPERSON CORNEGY: We have some  
6 questions that we'll be submitting in writing to you  
7 going forward. I thank you for your testimony. It's  
8 been very helpful.

9 PATRICK WEHLE: Thank you very much.

10 THOMAS FARIELLO: Thank you.

11 CHAIRPERSON CORNEGY: Thank you. We're  
12 going to take a very short recess to allow HPD to  
13 take the stand, as well as Council Member Vanessa  
14 Gibson to arrive. Thank you. [pause] [gavel]

15 CHAIRPERSON GIBSON: Good morning, ladies  
16 and gentleman. Welcome to City Hall. I am New York  
17 City Council Member Vanessa Gibson and I am proud to  
18 serve as the chair of the Subcommittee on the Capital  
19 Budget. I also am proud to represent District 16 in  
20 the Borough of the Bronx, and I want to thank all of  
21 you for being here. I want to thank my fellow co-  
22 chair, our Chair of the Committee on Housing and  
23 Buildings, Chair Council Member Robert Cornegy, and  
24 thank him for co-chairing today's very important  
25 hearing this morning. This joint hearing is truly

2 appropriate and important because HPD is such a  
3 capital-intensive agency. It's fiscal 2020  
4 preliminary capital budget includes 6.1 billion  
5 dollars in fiscal 2019 to 2023, which represents  
6 approximately 12% of the city's total 52.8 billion  
7 dollars capital budget. There is much to celebrate  
8 and recognize about HPD's capital commitment planning  
9 and its performance, most especially its 95% capital  
10 commitment rate for fiscal 2018, which the council  
11 hopes will be maintained through the end of fiscal  
12 2019 and into the next four-year capital commitment  
13 plan. Moreover, its capital commitment plan for 2019  
14 through 2023 helpfully divides 565 across 138  
15 descriptive budget lines with many groupings, which  
16 the council truly appreciates, and we have called on  
17 this administration to recognize the importance of  
18 descriptive budget lines. Unfortunately, while I am  
19 complimenting HPD, here is my criticism. I am less  
20 pleased by HPD's preliminary 10-year capital strategy  
21 for fiscal 2020 through 2029. Because it is  
22 frontloaded for fiscal 2020 through 2024 the annual  
23 average is 1.1 billion dollars, while the average  
24 funding for the last five years of this capital plan  
25 drops to less than 850 million dollars per year. Is

2 HPD planning to slow down our capital investments  
3 once it ~~satisfies~~satisfies its Housing New York  
4 Plan, which is the plan to build and preserve 300,000  
5 units of affordable housing by 2026, and the plan  
6 goes to 2029. I think we can all agree that this  
7 would be inappropriate given the tremendous unmet  
8 need for real affordable housing in this city. So  
9 while I commend HPD for exceeding its Housing New  
10 York production targets for units that are affordable  
11 to extremely low income and very low income  
12 households, recent data that we have from the  
13 American Community Survey demonstrates that these  
14 targets are not aligned with the percentage of New  
15 York City renters that are severely rent-burdened,  
16 defined as households that pay at least 50% of their  
17 income in rent. HPV really must consider shifting  
18 its spending on affordable housing to where the need  
19 is the greatest in this city. So I'll close with a  
20 final remark about the preservation and anti-  
21 ~~abandonment~~abandonment initiatives that are intended  
22 to address our city's at-risk housing stock. It will  
23 decrease by 4.5 million dollars from 8.4 million in  
24 fiscal 2019's adopted budget to 3.8 million in the  
25 fiscal 2020 preliminary budget, largely due to

2 decreases in contractual services in the OTPS budget  
3 that are not baselined. The failure to budget the  
4 funds that are necessary to identify at-risk existing  
5 affordable housing will only result in the loss of  
6 affordable housing, and so I want to be very clear  
7 that this City Council is extremely committed to  
8 building affordable housing, particularly for  
9 families that are living far below the federal  
10 poverty line at a time when we know we cannot count  
11 on the federal government, we're not sure what will  
12 happen in the adopted budget that the state will  
13 bring us in about two weeks. It's more important  
14 than ever for the City of New York to take the lead,  
15 to lead by example. There are far too many families  
16 that go to be in a homeless shelter in every single  
17 night in many of our districts, and I'm not even just  
18 speaking to my own district, the families and the  
19 children, the working New Yorkers that have jobs that  
20 still go home to a shelter. It is unacceptable and  
21 we cannot be complacent in the work we do, and so we  
22 while recognize that progress has been made let us  
23 continue to be ambitious and set even higher targets  
24 so that we can lessen the burden on our shelter  
25 system and keep families in their homes, and I say

2 that because our district in the Bronx has faced an  
3 enormous amount of families living at or below the  
4 federal poverty level, and I often am confronted with  
5 making extremely difficult decisions, affordable  
6 housing versus supportive housing versus housing for  
7 veterans and formerly homeless families and domestic  
8 violence survivors and youth aging out of foster care  
9 and unfortunately it's just not enough housing.

10 Thousands of applications for 100 units of housing,  
11 for 200 units of housing, so again while I see things  
12 being done it's not enough and we have to do more.

13 And so it is my hope that in this conversation in  
14 this space and in this budget season we are able to  
15 make a real dent in driving down shelter numbers and  
16 making sure that we really create a city that is  
17 affordable to those who need it the very most. And  
18 with that I look forward to this morning and this  
19 afternoon's hearing with HPD and our acting consumer,  
20 and now I turn this hearing over to our chair of  
21 housing and buildings, Council Member Robert Cornegy.

22 CHAIRPERSON CORNEGY: Thank you,  
23 Chairwoman. Before I begin, I would like to  
24 acknowledge the presence of PS-149 in the balcony  
25 from Jackson Heights, Queens [applause], whose

2 teacher, Ms. Eileen Hernandez, is supervising them  
3 today. Welcome. I would like to begin by thanking  
4 my co-chair for the second half of this hearing,  
5 Council Member Vanessa Gibson, chair of the  
6 subcommittee on the capital budget. We'll next hear  
7 from HPD, where we will examine all components of  
8 HPD's 947 million dollar expense budget and 6 billion  
9 dollar capital budget, along with details and  
10 progress related to the administration's housing  
11 plan, Housing New York. Over the life of the housing  
12 plan the city has financed the creation of  
13 preservation of about 122,000 affordable housing  
14 units across New York City. Which has exceeded  
15 projected targets and production goals. But, as the  
16 city addresses the complex challenges of producing  
17 and preserving quality affordable housing it does so  
18 at a point in time when the population of homeless  
19 New Yorkers continues to rise and a persistent  
20 shortage of affordable housing exists within the  
21 city's housing market. Further complicating matters  
22 is the current federal administration, who has  
23 continuously proposed significant funding cuts to  
24 vital housing programs. President Trump's fiscal  
25 2020 budget request would reduce funding for the



2 Department of Housing and Urban Development, or HUD,  
3 by 16%, which would significantly impact vital  
4 housing programs citywide and at HPD, including the  
5 Community Development Block Grant, CDBG program, the  
6 Home Investment Partnership program, and would reduce  
7 funding to sustain the Section 8 program. The  
8 committee, this committee, hopes to gain a clearer  
9 sense of how HPD would absorb any potential cuts and  
10 how federal actions would impact operations and  
11 service levels. After HPD we will gladly hear from  
12 members of the public. I would like to remind  
13 everyone who would like to testimony today to please  
14 fill out a witness slip with the Sergeant at Arms so  
15 we can put you on the queue. I would now turn over  
16 to having our HPD affirmed. I would ask you to raise  
17 your right hand. I'm sorry, before I do that I would  
18 recognize the colleagues that I have present who are  
19 holdovers from the last hearing, oh, except for Keith  
20 Powers, who has joined us. Can you please raise your  
21 right hands? Do you affirm to tell the truth, the  
22 whole truth, and nothing but the truth in your  
23 testimony before this committee and to respond  
24 honestly to council member questions? I just ask

2 that before you begin your testimony you identify  
3 yourself for the record.

4 ERIC ENDERLIN: I'm Eric Enderlin. I'm  
5 the acting commissioner for HPD.

6 CHAIRPERSON CORNEGY: I'm sorry,  
7 Commissioner, I have to stop you for a second. In my  
8 household and in my community we don't acknowledge  
9 stepchildren, so we won't acknowledge acting  
10 commissioners.

11 ERIC ENDERLIN: I appreciate that.

12 CHAIRPERSON CORNEGY: You are the  
13 commissioner.

14 ERIC ENDERLIN: Overly thoughtful, um,  
15 and thank you. So Eric Enderlin, Commissioner, HPD,  
16 on leave from the Housing Development Corporation as  
17 well. Good afternoon Chair Cornegy and Chair Gibson  
18 and members of the New York City Council Committee on  
19 Housing and Buildings and Subcommittee on Capital  
20 Budget. My name, again, is Eric Enderlin. I am the  
21 commissioner of the New York City Department of  
22 Housing Preservation and Development. I'm joined by  
23 our executive deputy commissioner, Eva Trimble, and  
24 members of HPD's senior leadership team to my right.  
25 As many of you know, last week was former HPD

2 Commissioner Maria Torres-Springer's last day and  
3 her, after her many dedicated years of service in the  
4 city government. I worked very closely with Maria  
5 over the past few years to advance many key policy  
6 initiatives and innovative new programs and can say  
7 without hesitation that not only the agency but the  
8 city is better off for her extraordinary leadership.  
9 As the search process for her successor is still  
10 underway, the mayor asked me to step in temporarily  
11 as acting commissioner/commissioner until a permanent  
12 replacement is named. I'm honored to take the baton  
13 and ensure the continuity of our ongoing work during  
14 this transition. I had the great fortune of leading  
15 the development team at HPD for many years and I'm  
16 familiar with the broad sweep of the agency's  
17 mission. I'm confident that this exceptional team  
18 will not skip a beat in our efforts to delivery safe,  
19 quality affordable housing that New Yorkers need and  
20 that New Yorkers deserve. As you know, affordable  
21 housing is one of the biggest concerns that New  
22 Yorkers face and one of the top priorities of the de  
23 Blasio administration. HPD is the driving force  
24 behind a coordinated interagency effort to develop  
25 and preserve affordable housing at record pace, to

2 protect tenants and enforce their right to life in  
3 safe quality housing and to engage in community-  
4 focused neighborhood planning. Today I'll testimony  
5 on HPD's fiscal year 2020 preliminary budget plan and  
6 the way this proposed funding will allow us to  
7 achieve the agency's primary goals. As you know,  
8 HPD's important work requires significant investment  
9 from the city and federal governments. HPD's fiscal  
10 year 2020 preliminary budget is approximately 947  
11 million dollars. However, this includes about 165  
12 million dollars in Pass Through funding from NYCHA,  
13 so aside from this Pass Through funding HPD's true  
14 expense budget is around 782 million dollars for  
15 fiscal year 2020. Of this 782 million total,  
16 approximately 130 million comes from city funds and  
17 about 648 million comes from federal funds. That  
18 means 83% of HPD's expense budget is federally  
19 funded. This huge proportion of federal versus city  
20 funding in the agency's budget is important because  
21 when we seek to save city tax dollars, as we are  
22 constantly trying to do, the amount we can save is  
23 limited because so many of our programs are  
24 restricted by federal requirements. City funding,  
25 especially city tax levy funding, is critical for

2 strengthening areas not otherwise eligible for  
3 federal grant funding. We are thankful for the  
4 important role that city resources play in our  
5 expense budget and my testimony will highlight  
6 several areas where this new city funding will help  
7 us further strengthen our programs and services.  
8 This budget includes new staff and resources to  
9 support Housing New York 2.0, a road map to achieve  
10 the administration's expanded goal of producing  
11 300,000 affordable homes by 2026. Building on the  
12 foundation we created early on, coupled with new  
13 tools and new funding, Housing New York 2.0  
14 introduced a suite of proposals to help thousands  
15 more families and seniors afford their rent, buy a  
16 first home, and stay in the neighborhoods they helped  
17 to build. Over the past years we've made great  
18 strides in advancing a number of key initiatives,  
19 while also breaking an all-time record for affordable  
20 housing production in New York City. I'm pleased to  
21 say that last calendar year HPD financed more than  
22 34,000 affordable homes, setting a new record for  
23 affordable housing production and putting a serious  
24 dent into our overall goal with the financing of  
25 nearly 122,000 affordable apartments since the start

2 of the administration, and while roughly 85% of all  
3 the homes financed serve low-income New Yorkers, of  
4 those homes a full 45% serve families earning less  
5 than \$46,950. We also are building homeless housing  
6 at...

7 UNIDENTIFIED: Mayor de Blasio, we have  
8 53,000 New Yorkers living in shelters. Shame on you.  
9 We want 30,000 units of housing for homeless New  
10 Yorkers. Of the 30,000 we need 24,000 built from the  
11 ground up [inaudible]

12 CHAIRPERSON CORNEGY: We ask that you  
13 maintain order in the chambers please.

14 UNIDENTIFIED: [crowd chanting house the  
15 homeless repetitively].

16 CHAIRPERSON CORNEGY: Please settle down.

17 UNIDENTIFIED: [continued chanting]

18 CHAIRPERSON CORNEGY: We think it's  
19 important for everyone's voice to be heard.

20 UNIDENTIFIED: [continued chanting]

21 CHAIRPERSON CORNEGY: We don't want to  
22 have people removed from the chamber. We'd like for  
23 you to exercise some quiet and allow for the  
24 testimonies to take place. There's a time for public  
25 testimony and we'll allow the same opportunity for

2 you to speak. We ask that you allow that same  
3 opportunity for HPD.

4 SERGEANT AT ARMS: Have a seat please,  
5 have a seat.

6 CHAIRPERSON CORNEGY: Thank you. Please  
7 continue.

8 ERIC ENDERLIN: Thank you, Chair. We  
9 also are building homeless housing at a faster pace  
10 than ever before, with nearly 10,000 units since the  
11 beginning of this plan in 2014. In 2017 we  
12 overhauled our program term sheets to require  
13 homeless set-asides in virtually all of our projects  
14 and created a new city rental associate program to  
15 advance the mayor's commitment to create 15,000  
16 supportive housing apartments over 15 years. Since  
17 2014 we have financed over 4700 supportive housing  
18 units, which include units funded under 15/15, the  
19 15/15 program, and prior administration plans.

20 Through Housing New York 2.0 we are ~~pushing~~ the  
21 envelope to do even more. Here are just a few  
22 examples of key initiatives under way. As part of  
23 Seniors First, a three-prong strategy to help serve  
24 30,000 seniors over the 12-year plan, HPD introduced  
25 Aging in Place, a new preservation program tool to

2 assess and finance in-unit and building wide  
3 modifications to assist seniors and people with  
4 disabilities in maintaining independent, safe, and  
5 comfortable lives. We introduced the new Partners in  
6 Preservation program that harnesses community-based  
7 organizations to develop and coordinate anti-  
8 displacement strategies with local stakeholders and  
9 tenants in three pilot areas in the Bronx and upper  
10 Manhattan. We launched our new Neighborhood Pillars  
11 program to help finance each stage of the acquisition  
12 and rehabilitation of rent-stabilized and unregulated  
13 buildings to protect current tenants and to preserve  
14 affordability in neighborhoods across the city. We  
15 rolled out two new home ownership programs, Open  
16 Door, to create new affordable home ownership  
17 opportunities, and Home Fix, which provides funding,  
18 technical assistance and counseling to hard-working  
19 families struggling to make needed repairs and  
20 otherwise maintain their homes. And we partnered  
21 with the American Institute of Architects New York to  
22 launch Big Ideas for Small Lots New York City, a  
23 design competition to promote innovative design and  
24 construction approaches to build housing on small,  
25 difficult-to-develop city-owned vacant lots. At the



2 very heart of our mission, which is to promote the  
3 quality and affordability of the city's housing stock  
4 is protecting tenants. Every day hundreds of HPD  
5 inspectors are in apartments across the city  
6 enforcing the housing maintenance code and issuing  
7 violations when landlords are not in compliance. HPD  
8 also proactively combats tenant harassment by  
9 partnering with the attorney general and state Tenant  
10 Protection Unit and the Tenant Harassment Prevention  
11 Task Force, which investigates potential harassment  
12 and brings enforcement actions, including civil and  
13 criminal charges against landlords who ~~harass~~harass  
14 tenants. Our housing litigation division also brings  
15 cases in housing court against homeowners who do not  
16 comply with outstanding violations and, when  
17 necessary, seeks findings of contempt and jail  
18 against recalcitrant landlords. Under this  
19 administration, we are always looking to be as  
20 proactive and comprehensive as possible in our work  
21 to protect tenants, last year working with the City  
22 Council to expand the certification of no-  
23 ~~harassment~~harassment programs citywide and launch a  
24 new speculation watch list to identify buildings  
25 where potentially predatory investment may put

2 tenants at risk. We are also launching the Tenant  
3 Anti-Harassment Unit, another tool in the toolbox,  
4 which will be dedicated to pursuing potential cases  
5 of maintenance harassment and connecting tenants to  
6 legal services resources. To build on these efforts,  
7 earlier this year Mayor de Blasio announced the  
8 Mayor's Office to Protect Tenants, which will serve  
9 as a point of entry for advocates and tenants and  
10 ensure aggressive action against bad landlords. And  
11 as part of the city's Lead-Free New York City plan,  
12 HPD will further strengthen our enforcement standards  
13 and efforts to proactively audit buildings in  
14 targeted areas, expand our outreach to owners, and  
15 make it easier for them to comply with the law. This  
16 budget has funding for new staff to implement the  
17 expanded mandates of Local Law 1, which will increase  
18 the number of ~~households~~households to which the  
19 requirements apply, lower the definition of lead-  
20 based paint, and increase our ~~compliance~~compliance  
21 and enforcement activities to ~~elinate~~eliminate  
22 childhood lead exposure in New York City. I want to  
23 thank the council for their leadership on this  
24 initiative and so many of our efforts to protect New  
25 York City's residents, especially the most

2 vulnerable, our children. As I've outlined, this  
3 important work reflects the urgency of the needs on  
4 the ground and a vision for the kind of city we want  
5 to be, but it can't be done alone. We do this work  
6 in the face of very real threats from the federal  
7 government, so your advocacy to secure a fully funded  
8 housing and urban development budget is critical. So  
9 far we have been successful in fighting the  
10 president's harsh and regressive proposals, last year  
11 even securing for the first time in decades increased  
12 funding for the public and affordable housing our  
13 communities desparatelydesperately need. This  
14 outcome would not have been possible without the  
15 fierce and steadfast advocacy of the New York City  
16 Council and the congressional delegation, and so many  
17 partners here and across the country, but the fight  
18 is far from over. I want to thank the council for  
19 their partnership and I hope we can continue to find  
20 ways to partner on critical legislative priorities  
21 and needed reforms on affordable and supportive  
22 housing projects, on advocacy for stronger rent  
23 stabilization laws, on a whole host of issues vital  
24 for the good of New Yorkers and for the future of our  
25 city. Thank you again for the opportunity to discuss

2 HPD's budget and our priorities in the coming year.

3 This concludes my testimony, and I am happy to answer  
4 any questions you may have.

5 CHAIRPERSON CORNEGY: Thank you for that  
6 testimony. I want to acknowledge that we have been  
7 joined by Minority Leader Steve Matteo and I just  
8 want to do a little bit of housekeeping. The last  
9 outburst that we witnessed didn't result in people  
10 being moved from the chamber because we think that,  
11 being removed, we think that your voice is incredibly  
12 important. There is a process for that, which is  
13 actually testifying and testimony for public will  
14 take place. I don't want people's voices not to be  
15 heard and by slowing down the process it could result  
16 in someone not being able to testify. So I ask  
17 that although I understand that you're incredibly  
18 passionate and have come today to express yourselves  
19 and this, the democratic process allows for that, ah,  
20 we ask in the chambers that you reserve that for your  
21 testimony and that you've signed up to actually give  
22 testimony that can be on the record. So I thank you  
23 for your cooperation and in that manner we're going  
24 to move forward with questions at this time. I'll

2 begin with my co-chair, Council Member Vanessa  
3 Gibson.

4 CHAIRPERSON VANESSA GIBSON: Sure, thank  
5 you. Thank you, Chair Cornegy, and thank you,  
6 Commissioner, to you and the HPD team for being here.  
7 I'm going to start off with some softball questions.  
8 I chair the committee, the ~~Subcommittee~~Subcommittee on  
9 Capital, so a lot of our work has really been focused  
10 on looking at the administration's 10-year capital  
11 strategy. It's the largest it's ever been, um, and  
12 within each agency we have seen a series of patterns,  
13 where, as I mentioned in my testimony, most of the  
14 funds are front-loaded in the first five years of a  
15 10-year plan and there's a flattening out in years  
16 six through 10, um, some agencies even actually get  
17 down to zero, and so what one would assume, as I  
18 mentioned in my opening, is that once the city  
19 reaches Housing NY's 300,000 goal then there is no  
20 need to further build and preserve more housing. So  
21 what I wanted to ask specifically, because the  
22 preliminary 10-year capital strategy is 9.9 billion  
23 dollars for HPD, which supports the capital program  
24 goals from 2020 through 2029, but although the  
25 Housing NY plan aims to build and preserve 300,000

2 units that's by 2026. So what I wanted to ask is can  
3 you explain the strategy around the programming of  
4 these funds after the completion of Housing NY? So  
5 is there a plan beyond 2026 to get us through the  
6 full 10-year capital strategy?

7 ERIC ENDERLIN: So I think you've  
8 identified it clear and the answer, you know, we  
9 have, we have structured this plan and we extended  
10 the plan beyond the term of the current  
11 administration on the understanding that, you know,  
12 while we describe it as originally a 200,000 unit  
13 plan and then a 300,000 unit plan, um, we don't have  
14 a lot of control over those later years. That said,  
15 one way we've started looking at increasingly is not  
16 just this 200 or 300, now 300,000 units, but as  
17 25,000 units a year, and what is, what is a rate of  
18 housing production that we think the city may need in  
19 a combination of both new construction and  
20 preservation. That said, we don't anticipate that to  
21 drop off as steeply, but we can't envision exactly  
22 what that's going to be. We have much better  
23 visibility in the closer years, where we understand  
24 where our pipeline is. We imagine and we expect that  
25 any future administration might see the need in the

2 same way that we see it and would continue and  
3 perhaps expand that funding in later years. But what  
4 we recognize is that we're funding the plan that we  
5 have discussed, but, again, I think there is  
6 increasingly conversation about what that production  
7 level is on a year-by-year basis, not just in an  
8 overall plan description and what those needs might  
9 be.

10 CHAIRPERSON VANESSA GIBSON: OK. Is the  
11 administration on target now to achieve the goal of  
12 300,000 units of housing, new construction, and  
13 preservation?

14 ERIC ENDERLIN: We are on target. In  
15 fact, we're a little bit ahead if you look at the  
16 overall numbers. As is typical in plans, oftentimes  
17 the preservation, which is a component which is a  
18 little bit easier to achieve, accelerates in advance  
19 of the new construction. If you look, though, at  
20 last year, and I think this last year is a really  
21 impressive year, there was over 10,2000 units of new  
22 construction that was produced in that year. At that  
23 pace, you know, we are actually on tract with the new  
24 construction component as well. We always knew when  
25 we began the plan in 2014 that some of the new

2 construction production that would come out of a,  
3 potentially, a new 421-A program, new inclusionary  
4 zoning and mandatory inclusionary zoning programs,  
5 some of the zoning for quality and affordability work  
6 that we did early on would mean that it would take a  
7 little bit longer and some, quite frankly, some of  
8 the rezonings that have been under way, would take a  
9 little bit longer to ramp upon the new construction,  
10 but we think that we're really beginning to see those  
11 new construction numbers coming in the way that we  
12 had hoped they would.

13 CHAIRPERSON VANESSA GIBSON: OK, so the  
14 data that the City Council has on Housing NY from  
15 January 1, 2014, until December 31 of 2018, we see  
16 the creation and preservation of 121,199 affordable  
17 housing units across the city, 38,793 are newly  
18 constructed, and the preservation numbers are 83,125.  
19 So what we've identified, again, through figures  
20 through last December preservation target is 60% and  
21 we have met 68% of preservation units, but new  
22 construction, our target is 40% and we're at 32.

23 ERIC ENDERLIN: Correct.

24 CHAIRPERSON VANESSA GIBSON: So would you  
25 agree that in terms of numbers now we are exceeding



2 targets on preservation, but we're not meeting the  
3 numbers to date on new construction?

4 ERIC ENDERLIN: That is accurate, and it  
5 is for the reasons that I described prior.

6 CHAIRPERSON CORNEGY: OK. Um, and some  
7 of the measures that we are looking to do to  
8 accelerate that, because we're still preserving more  
9 units of housing as we go along, but are we going to  
10 see these numbers change and at what point can we see  
11 the administration exceeding the targets of new  
12 construction?

13 ERIC ENDERLIN: I think what you would,  
14 we could argue is that last year you began to see  
15 that on the new construction side and, as I mentioned  
16 earlier, at the beginning of the plan, you know, we  
17 put out this 40/60 split, um, knowing that it would  
18 take a while to ramp up on the new construction, but  
19 that we feel that we now have traction in a number of  
20 those efforts, including the mandatory inclusionary  
21 housing program and 421-A that are starting to  
22 produce more units, and we've also, you know, we  
23 also, there were some policy shifts that we believe  
24 pushed as well. We actually started dedicating some  
25 resources, um, from preservation a little bit to new

2 construction to steer that a little bit more and  
3 drive those numbers up and we've been fairly  
4 successfully in doing that, while at the same time  
5 producing, as you know, record numbers of  
6 preservation as well. Um, I could get into that, but  
7 it's, you know, it gets a little wonky on the finance  
8 side, but we have been working hard to do that.

9 CHAIRPERSON VANESSA GIBSON: OK. I want  
10 to ask a question on something I mentioned in my  
11 opening and that's the Housing NY units that are,  
12 have been financed the rent-burdened households by  
13 different income bands. Income bands going from  
14 extremely low income, very low income, low income,  
15 moderate income, and middle income...

16 ERIC ENDERLIN: Yeah.

17 CHAIRPERSON VANESSA GIBSON: And the  
18 figures that we have, again, as of December 31, 2018,  
19 is that we have exceeded the financing of low-income  
20 housing and very low income housing, but extremely  
21 low income, I am seeing 16% financed versus a need of  
22 55%, um, and so could you explain what the  
23 administration is doing to address the housing for  
24 extremely low income, and in your testimony you  
25 alluded to some of the revisions of the HPD term

2 sheets, which provides more of a mechanism by which  
3 this should be a minimum, and that's 10%. You have  
4 some council members that don't even get to 10%. You  
5 have council members that exceed that and go to 30%.  
6 There is legislation we have here where we're looking  
7 for 30% to actually be the floor and not the ceiling,  
8 and so could you help me understand what the  
9 administration is doing to finance housing for those  
10 families at extremely low income households?

11 ERIC ENDERLIN: So I think you've  
12 identified all of that correctly. It is, we have  
13 done a lot, we have worked very, very hard. If you  
14 look at where the plan would be in terms of those  
15 income bands that are served, those income levels and  
16 households that are served, we have actually over-  
17 produced on the plan, um, in extremely low and very  
18 low and on the low side. That said, your point is  
19 absolutely right. It is an imperfect system and  
20 imperfect world. There are, we do as much as we can  
21 as fast as we can and we target it where the need is  
22 the greatest, but we also have, as you know, a set of  
23 limitations around what we can do in terms of where  
24 we can allocate all those resources and what those  
25 resources actually in the aggregate area. So we have

2 worked very hard and, as you know, a couple years ago  
3 we added money to the plan specifically, and I noted  
4 in your question that you kind of crossed the two  
5 worlds of extreme concern, the extremely low and very  
6 low income folks and households at those levels and  
7 also this homelessness component, and we specifically  
8 added money, 1.9 billion dollars, a couple years ago  
9 so that we could actually do both, that we could  
10 actually accelerate the rate at which we're producing  
11 homeless housing without ~~cannabilizing~~cannibalizing  
12 or usurping the rate at which produce housing for  
13 households in the extremely low income and very low  
14 income categories, and we thought that was important  
15 to do because there are very real concerns in both of  
16 those categories of housing production and we have  
17 tried to do that as quickly and as much as we can,  
18 which is why we cited earlier the rate at which we  
19 are producing both low-income housing and homeless  
20 housing we are pushing and we're, in the last  
21 iteration of Housing NY 2.0 we are pushing even  
22 harder in that direction to produce more and more  
23 units.

24 CHAIRPERSON VANESSA GIBSON: OK. Well, I  
25 understand your position but I guess my concern and

2 the larger concern for many New Yorkers is that it's  
3 just simply not enough. Um, I understand we're  
4 making an effort, but would you agree that because  
5 these numbers there's such a gap in the amount of  
6 housing we're building for extremely low income New  
7 Yorkers that we really have to be aggressive and do a  
8 lot more, and this is coupled with the enormous  
9 amount of applications that every development project  
10 receives. It's getting higher and higher. I've  
11 spoken to some developers and amazingly 50,000  
12 applications for several hundred units of housing,  
13 um, wouldn't you agree that we're on the brinks of  
14 really a crisis and an ~~an~~ emergency?

15 ERIC ENDERLIN: We absolutely agree.

16 CHAIRPERSON VANESSA GIBSON: Or we're  
17 probably already here now, right?

18 ERIC ENDERLIN: We agree there's an  
19 affordable housing crisis. And absolutely, and that,  
20 you know, let me say this as well. We also believe  
21 that producing as much housing as quickly as possible  
22 matters, that increasing the supply and not just on  
23 the new construction ~~site~~ site but on the  
24 preservation side, and that ties into all of the work  
25

2 that we do across the agency in terms of enforcement  
3 services

4 UNIDENTIFIED: Stop it! Stop it, please!  
5 Stop it please!

6 UNIDENTIFIED: Is he OK?

7 UNIDENTIFIED: I don't care. Stop it!

8 CHAIRPERSON CORNEGY: Commissioner,  
9 please continue.

10 ERIC ENDERLIN: So, yes, and you can, you  
11 can hear, there is, there is a huge need and a crisis  
12 level in terms of affordable housing in the city. We  
13 agree with that, and extreme concern over  
14 homelessness as well. But, again, increasing supply,  
15 making sure that we keep people in their homes,  
16 making sure that, ah, the maintenance code is  
17 enforced, making sure that people aren't harassed out  
18 of their apartments, making sure that people have  
19 access to legal counsel so that they can remain in  
20 their apartments, we're working across every front in  
21 order to increase the supply of affordable housing  
22 and to keep people in the homes that they have and  
23 that they can afford.

24 CHAIRPERSON VANESSA GIBSON: OK. I just  
25 have one more question before I turn it back to my

2 chair and other colleagues. You know, obviously this  
3 is a very, very important issue and we're all very  
4 passionate so there's a lot to discuss. I wanted to  
5 ask about supportive housing, because in your  
6 testimony you talked about the creation of 15,000  
7 units of supportive housing over 15 years and since  
8 2014 we financed 4700 supportive housing units to  
9 date. So I guess my question is 15 years is far too  
10 long. We don't have 15 years to wait. I am a huge  
11 supporter of supportive housing because I recognize  
12 many New Yorkers need supportive housing and without  
13 it they are still in shelters and, you know, other  
14 places like psychiatric locations and things of that  
15 nature for those that may have addictions or other  
16 needs, serious, serious priority. Do you see this  
17 supportive housing plan being accelerated coupled  
18 with the NYNY1 agreement, NYNY2, or New York NY 3?  
19 And can we expect any more support on supportive  
20 housing from Albany? That should have been my first  
21 question.

22 ERIC ENDERLIN: Um, we hope to. We work,  
23 we work very closely with the state. One of the  
24 areas in which we work most closely with the state is  
25 around supportive housing and supportive housing

2 production. So I think the answer to your question  
3 is we are pushing as hard as we can. We hope that  
4 this is accelerated in the adopted budget, um, and  
5 you're right, we have produced this 4700 units at  
6 this point. 1515 isn't perfect. It's outside, it's  
7 outside the plan. We work as hard as we can to  
8 accelerate and do as much as possible, and as you  
9 know that also has involved not just the production  
10 of affordable housing but making sure there is a  
11 tenant-based rental assistance to go along with that,  
12 so that we can actually put people into affordable  
13 housing and keep people into affordable, supportive  
14 housing. We absolutely believe that we have a very  
15 good working relationship with the state that is  
16 moving in a good direction and we hope to produce as  
17 much housing as we can.

18 CHAIRPERSON VANESSA GIBSON: OK, thank  
19 you. I'll turn it back over to Chair Cornegy.

20 CHAIRPERSON CORNEGY: I am going to come  
21 back with my questions. I'd like my colleagues who  
22 have, who are on the queue, to be able to ask their  
23 questions and then I'll go. So we have first Council  
24 Member Grodenchik, who again is a holdover from very,  
25 very early this morning.



2 COUNCIL MEMBER GRODENCHIK: I don't know  
3 if I like that term. Ah, thank you, Mr. Chairman.  
4 Ah, Commissioner, as we said, we don't have any  
5 stepchildren around here. But I want to echo the  
6 comments of my two chairs here, of Chair Gibson about  
7 the capital budget. When we were here with Direct  
8 Hartzog from OMB the capital budget looked kind of  
9 normal for four or five years, and then if it was a  
10 patient on an operating table it'd be dead, because  
11 it just flatlines and it goes out to the out years  
12 and I've been in government a long time. I'll reveal  
13 my age, I'm 59, I have never seen a capital budget  
14 that looked like that, and I, you know, it bothers me  
15 greatly to think, and I understand the mayor won't be  
16 here after several more years and many of my  
17 colleagues will be term limit as well, but we have an  
18 obligation to the 8.65 million people in the city,  
19 especially those who ~~desparately~~desperately need  
20 housing, and I'm an alum of NYCHA, so I understand it  
21 better than most people what it means to be able to  
22 have affordable housing, but I just cannot understand  
23 how this happens and why it happens, and I don't know  
24 if you can shed any light on it, um, but it's very,  
25 very frustrating to see this kind of thing go on. We

2 know that you're going to be building affordable  
3 housing and maybe you won't be the commissioner, but  
4 somebody else. The city's going to be doing this for  
5 the foreseeable future, and I just don't know if you  
6 have any thoughts, whether you can, I just wanted to  
7 put that out there on the record.

8 ERIC ENDERLIN: No, I appreciate that,  
9 and obviously I can't comment really on OMB's  
10 position, ah, overall.

11 COUNCIL MEMBER GRODENCHIK: Neither could  
12 Dave, frankly, but that's OK.

13 ERIC ENDERLIN: But what I can tell you  
14 is, I'll go back to what I said earlier, but I'll say  
15 it a little bit differently, HPD is in slightly  
16 better position than maybe some of the other  
17 agencies. We have very strong funding that's 9.9  
18 billion going out over the next 10 years, and as I  
19 mentioned earlier we agree with the idea that at the  
20 end of any particular housing plan that is described  
21 as a certain number of total units, we don't imagine  
22 a world in which that need falls away and therefore  
23 that production falls away and therefore that the  
24 budgeting for that should fall away. So in that  
25 sense we are aligned with the question that you're

2 asking and that's, you know, we imagine in a world  
3 where other future administration in New York would  
4 see that similarly, on the housing side at least.

5 COUNCIL MEMBER GRODENCHIK: OK. I thank  
6 you for that answer. I thank you, Mr. Chairman.

7 CHAIRPERSON CORNEGY: Thank you, Council  
8 Member. Council Member Chin?

9 COUNCIL MEMBER CHIN: Thank you, Chair.  
10 Thank you, Commissioner. Um, you know, there are  
11 currently nearly 64,000 New Yorkers sleeping in  
12 shelters every night, including 23,000 children and  
13 thousands more out on the streets. So given the  
14 reality of the record of homelessness, why is HPD  
15 only setting aside 5% of its Housing NY 2.0 plan for  
16 homeless New Yorkers? And second, would HPD agree to  
17 build through new construction 24,000 units of  
18 permanent housing for homeless New Yorkers? And how  
19 many apartments have HPD financed that are  
20 specifically set aside for homeless individuals and  
21 family under Housing NY and lastly how many homeless  
22 households have actually moved out into HPD set aside  
23 unit under Housing NY to date?

24 ERIC ENDERLIN: Thank you for the  
25 opportunity to talk about this, because it is so

2 central and critical an issue. We have worked very  
3 hard to house the homeless and to work with other  
4 agencies to do that as well, and we see a key role  
5 for that in this housing plan. I had mentioned  
6 earlier that in the 2.0 version of the plan we have  
7 increased homeless set-asides to include essentially  
8 all of our programs. What I didn't mention is that  
9 earlier on in 2014 when we came up with the original  
10 plan, and I was part of that as deputy commissioner  
11 at HPD at the time in development, we made the first  
12 moves in requiring a homeless set-aside in some of  
13 our term sheets. This is an expansion of that. What  
14 I can tell you about the last couple years is that we  
15 have produced almost 10,000 units of homeless housing  
16 in the set-aside that you described, um, whether it's  
17 notional or whether it's actually described as a set  
18 amount in the term sheet, and that this 10,000 units  
19 that we produced so far, if you look at that and go  
20 forward at that rate we're very much on track to  
21 produce 24, 25 thousand units of homeless, dedicated  
22 homeless housing through the existing term sheet  
23 programs that we are advancing as is. That's not to  
24 say, it's never enough, because the numbers that you  
25 cite are absolutely horrifying in ways to all of us

2 and to the people who are experiencing that. So we  
3 are dedicated to doing that. What we, what we have  
4 said, though, and I think it's important, is that it  
5 is difficult and maybe it's not intuitive, but we  
6 think it could be actually counterproductive to  
7 legislate on a term sheet a set-aside that we are  
8 already very successful in negotiating and that we  
9 can be more successful in negotiating on a case-by-  
10 case basis and that the irony could be that we might  
11 move ahead in something that feels promising, looks  
12 promising, we all hope is promising, and we end up  
13 producing not only less homeless housing, but less  
14 housing overall potentially in that process, and so  
15 we just, we have concerns about the idea of  
16 legislating that at that particular level, but we  
17 have no concerns about the idea of trying to advance  
18 as much homeless housing and producing as much  
19 homeless housing as we possibly can.

20 COUNCIL MEMBER CHIN: Did you answer my  
21 question about how many homeless households actually  
22 move into HPD set-asides? So you talked about  
23 10,000?

24 ERIC ENDERLIN: Well, 10,000 produced. I  
25 think the answer to your questions that you're

2 looking for in terms of referrals is, I think it's  
3 2800, 2300 or 2800, that have actually been referred  
4 over. Twenty-three hundred, I've been corrected.

5 COUNCIL MEMBER CHIN: Oh.

6 ERIC ENDERLIN: And Molly Park, who is  
7 the deputy commissioner for development...

8 MOLLY PARK: High.

9 ERIC ENDERLIN: ...might have more to add  
10 to that.

11 MOLLY PARK: Molly Park, deputy  
12 commissioner for development. We've moved 2300  
13 households, as the commissioner stated, into the  
14 family homeless set-asides, and about 8600 into  
15 supportive housing since the start of Housing NY.

16 COUNCIL MEMBER CHIN: So, Chair, just  
17 give me a few, a minute. How do we kind of keep pace  
18 and really accelerate that? Because I know one of the  
19 development, um, in my district for senior housing,  
20 30% is set aside for homeless seniors. So on that  
21 project we're able to have a much higher number, um,  
22 for homeless seniors, I mean 30% and not 5%.

23 ERIC ENDERLIN: Absolutely understood.  
24 And it, and that's what we're getting at, and this  
25 is, in fact, Molly may add to this after I comment,

2 but what you're describing is exactly what we just  
3 ~~talked~~talked about, which is in individual program  
4 by program we are increasing the set-asides. So in  
5 supportive housing, for example, that set-aside could  
6 go as high as 60% in some projects. In senior  
7 housing it could go as high as 30% in some projects.  
8 In our extremely low and low affordable, um, projects  
9 it could go, there are options that go from 10% to  
10 30%. So we are getting to an average that is high on  
11 a negotiated basis that is a little more nuanced and  
12 tailored to fit both projects and term sheets and  
13 programs, so that we can get to the kinds of numbers  
14 that we need and that we're talking about. But I'll  
15 turn it over to the deputy commissioner.

16 MOLLY PARK: Thank you. It is very  
17 critical in all of our projects that we are creating  
18 buildings that can operate as strong, successful  
19 community assets going forward for 30-plus years into  
20 the future. One of the things that is specific about  
21 our senior buildings is that all of those have  
22 project-based rental subsidies so there is an ongoing  
23 operating stream that's there that is going to keep  
24 those buildings functioning over the very long term,  
25 even when we're serving households who can only

2 afford to pay very low tenant share in rent. So that  
3 allows us to increase that homeless set-aside to 30%.  
4 In some of the buildings where we don't have that  
5 federal rent subsidy we have to be a little bit more  
6 nuanced, as the commissioner mentioned. I do also  
7 want to say that we work very closely with the  
8 council members. We really appreciate your support  
9 in working through individual land use approvals and  
10 making sure that we are getting homeless set-asides  
11 that really reflect that need.

12 COUNCIL MEMBER CHIN: I think finally is  
13 that really working with the other agency, because  
14 we're spending so much money, we're wasting a lot of  
15 money, with housing, you know, homeless individual,  
16 in hotels in my district. And when you add that up  
17 every month you're talking about five, six thousand  
18 dollars, I mean, for that amount of money you could  
19 put somebody in a permanent home [applause]...

20 SERGEANT AT ARMS: Quiet please!

21 COUNCIL MEMBER CHIN: So I think that,  
22 so, I mean, HPD, I thank you for really working so  
23 hard and being creative, and I hope that you will  
24 continue to work with your other sister agency and  
25 really kind of work at this problem together, because



2 on one hand, you know, the homeless population is  
3 growing, we're spending a lot of taxpayers' dollar,  
4 and meanwhile how can we be creative and use some of  
5 that resource to build permanent housing for people.

6 ERIC ENDERLIN: I absolutely agree with  
7 you and let me say this, and forgive me if I go big  
8 picture and maybe a little philosophical on this, but  
9 I'm inclined to do that sometimes. You have seen in  
10 this administration from the beginning of the plan a  
11 movement back in the direction of thoughtfulness  
12 about public equity, neighborhood equity, social  
13 equity, the value of not-for-profits as a way of  
14 holding our highest values, and I think you see  
15 something very similar, and I think this is important  
16 as we talk about homelessness. I think going back,  
17 you know, for a long time I think some of the theory  
18 was that some of these problems are temporary and  
19 that we can kind of policy our way out of them or  
20 that we can finance our way out of them  
21 programmatically, but what's important, and I think  
22 what's important is to think, and I think we're  
23 moving back in this direction, that there need to be  
24 matched with that sometimes a series of real estate  
25 and either new construction or conversion of the

2 cluster sites, for example, as a way of producing  
3 additional homeless housing, and I think it gets  
4 exactly to the point that you raised, which is one of  
5 you can do it through this kind of series of cash  
6 flow, or you can do it by actually taking control of  
7 the situation and investing with our not-for-profits  
8 in a more permanent solution that in the long run is  
9 actually a lot more fair, a lot more equitable, a lot  
10 more financially efficient and economically  
11 efficient, and really serves people in a way. And I  
12 think, we need to be moving, and I think we are  
13 moving back in that direction where we're doing all  
14 of it and we're thinking about it in that way.

15 COUNCIL MEMBER CHIN: Thank you,  
16 Commissioner. Thank you, Chair.

17 CHAIRPERSON CORNEGY: So very shortly  
18 we'll be hearing questions from both Council Members  
19 Torres, Gjonaj, and Rosenthal. I want to break up  
20 this a little bit to talk about the fact that while  
21 we have a very aggressive plan and the mayor has an  
22 aggressive plan for affordable housing, a lot of it  
23 is tied to a very fickle federal government and so my  
24 question is that I have will center around federal  
25 investment in these programs. So about \$648 million

2 or 68% of HPD's expense budget is supported by  
3 federal funds. This funding helps HPD carry out  
4 programmatic activities, which include development,  
5 code enforcement and repairs, and housing placements  
6 through its Section 8 program. Because future  
7 funding levels are, remain highly uncertain the  
8 committee continues to be concerned about potential  
9 budget cuts for essential housing programs,  
10 especially in light of Trump's budget request for  
11 2020, which will reduce federal funding for vital  
12 housing programs by 16%. What's the estimated impact  
13 of Trump's budget request on the Section 8 program in  
14 particular?

15 ERIC ENDERLIN: I'll frame it, and then I  
16 want to turn to our deputy commissioner for budget,  
17 Eva Trimble, in a second. But I absolutely agree.  
18 It is a critical moment. We experienced this threat  
19 last year and we were effective in combating it,  
20 largely because the federal budget operated on  
21 continuing resolutions. We feel that we are going to  
22 fight this as hard as we can again in terms of these  
23 cuts. It's not just Section 8, but it's CDBG, it's  
24 home, it's public housing cuts, all of which affect  
25 the city in tremendous ways. We have heard recently

2 rumor and concern that we might go back to a  
3 sequestration model that would actually, rather than  
4 having a continuing resolution, we could really  
5 experience these across-the-board cuts, and you've  
6 properly identified that the most critical, the most  
7 immediate impact would be on Section 8, and the lives  
8 of people, and with that let me just turn to Eva, who  
9 does have a lot more to say about that.

10 EVA TRIMBLE: Thank you. Eva Trimble,  
11 executive deputy commissioner at HPD. Right now HPD  
12 estimates that if the president's budget proposal  
13 would go through, which we don't expect it would, but  
14 if it would, HPD alone would lose about 2200 vouchers  
15 within New York City, but overall the bigger impact  
16 would be about 8000 vouchers total when you include  
17 NYCHA and HCR, which also operate rental subsidy  
18 programs within the city. So it's a very real  
19 threat. We were very successful working with New  
20 York City Council, our congressional delegation, and  
21 really the national partners for affordable housing  
22 across the country to fight the president's budget  
23 the last two years. We actually saw an increase in  
24 funding last year. So we are working with everyone  
25 again to push back these awful proposals.

2 CHAIRPERSON CORNEGY: So, I don't want to  
3 be an alarmist, but the city is responsible for  
4 administering these programs based on federal funding  
5 and it is alarming that on the table again this year  
6 are the potential for cuts. You mentioned the CDBG  
7 program and under, ah, Trump's budget request funding  
8 for the CDBG program would completely be eliminated.  
9 How would this impact HPD programs and HPD's budget  
10 overall?

11 ERIC ENDERLIN: It would be a tremendous  
12 impact. You know, we do, ah, over 700,000  
13 enforcement inspections every year and issue 500,000  
14 violations. AnnMarie Santiago, our deputy  
15 commissioner for emergency neighborhood services,  
16 enforcement neighborhood services, to my right, I  
17 don't if wants to comment more, that would be  
18 profoundly impacted. That would all be lost.  
19 Similarly, the home funding, which is also described  
20 as cut to zero, which is used to produce a  
21 significant portion of our senior housing, would be  
22 devastated as well. So those are cuts that we cannot  
23 take and we cannot stand. The Section 8 would be  
24 much more immediate. The other cuts that I described  
25 would be around, particularly the home, would be

2 around production programs, the CDBG would be  
3 immediately impacting largely our enforcement  
4 programs, um, and the Section 8, as you properly  
5 identified, would be day one an emergency.

6 UNIDENTIFIED: [inaudible]

7 ERIC ENDERLIN: OK, I think, unless you  
8 have more on that.

9 CHAIRPERSON CORNEGY: No, you don't want?  
10 You want to jump in here?

11 EVA TRIMBLE: I think the commissioner  
12 summed it up, um, you know, all of our programs, our  
13 lead program is 100% CDBG funded. All of our code  
14 enforcement programs, our housing litigation, our  
15 emergency repairs, 100% CDBG funded. So it would be  
16 devastating for our programs.

17 CHAIRPERSON CORNEGY: So for us here at  
18 the council who just put together a very robust lead  
19 package that would be devastating?

20 EVA TRIMBLE: Absolutely.

21 CHAIRPERSON CORNEGY: Council Member  
22 Torres.

23 COUNCIL MEMBER TORRES: How are you,  
24 Commissioner? Congratulations on your new role.

25 ERIC ENDERLIN: Thank you very much.

2 COUNCIL MEMBER TORRES: Obviously, I have  
3 enormous respect for you.

4 ERIC ENDERLIN: Thank you.

5 COUNCIL MEMBER TORRES: You brought up  
6 the word equity in your exchange with Council Member  
7 Chin, and as you know, whenever there is a debate  
8 about affordable housing the core question is  
9 affordable for whom. What are the range of AMIs that  
10 fall within the definition of affordable, and is it  
11 the same for, there's MIH, there's 421-A, and then  
12 there's Housing NY in general. What's the range of  
13 AMIs that fall within the meaning of affordable?

14 ERIC ENDERLIN: So we describe affordable  
15 housing within this plan that is different from the  
16 prior plan, as serving households up to 165% of area  
17 median income. But, as we described, the vast  
18 majority of everything we do is extremely low, which  
19 is up to 30 AMI, very low up to 50% of area median  
20 income, and low, which is up to 80% of area median  
21 income, and it's an important distinction to make  
22 that we do not finance, you know, on our own,  
23 anything above 130% of area median income, that the  
24 only way you even get to the upper tier is if those  
25 units are going cross subsidizing the other units,

2 and that's a profound shift from where we had been  
3 previously, that we've driven those affordabilities  
4 down and we're actually getting more on the public  
5 side. It runs to the point that I made, and that you  
6 raised, and I appreciate that.

7 COUNCIL MEMBER TORRES: Do the numbers  
8 you're counting, does that include units that go as  
9 high as 165% of AMI?

10 ERIC ENDERLIN: That's, yes, that would  
11 be counted in the plan, but there are very few of  
12 those.

13 COUNCIL MEMBER TORRES: And what does  
14 that translate, what is 165 AMI in terms of monthly  
15 rent?

16 ERIC ENDERLIN: I think I brought my  
17 card. So, so 130, just to give you, 130 goes to, for  
18 a one-bedroom is \$2400. So you'd go up from there.  
19 We don't even have this card going up to 165. I  
20 could get that for you. [background voices]

21 COUNCIL MEMBER TORRES: So, because I  
22 want to, I want to know if we are creating an  
23 affordable housing plan that is advancing equity or  
24 that's continuing inequality in New York City. , you  
25



2 know, 2400 is double my market rate rent in the  
3 Bronx.

4 ERIC ENDERLIN: Yeah, I hear you.

5 COUNCIL MEMBER TORRES: So how many units  
6 are we creating? Do we know the exact number of  
7 units we've created at 130% AMI?

8 ERIC ENDERLIN: We'll look, and we have  
9 that. Does Molly do that on this?

10 MOLLY PARK: Ah, the middle income tier  
11 all together has been, ah, thus far about 5% of the  
12 units overall, and the vast majority of those has  
13 been preservation of home ownership projects.

14 COUNCIL MEMBER TORRES: OK, do we have  
15 number? What's 5%?

16 ERIC ENDERLIN: I think we've got, we've  
17 got, 80 to 120 is 1100 units and 120 to 165 I think  
18 is 800 units? Eighteen hundred units for last year.

19 COUNCIL MEMBER TORRES: Eighteen hundred  
20 units? How many units did we create for homeless  
21 families?

22 ERIC ENDERLIN: Thirty-four thousand  
23 units. Oh, for homeless families?

24 COUNCIL MEMBER TORRES: For homeless  
25 families.

2 ERIC ENDERLIN: Do you have that number,  
3 Bert? We've close to 10,000 over the course of the  
4 plan for last year.

5 CHAIRPERSON CORNEGY: I'm sorry,  
6 Commissioner, could you repeat the number again  
7 please?

8 ERIC ENDERLIN: We're 10,000 total, last  
9 year it was 2578, two thousand five hundred and  
10 seventy eight units for homeless households in the  
11 plan.

12 COUNCIL MEMBER TORRES: So we created  
13 1800 for 130% AMI units and about 2500 for homeless?

14 ERIC ENDERLIN: But did not finance  
15 those, correct, yes, they were in the plan, but in  
16 many ways those units that you're talking about that  
17 were created in the plan actually cross subsidized  
18 and supported...

19 COUNCIL MEMBER TORRES: But if I heard  
20 you, maybe, if I heard you correctly I thought you  
21 finance up to 130% of AMI?

22 ERIC ENDERLIN: Up to 130. So the 165...

23 COUNCIL MEMBER TORRES: But you do  
24 finance 130?

25 ERIC ENDERLIN: We can finance up to 130.

2 COUNCIL MEMBER TORRES: And you've  
3 created, if I heard correctly, what, 1800 units at  
4 130?

5 ERIC ENDERLIN: Above 130 that are not  
6 subsidized.

7 COUNCIL MEMBER TORRES: What about at  
8 130?

9 ERIC ENDERLIN: Ah, from 80 to 120 are  
10 1100, and those are actually would be receiving  
11 subsidy from the higher income units. They would be  
12 cross subsidized.

13 COUNCIL MEMBER TORRES: I just worry that  
14 we're creating...

15 ERIC ENDERLIN: I hear you.

16 COUNCIL MEMBER TORRES: ...that skew  
17 towards higher incomes than we are creating units  
18 [applause] for the lowest, and it actually is not,  
19 this is actually not meant to be demagogic and I know  
20 these are hard problems to solve, but whether it's  
21 creating jobs or creating housing I just worry that  
22 we're pretending to address a problem that we're  
23 actually ignoring, and that's we're not connecting  
24 lowest income New Yorkers [applause] to quality jobs  
25 and affordable housing.

2 CHAIRPERSON CORNEGY: Council Member  
3 Torres, hold one second. We are moving very closely  
4 to the ability for public testimony to take place.  
5 The more we do that the less likely that we'll hear  
6 everyone's voices. That's the best way I could  
7 describe it to you. So I know you're passionate, but  
8 we are almost at the point where we will be changing  
9 the panels and allowing the public to speak. When  
10 you have these interruptions, as minor as they are,  
11 they actually elongate the process from me hearing  
12 from you exactly. So please, if you can.

13 COUNCIL MEMBER TORRES: I'm going to end  
14 here. Do we know, just one quick, when it come to  
15 closing the gap between supply and demand, when it  
16 comes to, for deeply affordable housing for the  
17 lowest-income New Yorkers, how many, how many Section  
18 8 vouchers in an ideal world to close the gap between  
19 supply and demand for the lowest-income New Yorkers?

20 ERIC ENDERLIN: That's a, I don't think  
21 we can answer that immediately, but it's a good  
22 question. No, it's a big question. So let me...

23 COUNCIL MEMBER TORRES: Because the units  
24 you're creating, if we were able to combine it with a

2 Section 8 voucher you could make it deeply affordable  
3 to the poorest New Yorkers.

4 ERIC ENDERLIN: Oh, that's your question,  
5 I thought you were asking about overall demand in  
6 this...

7 COUNCIL MEMBER TORRES: I am actually  
8 asking about overall demand and...

9 ERIC ENDERLIN: OK.

10 COUNCIL MEMBER TORRES: But I'm curious  
11 to know how many Section 8 vouchers would we need to  
12 house every homeless family and every low-income,  
13 rent-burdened low-income New Yorker.

14 ERIC ENDERLIN: We'd have to look to  
15 answer that question.

16 COUNCIL MEMBER TORRES: OK.

17 ERIC ENDERLIN: What I can tell you, in  
18 the confines of a, of the world of limited resources,  
19 we have done last year 60% of the units that we  
20 produce are for extremely low and very low income  
21 households. So that's from zero to 30% and from 30%  
22 to 50%, and many of them, in addition to having  
23 program subsidy to produce those units also have  
24 rental assistance, as you describe, that helps make  
25 that affordable to that, ah, that occupant. The

2 other thing I would just add, and I don't want to, I  
3 don't want, I just want to add that we try as hard as  
4 we can to do what we do in a data-drive policy way.  
5 In other words, and I don't mean that to sound too  
6 technical. What I'm saying is we look on some of  
7 those units, is there unmet need across different  
8 categories and are people, believe it or not in New  
9 York, rent burdened at different tiers and many are.

10 COUNCIL MEMBER TORRES: Respectfully,  
11 this is such a crucial point and I want to, you're  
12 right. New Yorkers are rent burdened across the  
13 board, but I can tell you there's a difference  
14 between someone who earns, there's a difference  
15 between me being rent-burdened at \$150,000 a year  
16 versus someone who is earning \$15,000 and is rent-  
17 burdened.

18 ERIC ENDERLIN: Absolutely. [applause]

19 COUNCIL MEMBER TORRES: And that, that's  
20 a crucial, like, so it's not enough that you're rent-  
21 burdened, are you rent-burdened at the lowest levels,  
22 where your very survival is at stake.

23 ERIC ENDERLIN: Yes.

24 COUNCIL MEMBER TORRES: That's, that's  
25 the...

2 ERIC ENDERLIN: Yes, where that burden is  
3 intensively regressive, yes.

4 COUNCIL MEMBER TORRES: OK. I know my  
5 time is expired. But thank you for the back-and-  
6 forth.

7 CHAIRPERSON CORNEGY: I'm sorry, what I  
8 didn't do was explain to you that you don't have to  
9 be, ah, you don't have to not show emotion, we just  
10 ask that you do it silently so in your approval  
11 and/or disapproval you can do this, and that won't  
12 stop anything. So I don't want to, this was not, I'm  
13 not trying to censor you, just if you could. Um,  
14 Council Member Gjonaj?

15 COUNCIL MEMBER GJONAJ: Thank you,  
16 Chairs. The saying is Rome has nothing on us because  
17 we live in some very challenging and difficult times.  
18 Much has been said about federal cuts and how much we  
19 rely on those federal dollars. No one even considers  
20 the fact that we could have a recession in this city  
21 and the impact that that will have on your five-year  
22 and your 10-year plans, let alone any potential cuts  
23 that we're having or facing from the federal end of  
24 it, this is coming, and I don't see any forecasting,  
25 I don't see anything that is going to, um, help us

2 meet our objectives of creating affordable housing.  
3 With a recession on the horizon.

4 ERIC ENDERLIN: Just respond broadly to  
5 that?

6 COUNCIL MEMBER GJONAJ: Yeah, please.

7 ERIC ENDERLIN: Because I'm happy to. I  
8 don't disagree with you. I mean, I don't want to put  
9 myself forward as an economist today, but if you  
10 look, and we very carefully follow a number of  
11 indicators and markets in the work that we do,  
12 including how our tax credits are pricing, including  
13 what interest rates we're getting on projects, and if  
14 you look even today a very critical marker has  
15 happened in which interest rates did something very  
16 unusual that do herald the potential for a recession.  
17 So I think if you went to a lot of experts today they  
18 would agree with you on that. So we are always  
19 concerned about that. We're always looking forward  
20 at the future, and I sometimes make the point that,  
21 and I made this to the chair on a phone call the  
22 other date that, um, you know, we are called Housing  
23 Preservation and Development because those two  
24 things, preservation and development, while we always  
25 do them together they are economically counter-



2 cyclical at times, that there are times when the  
3 market is strong and you can move ahead with a lot of  
4 new construction and preservation, but heavy on the  
5 new construction, and then if you get a recession you  
6 can get a retrenchment, and we did this, and we saw  
7 this in 2008 and 2009, and you kind of pivot to  
8 preservation because it's smart to do and you get a  
9 lot of development done and you preserve and protect  
10 a lot of households with low income. So we  
11 fundamentally agree with you and we're always looking  
12 out for a rainy day. We're always looking for ways  
13 that we can pivot, and that's one reason when we say  
14 that we don't want to be over-circumscribed in the  
15 way we do programs and terms, um, we like to have the  
16 flexibility to be responsive.

17 COUNCIL MEMBER GJONAJ: Thank you for  
18 that. I also want to touch on quite a few issue from  
19 new construction, um, and we understand the need of  
20 new construction, but we also have to understand the  
21 need for investing in the infrastructure to support  
22 new construction, and that starts from schools that  
23 are overcrowded to our healthcare systems that aren't  
24 providing enough beds, ah, for those that need  
25 healthcare attention, from policing, roadways, we

2 have to look at this from a holistic point and just  
3 not wing it for the sake of winging it. And there's  
4 real impact that comes out of new construction that  
5 upends communities. We talk much about supportive  
6 housing, ah, the Fair Share plan that was produced in  
7 2016 showed that of all the boroughs, the Borough of  
8 the Bronx had more supportive housing units than any  
9 other borough per capita, 41% more than Brooklyn, 32%  
10 more than Manhattan, 99% more than Staten Island, and  
11 100% more than Queens. Inundating the Borough of the  
12 Bronx to bear the brunt share of this responsibility  
13 is not fair. We have overburdened the poorest  
14 borough, the sickest borough, the highest rate of  
15 unemployed borough, with affordable supportive  
16 housing that is not intended for Bronx sites, and  
17 we're up to the challenge. This is all boroughs  
18 meeting their fair share. But when you allow the  
19 Borough of the Bronx to get ~~innundated~~inundated,  
20 without giving us the additional resources that are  
21 needed to meet the needs of these families and  
22 individuals it puts another huge hurdle and a burden  
23 on a borough that's trying to create a stronger  
24 foundation for itself and for future generations. I  
25 want to talk about a bit of triage on a battlefield.

2 Typically we try to stop the bleeding first before we  
3 attend to the needs. We are not stopping the  
4 bleeding when it comes to the need for affordable  
5 housing and the homeless rate. We're not protecting  
6 the most vulnerable. I've spoken on this a number of  
7 times. Before we can even address the needs of the  
8 homeless let's stop the increase, and that's  
9 preserving the homes that these vulnerable families  
10 occupy. And the TRIE bill would do that. The Tenant  
11 Rent Increase Exemption Program, which works similar  
12 to the SCRIE and the DRIE program, families earning  
13 under \$50,000 a year would not be burdened by a  
14 future rent increase. The message would be we know  
15 it's difficult. We're not going to let rent be the  
16 determining factor what forces you out of your home  
17 and we're not going to get, we're not going to allow  
18 it to get worse for you. Keeping more people in  
19 their homes, more stability, so we can address the  
20 real issue, and that is making sure that everyone has  
21 a roof over their head. Where are we on the vacant  
22 lots that Scott [inaudible] report showed citywide,  
23 when we talk about locations that we can develop, how  
24 much progress have we made there? And not enough is  
25 said about middle-class housing. In today's times

2 when you have a union-paid job and are fortunate to  
3 have two head of household they're priced out. There  
4 is nothing for them. The numbers I believe that you  
5 refer to here of the 121,000 units, not much has been  
6 allocated to middle income. Forget about seniors and  
7 veterans. Which are making decisions on and giving  
8 up the communities that they helped build. How  
9 veterans fight for this nation, come home, and have  
10 to make decisions on moving because they don't have  
11 housing options. Our seniors, the ones that have  
12 built our neighborhoods, and made them into the great  
13 communities and create a quality of life for families  
14 to enjoy, are forced to move out of the neighborhoods  
15 they very built. And I know that there are so many  
16 questions, I'm grateful to the chairs for giving me  
17 the flexibility of going over, but please answer as  
18 many of those questions as possible.

19 UNIDENTIFIED: [shouts out - inaudible]

20 UNIDENTIFIED: Shhh.

21 ERIC ENDERLIN: You did have a lot of  
22 questions in there, or things that could be turned  
23 into questions. The, um, we just answered a question  
24 for Council Member Torres about the distribution of  
25 units and my answer included part of a response that

2 I would give to you as well, is that we do look for  
3 where there is rent burden, where there is unmet  
4 need. We try to be thoughtful about it, while  
5 recognizing that the deepest burden is among folks  
6 with lowest income in terms of how they experience  
7 that burden and how regressive that burden is,  
8 absolutely understood. The other comment I would  
9 make to you is that the elected officials in the  
10 Bronx have been very successful and very thoughtful  
11 and very persistent about working with HPD around  
12 mixing incomes in those projects. There's a lot of  
13 times what community boards come to us and say and  
14 what the electeds come to us to say is that we need  
15 projects that both meet the needs of deeply  
16 affordable units and households and also run a range  
17 so that we kind of have a balanced housing stock...

18 COUNCIL MEMBER GJONAJ: But there's a big  
19 difference between affordable housing and supportive  
20 housing.

21 ERIC ENDERLIN: Yes.

22 COUNCIL MEMBER GJONAJ: And those numbers  
23 are clear, and that doesn't even take into  
24 consideration the scatter sites...

25 ERIC ENDERLIN: Yes.

2 COUNCIL MEMBER GJONAJ: And we have no  
3 idea where they're located and how many there are in  
4 particularly the Borough of the Bronx compared to the  
5 rest of the city.

6 ERIC ENDERLIN: Yeah...

7 CHAIRPERSON CORNEGY: Before you address  
8 that..

9 ERIC ENDERLIN: Yes, sir.

10 CHAIRPERSON CORNEGY: I just want to ask  
11 my colleagues it is incredibly important that we get  
12 a chance to hear from, ah, people who have waited all  
13 morning. I'm going to ask that Commissioner,  
14 yourself and/or your staff, be present to hear the  
15 testimony, because sometimes putting a face to what  
16 we hear as members and hearing directly from them,  
17 um, will guide your thought and your process through  
18 policy from an administrative standpoint. So I'm  
19 asking two things. I'm asking that my colleagues, to  
20 the extent that you can, stay within the confines of  
21 what we've asked you to do, ah, in an attempt to be  
22 able to hear from, um, ah, the advocates who are here  
23 and the people who are actually negatively impacted  
24 by the policies that we put forward, and I ask that  
25 the, that HPD, to the extent that you can stay and

2 that you can have your, um, your staff listen to  
3 these stories directly, I would appreciate it.

4 ERIC ENDERLIN: We certainly can, thank  
5 you. So back to the questions, on the supportive  
6 housing comment and question we agree. We always  
7 challenge the idea we're of, that supportive housing  
8 is in some way a burden. We work for a balanced  
9 housing response and we challenge the idea that  
10 supportive housing in some way is a burden.

11 Oftentimes it's the most attractive, well-managed  
12 property that might exist. But that said, when you  
13 talk about the distribution, because there is, there  
14 is, as I described, when the electeds and when  
15 community board speak to us a lot of times in the  
16 Bronx they do talk about rebalancing it and the  
17 history of what that distribution has been, and I can  
18 point out that of the units that we've financed  
19 through supportive housing programs just, we have,  
20 43% of those are located in Manhattan, um, and...

21 COUNCIL MEMBER GJONAJ: My numbers are  
22 per capita.

23 ERIC ENDERLIN: OK. So I'm just pointing  
24 out that there is, there is a balancing that has gone  
25 on and a rebalancing that has gone on, and it's

2 important to be thoughtful about that, and that  
3 affordable housing can work in two directions - one  
4 which is making something more affordable, deeply  
5 affordable in places where it doesn't exist. The  
6 other is to invest and reinvest in places where there  
7 has been disinvestment and sometimes that calls for  
8 going a little bit in the mixed income direction that  
9 you talk about. On your description of TRIE, it's  
10 interesting and we're thoughtful about it, and I, we  
11 would be happy to talk more and more about it. The  
12 caution that I would just offer about it, because  
13 it's, it's attractive at one level, but the challenge  
14 is that, and when you think about who might support  
15 it or who might not support it, the challenge is that  
16 if you go in the direction of creating what is  
17 essentially a rental voucher or tenant rental payment  
18 for those units and you figure out what that universe  
19 looks like, it has the potential to very quickly, in  
20 a changing world, swamp your entire budget. So, for  
21 example, people have said HUD at the federal level,  
22 which runs the Section 8 program, has increasingly  
23 become what some people describe as the Department of  
24 Section 8 in that 70-some percent of its budget in  
25 times has now become dedicated to Section 8. I would



2 just advise, and it goes back to the comment I made  
3 earlier around building and controlling and working  
4 with not-for-profits and actually having a hard  
5 physical asset to really go in that direction to make  
6 sure we don't cut that off on the budget side in  
7 order to pursue a tenant rental assistance that could  
8 quickly balloon to numbers that would be hard to  
9 manage.

10 COUNCIL MEMBER GJONAJ: I thank you for  
11 that, and may I just apologize, Chairs, but we're  
12 talking about two different animals here, right?  
13 We're talking about stopping the bleeding so more  
14 families don't become homeless and become a further  
15 burden where we're paying crazy prices to accommodate  
16 them in shelters and in hotels. Keeping them in  
17 their home is spending money wisely.

18 ERIC ENDERLIN: And I would...

19 COUNCIL MEMBER GJONAJ: That's the idea.

20 ERIC ENDERLIN: We're happy to work with  
21 you on that and to figure out...

22 COUNCIL MEMBER GJONAJ: But I propose  
23 that the number is 300 million dollars, over a period  
24 of five years. We're talking billions. And that was  
25 numbers that I received from HPD.

2 ERIC ENDERLIN: We're happy to, you know,  
3 I, I'll say we're happy to work with you and look at  
4 it further.

5 COUNCIL MEMBER GJONAJ: And I just want  
6 to point this out. This budget that we're referring  
7 to is 93 billion dollars. It's calling for a 1.9  
8 billion dollar increase in real estate taxes, over a  
9 1.5 billion from last year. So let me paint the  
10 picture. City charges landlord. Landlord passes on  
11 to tenant. Tenant pays landlord. Landlord pays  
12 city. The culprit is New York City, because they're  
13 the ones that are raising the rents on these  
14 vulnerable tenants. And have vilified the landlord  
15 in the process. No one even wants to acknowledge  
16 this, that these are pass-alongs onto tenants and  
17 we're creating the unaffordable aspect of it.

18 ERIC ENDERLIN: Yeah. As I said, we'd  
19 be, I'd be happy to look at that further. What I  
20 will say and in that, in the direction that you're  
21 talking about, we also feel, this is one of the  
22 reasons why we feel that strong rent regulation is a  
23 critical factor. But let me, if you don't mind, I'd  
24 like to look at your proposal more deeply in terms of  
25 the actual budget numbers and see what that is.

2 CHAIRPERSON CORNEGY: Thank you so much.

3 CHAIRPERSON VANESSA GIBSON: Thank you.

4 I'm going to be quick because we do want to hear from  
5 the residences and the advocates who are here. Um, I  
6 wanted to ask a very pointed question. In the  
7 Housing NY plan 5% of the total number is set aside  
8 for housing for homeless New Yorkers. Is this  
9 administration at all going to consider raising that  
10 threshold to recognize the real need to house  
11 homeless New Yorkers?

12 ERIC ENDERLIN: We will and we have and  
13 we do.

14 CHAIRPERSON VANESSA GIBSON: No, no,  
15 beyond 5%.

16 ERIC ENDERLIN: Yes, we're already well  
17 beyond five. When you look at the set-asides they  
18 blend across, I think we're probably at 8% right now,  
19 and we're moving in the direction that is moving  
20 towards 10, and some of the numbers that we've heard  
21 already that would put us on track for units, I think  
22 we're pacing at about 24,000 units in the plan at  
23 that rate.

24 CHAIRPERSON VANESSA GIBSON: Do you have  
25 a timeframe on when we could expect to get to 30,000?

2 ERIC ENDERLIN: Thirty, I don't know,  
3 Molly, you might.

4 CHAIRPERSON VANESSA GIBSON: You say  
5 we're at 24?

6 ERIC ENDERLIN: We're on pace for 24.

7 CHAIRPERSON VANESSA GIBSON: We're on  
8 pace for 24,000 by when?

9 ERIC ENDERLIN: By the end of the plan,  
10 at the current blend that we have coming in. Molly,  
11 you, Molly Park might have more to say about that.

12 CHAIRPERSON VANESSA GIBSON: OK.

13 MOLLY PARK: Ah, I would echo what the  
14 Commissioner has said. We are producing about 24, a  
15 hundred units, 2500 units a year, which would bring  
16 us to 24 to 25,000 by the end of the plan. It is 8%  
17 overall and it's over 10% of the rental units that  
18 we're doing.

19 CHAIRPERSON VANESSA GIBSON: OK, well,  
20 just forgive me for being honest, but, ah, it's not  
21 enough. It's not enough. We're on pace of achieving  
22 24,000 by the plan. I mean, that plan is still a few  
23 years out. We are not building enough housing for  
24 homeless New Yorkers. And I think when you hear the  
25 compassion from advocates and constituents it's

2 because we hear this every single day in our  
3 districts. Every single day. There is not a day  
4 that goes by when I don't travel in my community. If  
5 I'm at church, the supermarket, I'm going to an  
6 event, I am always talking to someone, Commissioner,  
7 that needs housing. They're in shelters. They're  
8 mothers. They're fathers. They have children. It's  
9 not enough. This administration really needs to  
10 recognize the true need. If we can talk and speak  
11 with confidence of all the other great numbers we've  
12 achieved with preservation, with housing for low  
13 income, why are we not achieving that same priority  
14 for extremely low income families at homeless New  
15 Yorkers? We can't emphasize this enough. We, if we  
16 are to have a real successful plan we have to  
17 recognize where the greatest challenge is and try to  
18 meet it. We've talked about it extensively and we're  
19 going to continue to talk about it because the  
20 numbers that we're hearing are not sufficient.  
21 That's the bottom line. It's not sufficient. And so  
22 I hope that through the course of this budget process  
23 as we enter the phase of an executive budget we can  
24 really see more numbers coming down the pipeline.  
25 Everything is always in the pipeline, but we need

2 construction now. In the pipeline doesn't mean we're  
3 ready to break ground. In the pipeline means that  
4 we're still in the financing stage, so we still have  
5 another process to go through, so I just want to make  
6 sure that you and the team are really understanding  
7 what we go through as council members and why we are  
8 forceful with you because our  
9 ~~constitutents~~constituents demand more and so if they  
10 demand more of us we're demanding more of you. We're  
11 demanding more of this administration, more of this  
12 mayor to focus on housing homeless New Yorkers.

13 UNIDENTIFIED: Amen, amen.

14 CHAIRPERSON VANESSA GIBSON: We have to.  
15 This is the reason why so many people are here today.  
16 Many of them may be in shelters themselves and if you  
17 stay, if you stay for the testimony, I assure you,  
18 you will hear those stories. So another topic I want  
19 to talk about, because I have a lot of cluster  
20 housing and this administration has been committed to  
21 drawing down on cluster housing, I understand that we  
22 are in active conversation to acquire 17 different  
23 buildings that we're going to take ownership of at  
24 174 million dollars. So I want to ask where are we  
25 with that conversation? Is this reflected in the

2 capital plan, and what more should we expect on  
3 drawing down on cluster er ~~e~~ units and turning those  
4 units and buildings into affordable housing for  
5 families?

6 ERIC ENDERLIN: I will start and then my  
7 colleague will add to that. Your comment is correct.  
8 That is underway and that goes to the comment that I  
9 made earlier and actually goes back to the comment  
10 that you just made around homelessness, that we are  
11 working on every approach, that we are not just  
12 looking at the pipeline, which you correctly indicate  
13 is years out and doesn't serve people always  
14 immediately today and we're working on approaches,  
15 for example, this cluster conversion with DSS that  
16 would have a much more immediate impact and would  
17 offer the city greater control of that kind of  
18 resource and that kind of asset to address this  
19 critical problem in real time and so with that I'll  
20 again turn to Molly Park, deputy commissioner of  
21 redevelopment.

22 MOLLY PARK: Yeah, ah, we expect to  
23 close on this transaction within the next couple of  
24 weeks, um, it's never over till it's over, but we are  
25 working very, very hard to do it. Just to clarify,

2 we're financing the acquisition. The buildings will  
3 actually be owned by nonprofit organizations. This  
4 will be permanent housing for right, right away, for  
5 more than 1200 homeless individuals. Those buildings  
6 will remain having, ah, significant homeless set-  
7 aside on them going forward so that as families  
8 choose to move on that it is a renewed resource for  
9 homeless placements going forward. We are making  
10 more than 50% of the units permanently affordable, so  
11 in addition to the long-term affordability that we'll  
12 be getting going forward it's going to be a  
13 permanently affordable asset for the community. It's  
14 been a very challenging transaction, um, but I'm  
15 excited about it and I think it's an important, um,  
16 step towards our investment in extremely low and very  
17 low income households and housing for the homeless.  
18 It is something that right at the moment is not  
19 reflected in our budget, but we're working very  
20 closely with OMB and obviously given that we are  
21 closing the transaction in a couple of weeks we will  
22 be spending the money and then sorting it out after  
23 the fact.

24 CHAIRPERSON VANESSA GIBSON: So the 174  
25 million is that just to ~~acquier~~acquire the building



2 or does that include renovations and modifications  
3 that will need to be made to these units as well as  
4 the overall buildings?

5 MOLLY PARK: That is the acquisition  
6 price and then there will be renovations that follow  
7 that.

8 CHAIRPERSON VANESSA GIBSON: So landlords  
9 are going to be making money, 174 million dollars.  
10 So there will be another cost after we acquire the  
11 buildings and we work with not-for-profits. How are  
12 we going to finance the ~~renewations~~renovations that  
13 need to be done to these apartments?

14 MOLLY PARK: That will flow through the  
15 HPD budget along with the acquisition of the  
16 buildings. It is, it is a large number of units,  
17 right? It is seven hundred, and this phase of the  
18 cluster's transaction is 729 units. Four hundred and  
19 sixty eight of them are homeless set-aside units and  
20 then with the, the remainder being existing rent-  
21 stabilized tenants. So it is a large price tag, but  
22 that's a reflection of the fact that is a large  
23 number of units. It translates out to, for the  
24 acquisition price to \$238,000 a unit, which is  
25 frankly comparable to what it costs to acquire rent-

2 stabilized housing in the Bronx and Brooklyn, which  
3 is where the buildings are located.

4 CHAIRPERSON VANESSA GIBSON: OK. I  
5 wanted to ask about the Mayor's Office of Tenant  
6 Protection and what that office is doing and the  
7 staffing, um, the coordination and how does this  
8 overlap with the Tenant Harassment Prevention Task  
9 Force, which HPD is a part of. Um, I'm familiar with  
10 many task forces HPD is a part of with the state, the  
11 AG's office, HCR. So I'm trying to understand, um,  
12 that we're not being duplicative but we're providing  
13 real services for tenants that need real assistance  
14 that are harassed every day by landlords and  
15 exploited by landlords in their apartments.

16 ERIC ENDERLIN: Let me start and then  
17 I'll turn it over to AnnMarie Santiago, our deputy  
18 commissioner for enforcement and neighborhood  
19 services. We had some of the same concerns. We want  
20 to make sure that they aren't duplicative and that  
21 they don't overlap. We believe that the mayor's  
22 office will play a critical role in coordinating the  
23 activities of various departments, also provides an  
24 intake for advocacy and advocacy efforts, and these,  
25 and the tenant antiharassment unit itself will

2 actually do more of the work on the ground in  
3 neighborhoods with buildings and with tenants to  
4 combat that kind of harassment. There is also  
5 significant coordination, I would add, with state  
6 entities, including the attorney general, um, that  
7 are designed to do this work as well, both in some  
8 cases for them statewide, but certainly here in New  
9 York. With that, New York City, with that I'll,  
10 AnnMarie, would you like to add?

11 ANNMARIE SANTIAGO: Sure. So as you  
12 know, Council Member, there are many different types  
13 of harassment. There's construction as harassment,  
14 there is the type of harassment that would fall under  
15 HPD's purview, which is owners who fail to provide  
16 services, essential services, or who stop providing  
17 basic services, janitorial services, and then there  
18 are the types of harassment of false eviction notices  
19 and rental lease issues, so it spans the gamut and I  
20 think the idea is that the mayor's office to protect  
21 tenants will really kind of be an umbrella to make  
22 sure that appropriate remedy is being provide in the  
23 specific cases. HPD's tenant  
24 ~~antiharassment~~antiharassment unit will be, as the  
25 commissioner said, boots on the ground, inspectors,

2 attorneys, looking specifically at the types of  
3 harassment issues that would fall into HPD's bucket  
4 to ensure that we can be as aggressive as we can to  
5 assist tenants navigate when they're having those  
6 types of maintenance issues as harassment.

7 CHAIRPERSON VANESSA GIBSON: OK. The  
8 Certificate of No Harassment pilot that we started  
9 working with DOB, um, how is that going? Two of my  
10 community boards are a part of that and what I'm  
11 interested in understanding is what have you seen so  
12 far as you've started this work and are we finding  
13 patterns and consistencies with owners who habitually  
14 are harassing tenants and we have documented records  
15 of such, are we going to use the tools that we are  
16 given to make sure that these are the owners, um,  
17 that we hold accountable as we do the Certificate of  
18 No Harassment work?

19 ERIC ENDERLIN: So I'll start again and  
20 then I think the deputy commissioner will add. Um,  
21 it's early on that. It's a thousand buildings,  
22 26,000 units. We have had a number of requests at  
23 this point for that Certificate of No Harassment. I  
24 think we've had 19 applications, um, at this point.  
25 No one has actually been denied for, on that

2 application and I think two people have achieved the  
3 certificate, two buildings have achieved the  
4 certificate. Again, it is early on that so we don't  
5 know. What we have seen already the reason that this  
6 exists is because we had seen patterns to begin with.  
7 So, for example, um, the idea that there could be a  
8 lot of churn or turnover in buildings, the idea that  
9 there could have been, you know, speculation going on  
10 in those neighborhoods, the idea that those buildings  
11 could be distressed. So the reason that the program  
12 exists is because we saw patterns that could indicate  
13 a problem to begin with. In terms of this actual  
14 program, the Certificate of No Harassment, I don't  
15 think it's been long enough to actually see results  
16 that we could be confident in saying are clearly a  
17 result of that, but, AnnMarie, you had a question, go  
18 ahead.

19 ANNMARIE SANTIAGO: I would agree with  
20 the Commissioner. We're working very well with the  
21 Department of Buildings. I know that some permits  
22 and applications have been stopped at the door at the  
23 Department of Buildings and, as the Commissioner  
24 said, we only have received about almost 20  
25 applications at this point and we are working through

2 them as there is an investigative period once we  
3 receive the application. So only a very few  
4 applications have made it to the point of a  
5 determination at this point. But we will continue to  
6 keep the council updated as results.

7 CHAIRPERSON VANESSA GIBSON: OK. OK, we  
8 appreciate that. Because of time I only have time  
9 for one more question before I turn it back to Chair  
10 Cornegy, but I wanted to ask about three-quarter  
11 housing. Ah, a few years ago in 2015 we announced  
12 the formation of an interagency task force whose job  
13 was to review three-quarter housing with the goal of  
14 transitioning many individuals into permanent  
15 housing. It's been four years. Do we have an update  
16 on how many have been relocated, ah, and some of the  
17 other issues that we have encountered with three-  
18 quarter housing, specifically since many of the  
19 three-quarter housing is concentrated in certain  
20 parts of New York City, particularly the Bronx.

21 ERIC ENDERLIN: There is a significant  
22 amount of progress, I think 671 clients have been  
23 moved out and 376 have moved into permanent housing  
24 with DSS and HRA. That is a significant portion of  
25 the existing stock and so that is moving in a

2 direction that we feel is very positive and helpful  
3 and a good thing overall for the city and for the  
4 residents of those properties.

5 CHAIRPERSON VANESSA GIBSON: OK. Well,  
6 we definitely would love to keep being briefed and  
7 updated on that. And as I turn it back over to the  
8 chair, I definitely want to commend the agency. I do  
9 appreciate the work and a lot of the efforts with  
10 PEG, savings, and many other things that the agency  
11 is being tasked to do. The majority of your funding  
12 is federal, um, I appreciate the work that has been  
13 done to date, um, but I have to go on record on  
14 behalf of my district in the Bronx in just saying  
15 that's it really not enough. There are still far too  
16 many homeless New Yorkers that are not being placed  
17 in permanent housing and we have to do more in that  
18 regard, and I also think we have to go more in  
19 supportive housing, and as I represent a district  
20 that has taken its fair share of shelters and  
21 supportive housing and every other type of housing  
22 when a lot of the other communities can't even match  
23 what my district has done, I think it's more than  
24 reasonable that I can say on behalf of my district  
25 that I need more housing in the Bronx alone for

2 homeless families that are living in my shelters  
3 today. I see them. Their children are in my  
4 schools. And it's not acceptable for me. And so as  
5 a member who has had its fair share I take homeless  
6 families from my community and other communities too.  
7 DHS will tell you that. And so I think it's fair to  
8 say to say when we are asking for more it's because  
9 we know the numbers, we see the people, and I want  
10 everyone to understand the faces of homelessness.  
11 They look like my community. They come from my  
12 community. And I want people to really understand  
13 that these are New Yorkers that are our family and  
14 friends and they truly are all asking for the same  
15 opportunity that everyone else is being afforded in  
16 this city and so I look forward to working with you  
17 in your capacity and HPD because we really have to do  
18 more in this city. Thank you so much, and I'll turn  
19 it back to the chair. [applause]

20 ERIC ENDERLIN: Thank you.

21 CHAIRPERSON CORNEGY: Thank you. Thank  
22 you, Chair Gibson. We have unfortunately a hard stop  
23 for this room at 2 o'clock and, um, in light of that  
24 and as of Chair of Housing and Buildings I have the  
25 latitude to defer the remainder of my questions to be



2 submitted in writing, um, so that I can hear directly  
3 from public testimony. So I am going to exercise my  
4 ability to submit my questions in writing and have a  
5 reasonable expectation that you will get back to me  
6 in a timely fashion with answers to all of those  
7 questions...

8 ERIC ENDERLIN: Yes.

9 CHAIRPERSON CORNEGY: ...as it relates to  
10 budget for fiscal 2020.

11 ERIC ENDERLIN: Absolutely.

12 CHAIRPERSON CORNEGY:

13 COUNCIL MEMBER ROSENTHAL: Appreciate  
14 that. I'm going to limit myself to three minutes.  
15 First, of course, I attach myself to my colleagues'  
16 points about the need for more housing. There is a  
17 building we've been working with HRA to try to turn  
18 into permanent housing, affordable housing in my  
19 district, and so I'd like to follow up with you on  
20 that. Um, but I specifically want to talk about  
21 survivors of domestic violence. The Legal Aid  
22 Society brought a lawsuit against the city because a  
23 woman in an abusive relationship was not able to  
24 shift a Section 8 voucher to her name. What is HPD's  
25 practice when a DV survivor attempts to bifurcate a

2 lease agreement that includes a rental voucher  
3 administered by HPD, and this of course, and this is  
4 one of the most serious problems with survivors of  
5 domestic violence. This is one of the, ah, mallets  
6 that's held over their head and that is whose name is  
7 on the lease. My second question because I've really  
8 been, you can do a quick answer or send it, send the  
9 response, can HPD provide a progress report on its  
10 capital commitments for permanent housing for DV  
11 survivors? It's really just the single biggest  
12 problem.

13 ERIC ENDERLIN: Yes. Let me just start  
14 that. The first example that you listed, which I  
15 learned about recently, is obviously a significant  
16 concern and not a unique situation, but a new  
17 situation that I think I'm aware of. I do believe  
18 that's been worked through, but I want to ask our  
19 deputy commissioner, who has experience with the  
20 Section 8, um, to talk about that a little bit more.

21 SHARON NEIL: Sure. Obviously I can't  
22 comment on the specific case since we are in  
23 litigation with the Legal Aid Society. But I will  
24 say that HPD has taken implementation of the  
25 [inaudible] rule that came in 2016 very seriously.

2 We have implemented new protocols and practices  
3 across the agency, not just for Section 8, but it  
4 involves all housing programs federally funded. So  
5 we have a very, a very strong track record of help DV  
6 survivors and we are continuing to do that and we are  
7 continuing to work with Legal Aid [inaudible].

8 ERIC ENDERLIN: And on the question of  
9 capital commitment, we certainly would work with your  
10 office. I don't know if you have that, the number of  
11 available immediately...

12 COUNCIL MEMBER ROSENTHAL: No, we'd have  
13 to follow them.

14 ERIC ENDERLIN: We'll follow up with  
15 that.

16 COUNCIL MEMBER ROSENTHAL: OK. And I  
17 just want to note that Deputy Commissioner Santiago  
18 has been incredibly helpful in our district and I  
19 really appreciate her efforts. But, and I would like  
20 to just follow up with you on the, on what you're  
21 doing, if there's a new policy with domestic violence  
22 riders, it's the largest issue, as chair of the  
23 Committee on Women.

24 ERIC ENDERLIN: Thank you, Council  
25 Member.

2 COUNCIL MEMBER ROSENTHAL: Thank you.

3 CHAIRPERSON CORNEGY: Thank you. I just  
4 want to say, Commissioner, very rarely do we have an  
5 opportunity to have a, ah, acting interim or new  
6 commissioner that is so well versed. I think that's  
7 a testament to the fact that this is at least your  
8 second visit to HPD.

9 ERIC ENDERLIN: Yes.

10 CHAIRPERSON CORNEGY: I appreciate the  
11 idea that you came in ready to hit the ground running  
12 in a very crucial and critical time. So I appreciate  
13 your knowledge and depth and breadth of understanding  
14 of HPD, and seamless transition and not missing a  
15 beat. That's very important to, ah, not only this  
16 council and this committee, but to the residents of  
17 the City of New York. Thank you.

18 ERIC ENDERLIN: Thank you very much.

19 CHAIRPERSON CORNEGY: So we are going to  
20 call, um, the first panel of public testimony. We'll  
21 start with Leroy Alexander, Victoria Wolf, Harold  
22 Alexis, Benjamin Dulchin, and Ramone Leclerc~~e~~ck. There  
23 will be a 2-minute clock placed on testimony. I  
24 also, while these transitions is taking place would  
25 like to acknowledge the presence of Wagner College

2 who is here, Staten Island is in the building.

3 [applause] So once you've gathered and organized  
4 yourself you can begin your testimony. I ask that  
5 before your testimony begin you identify yourself by  
6 full name for the record. And you can begin at any  
7 place that you would like to. I ask that on a panel  
8 like we have that we allow chivalry to prevail.

9 VICTORIA WOLF: Good afternoon. My name  
10 is Victoria Wolf and I am a senior living in Eldred  
11 Lane Shelter. I am in the shelter system because of  
12 a repetitive failure of retina of my one seeing eye,  
13 with varying degrees of blindness over the last 25  
14 years. My eyesight forced me into early retirement  
15 six months short of a full work history for Social  
16 Security and I was denied Social Security disability.  
17 For this reason, my Social Security monthly payment,  
18 after Medicare, is \$42 per month. Due to my physical  
19 impairments, including spinal and knee injuries, it  
20 is critical that I reside in housing with an  
21 elevator, preferably smoke-free. I have enrolled in  
22 the CITYFEPS program and have had my shopping letter.  
23 Unfortunately, at only \$1246 per month, I know I will  
24 never find an apartment in New York City that will  
25 meet my needs within the voucher's maximum pay. So

2 now I am stuck in the shelter with no viable route  
3 out. The House our Future NY campaign is asking for  
4 30,000 units of housing set aside from the mayor's  
5 affordable housing plan for homeless New Yorkers,  
6 with 24,000 being new construction. This is simply  
7 not too much to ask. Housing provides a sense of  
8 security, safety, and succor to thrive. When I  
9 learned that over a third of the shelter population  
10 was children I was appalled. If I feel these needs  
11 so acutely I met from a lack of housing, imagine how  
12 much more intensely it is felt by children who are  
13 emotionally vulnerable. One does not live a life in  
14 a shelter. One is always in a survival mode. A  
15 sense of safety is nonexistent. You cannot think  
16 correctly, you cannot feel at ease because of  
17 atmosphere overwhelmingly thick with anger, fear,  
18 anxiety, and emotional instability. As a senior, I  
19 have taken consideration my ETR, or estimated time  
20 remaining. I need to know my housing is set and  
21 secure for the remainder of my life. If I use the  
22 voucher of \$1246, an amount way short of fair market  
23 value, out of ~~desperation~~desperation, which is  
24 likely, I will be forced to take an apartment or a  
25 room that does not meet my physical needs. I fear a

2 critical, excuse me, I fear a cyclical return into  
3 the shelter, but of right now the voucher is my only  
4 option. I have goals and desires, things I want to  
5 accomplish with my remaining time on this planet, and  
6 without hope why strive to go forward. House our  
7 Future NY would create an urgently needed housing  
8 stock for people in the shelter system and is a  
9 practical solution for all of us with nowhere to  
10 turn. As of January 7, 2019, I have entered into my  
11 third year of DHS shelter. There is a reason the  
12 average length of stay in a city shelter is  
13 increasing. There is nowhere suitable for people in  
14 the lowest income bracket or on fixed income to go.  
15 A home is not just a physical space. It also  
16 provides roots, identity, security, a sense of  
17 belonging, and a place of emotional well-being. I  
18 hope that you all, as our elected officials, can  
19 acknowledge that every New Yorker at the least  
20 deserves a home. And thank you.

21 CHAIRPERSON CORNEGY: Thank you for your  
22 testimony, Ms. Wolf.

23 LEROY ALEXANDER: Good afternoon  
24 everyone. My name is Leroy Alexander and I'm a  
25 membership leader with Neighborhoods Together. I'm

2 here today to urge the City Council to support House  
3 our Future NY and help homeless New Yorkers move into  
4 permanent housing. I first became homeless in 2001  
5 and experienced three different episodes of  
6 homelessness, totalling almost two years, and over  
7 the course of that time I lived in two drop-in  
8 centers and four different shelters. But for the  
9 last six years I've been living in a unit through a  
10 supportive housing provider. While it isn't perfect,  
11 while it isn't perfect I always have a place to call  
12 home and I live with dignity. This homeless crisis  
13 is insidious. And an analogy, an analogy can be made  
14 to the AIDS epidemic. That was a deadly disease that  
15 for too long our government withheld the resources  
16 necessary to effect a cure. To those who haven't  
17 experienced homelessness firsthand, it is necessary,  
18 it is nearly impossible, rather, to fully comprehend  
19 the nature of this reality which affects more than  
20 63,000 New Yorkers. However, through House our  
21 Future NY we can begin to make real strides to  
22 alleviate this suffering. The mayor's affordable  
23 housing plan does not meet the most crucial need for  
24 housing. His plan creates 60,000 units for people  
25 making between \$70,000 and \$140,000 a year. At that



2 rate, even if 10% of those units that we're asking to  
3 be set aside for those who are currently homeless, is  
4 to me gradualism at best. But it's a step in the  
5 right direction. I'm here to be a voice for those  
6 people who are homeless and do not have the ability  
7 to represent themselves. I can sit here and speak to  
8 you today because my basic human needs are met. It's  
9 important to understand that homelessness has no  
10 face, no stereotype, and is native to no particular  
11 segment of the population. Homelessness is but one  
12 misstep away for far too many people, even some of  
13 you in this room today. Our elected and appointed  
14 officials need to be responsible for and accountable  
15 to those grass-roots rank and file New Yorkers, the  
16 ones that were here before gentrification made living  
17 in places like Bed-Sty, Bushwick, Harlem, and the  
18 South Bronx chic for upper middle class people. If  
19 America is what she says she is and if New York wants  
20 to be the biggest fair city in America, we have the  
21 obligation to meet the needs of those who work hard  
22 but don't have a pot of gold at the end of their  
23 rainbow or two cars in their garage, or even a  
24 chicken in their pot. Thank you for allowing me to

2 speak. Thank you for listening. Once again, I'm  
3 Leroy Alexander.

4 CHAIRPERSON CORNEGY: Thank you for your  
5 testimony, Mr. Alexander. I ask that to the extent  
6 if you can surmise some of your testimony, it only  
7 allows for me to hear the over 25 people who signed  
8 up. I don't want to cut anyone short and your voices  
9 are all incredibly important. To the extent that you  
10 can do that, or maybe you feel like some of your  
11 testimony is repetitive, um, I would appreciate and  
12 so would everyone else if you could do that. That's  
13 not anyone in particular. That's a blanket  
14 statement.

15 UNIDENTIFIED: I will take that as a  
16 challenge. Um, so thank you, Chair Cornegy, Chair  
17 Gibson, Council Members Gjonaj, Perkins, and Chin.  
18 My name is Benjamin Dulchin. I'm the executive  
19 director of the Association for Neighborhood and  
20 Housing Development. We're a member association of  
21 about 101 neighborhood-based affordable housing and  
22 [inaudible] development organizations in all five  
23 boroughs. So rather than read my testimony, of which  
24 you have copies, I'll just quickly summarize a couple  
25 of the key points. Um, you know, we all know the

2 threats that New York City is facing with potential  
3 cuts to the federal budget. In this environment it  
4 is more important than ever that New York City  
5 Council set the right example and promote policies,  
6 and with the FY20 budget support those programs that  
7 help to support the most vulnerable New Yorkers. One  
8 of the programs which has been very effective over  
9 the years has been the Community Housing Preservation  
10 Initiative, formerly known as the Housing  
11 Preservation Initiative and the Community Consultant  
12 Contract. Last year, over the last number of years,  
13 the New York City Council has funded three points,  
14 ah, \$3,651,000 to districts around the city,  
15 specifically from neighborhood-based groups doing the  
16 most effective anti-displacement, anti-eviction  
17 neighborhood preservation work. That program works.  
18 Recent analysis by NHD shows that there is no  
19 question that our best, ah, our best efforts are put  
20 in the preservation of existing affordable units,  
21 especially in the private market, rather than through  
22 new construction plans. It costs about \$100,000 for  
23 every unit in direct city subsidy. For every new  
24 construction unit it's about \$40,000 in direct city  
25 subsidy, that is taxpayer subsidy. For every

2 preservation unit, and taking in account the total  
3 cost of construction, including tax credits, ah, and  
4 tax abatements, each unit is four times that. So the  
5 Community Housing Preservation Initiative, ah, every  
6 year the groups that you fund through this work  
7 directly, Council, in your neighborhoods, about  
8 15,000 tenants who are threatened with displacement,  
9 educate about 28,000 residents who are facing  
10 displacement crisis, and directly work with 2000  
11 residents facing immediate eviction. The program  
12 works. It's one of the most effective ways for us to  
13 address the displacement crisis and the housing  
14 crisis. Finally, I just want to thank the City  
15 Council for its support for ANHD last year for the  
16 creation of the, um, a new version of the  
17 Displacement Alert Project. We're currently in the  
18 process and expect that in early April to be rolling  
19 out a New York City Council district-specific version  
20 of the Displacement Alert Project with new research  
21 tools in your hands and your staffs' hands and with  
22 your ~~constitutents~~constituents. So we look forward  
23 to sharing that with you in April. Thank you.

24 CHAIRPERSON VANESSA GIBSON: Thank you  
25 for your testimony, Mr. Dulchin. And I want to thank

2 you for your continued work on the ground, ah, in  
3 this issue. Ah, some of the information that we get  
4 is incredibly valuable from you and your  
5 organization, so thank you.

6 RAMON LECLERC: Good afternoon, esteemed  
7 members of the City Council. My name is Ramon  
8 Leclerc. I'm representing the Alternatives for  
9 Homeless LGBTQ as well as myself. I don't have a  
10 prepared statement, but I'm going to shoot from the  
11 heart here. I've been homeless for 11 years, paying  
12 taxes, working multiple jobs, and I cannot seem to  
13 earn enough money to get out of the shelter system.  
14 I went through the Borough of Manhattan Community  
15 College. I pretty much completed my associate's  
16 degree in English. I'm sorry, my two-year degree,  
17 but, um, then I transferred to Hunter while still in  
18 the shelter system and that became a real detriment  
19 to me and my learning experience because I have very  
20 mild cerebral palsy and therefore it takes me a  
21 little longer to get requirements done because of  
22 learning disabilities, of course, also. And I ended  
23 up failing out, being academically discharged from  
24 Hunter because of an inadequate housing situation.  
25 Um, it's really difficult to deal with. The reason I

2 became homeless was because I aged out of foster care  
3 at the age of 21. I was in foster care from 12 to  
4 21. So it's just been a really long ride and I'm  
5 glad to be now to be able to give back to the  
6 community by having the position I have at New  
7 Alternatives. But I really just would like some  
8 stability for myself so I could continue my advocacy  
9 work. I don't know how many of us know, but there  
10 are affordable units that are requiring \$100,000  
11 incomes or better. That's absurd. I make about  
12 \$12,000 to \$15,000 a year. How am I supposed to be  
13 able to afford that? And the reason I was applauding  
14 and stuff was because I like what Council Member Chin  
15 and, I forgot your name, said about, you know, the  
16 affordability of housing in New York City. Thank  
17 you.

18 CHAIRPERSON CORNEGY: So, Mr. Leclerc, I  
19 just want to say thank you so much for giving another  
20 perspective of the ancillary impact of unstable  
21 housing on education. When we think about it, we  
22 sometimes don't include that necessary impact and how  
23 that instability can ultimately cost someone, that  
24 level of consistency is obviously necessary for  
25 studying, so just thank you for that extra

2 perspective on its impact, unstable housing on  
3 education. Thank you.

4 HAROLD ALEXIS: Good afternoon, everyone.  
5 My name is Harold Alexis and I am here with Neighbors  
6 Together and the House our Future NY campaign. I  
7 want to thank you for this opportunity to testimony.  
8 I was born in the East Village of Manhattan. I was  
9 raised in live in the Bronx for over 50 years before  
10 I became homeless. For the past five, going on six,  
11 I have been transferred to five different shelters  
12 and passed between 22 case managers and housing  
13 specialists. The length of shelter stay has  
14 increased by 62% for individuals like me under the de  
15 Blasio administration. My time in the shelter far  
16 exceeds the average and is not for lacking of trying.  
17 I have been able to maintain work while in the  
18 shelter and I have been conducting my own housing  
19 searches vigilantly with my CITYFEPS voucher. Due to  
20 my physical restraints, I walk with a cane and cannot  
21 viably live in a walk-up apartment. CITYFEPS only  
22 pays \$1246 a month. In a city that is experiencing  
23 skyrocketing cost of living and rent increases my  
24 chances of finding somewhere to accept my program are  
25 slim and getting worse every day. The House Our

2 Future campaign would directly benefit someone like  
3 me, 24,000 units of newly constructed housing, of  
4 30,000 units of housing aside for people living in  
5 shelter, would be a much-needed infusion of extremely  
6 low income housing. The affordable housing plan, as  
7 it is currently stands aside 20% for the individuals  
8 making \$70,000 to \$120,000 a year and only 5% for  
9 people who are homeless. The mayor will push back  
10 and make the claim that this affordable housing plan  
11 is for everyone. We understand this claim and  
12 believe it is smart to make New York livable for  
13 every income range. But here is the key point we are  
14 trying to make. There are 63,000 New Yorkers, many  
15 of us, like myself, who have lived in New York our  
16 whole lives and many of us, like myself, work and who  
17 do not have a place to live. Other individuals,  
18 initiatives the mayor has offered have failed. Our  
19 vouchers are not enough to afford an apartment in  
20 2019. Not one of my 22 case managers have  
21 successfully helped me leave the shelter. The income  
22 at my job will never be enough for me to live in New  
23 York on my own. Action speaks louder than words.  
24 And a mayor who campaigned on ending the tale of two  
25 cities has shown with his policies that if you are



2 low income and want to live in New York your best bet  
3 is for housing to leave. There's more to it but I  
4 know we have other speakers that want to speak, but I  
5 thank you for this opportunity.

6 CHAIRPERSON CORNEGY: Thank you for being  
7 gracious to the rest of your folks who are here to  
8 testify. Thank you all for your testimony. We are  
9 going to call the next panel, which is Felix Guzman,  
10 Julia Martinez, Cynthia Green, Wanston Williams,  
11 Andrew Lewis, Isabel Adon, and Bernadette Delvin-  
12 Steel, Steed, I'm sorry. You can begin whenever you  
13 like. I just ask that you identify yourself for the  
14 record upon your testimony. Thank you.

15 UNIDENTIFIED: Well, thank you very much  
16 to everyone that has stayed. No thanks to HPD, who  
17 flew out of the room like they pants were on fire.  
18 Um, I want to just start by saying that, um, I'm here  
19 representing 1600 Nelson Avenue, which is a HDFC and  
20 I am going to skip through the, ah, part of the  
21 testimony that I know a lot of us have heard and I  
22 have written testimony which I like to give to the  
23 council. But the one thing that I want to do is make  
24 some recommendations around third-party transfer,  
25 which I'm not going to get into, um, if you want to

2 look it up, if you want to talk to the people at HPD  
3 you can do so, but I want to bring awareness to the  
4 kind of, um, policies that this administration  
5 continues to assert and the pilfering of resources  
6 and how developers get \$90,000 per unit they bound to  
7 get from my building and why isn't that money given  
8 to us so we can take of what we need to take care.  
9 It is a shame. It is really irresponsible. It is  
10 oppression by any other name and most of all, most of  
11 all, it is the kind of thing that it's not supportive  
12 of having people continuing to have the American  
13 dream meaning that we own a home, we gonna go from  
14 owners to renter and that is not fair. I want to  
15 quote here something that somebody said, that they  
16 wanted to meet the affordable housing ~~quote~~quota, but  
17 that quota cannot be met by displacing those of us  
18 who have lived in our building for over 50 years and  
19 when no one wanted to be in the Bronx we were still  
20 there. We were still there when there were drug  
21 addicts, when there were crimes, when there was  
22 everything going on, but now the Bronx is, you know,  
23 enticing, it's affordable, let's go to the Bronx, and  
24 let me tell you, hell no, we won't go, and we would  
25 give whatever it takes for us to have our voices

2 heard. And I want to submit this testimony in  
3 writing.

4 CHAIRPERSON CORNEGY: So I just want to  
5 you to know that, um, we don't believe that having  
6 pathways to home ownership and affordable housing are  
7 mutually exclusive. We believe in a city like New  
8 Yorkny we can do both. And we're fighting, um, I'm  
9 aware of your HDFC situation, um, and it's one of  
10 those that's on the table that we're discussing as we  
11 go back over HPD's, um, third-party transfer program.  
12 So you should know that the investigation and work in  
13 and around that has not been completed yet, um, but  
14 we don't believe that we have to focus on one without  
15 the other. So we believe that there is a space in  
16 this city for deep affordability and affordable  
17 housing while pathways to home ownership also is a  
18 priority for this administration, ah, this current  
19 council, and this committee.

20 UNIDENTIFIED: And I want to thank you for  
21 taking you and Ms. Gibson for being at the forefront  
22 of this, um, this fight, when everyone was silence.  
23 Thank you.

24 CHAIRPERSON CORNEGY: Thank you.  
25

2 FELIX GUZMAN: Hello, hello? Hi, my name  
3 is Felix Guzman. I'm just going give a little  
4 personal testimony. Ah, HPD, DOB, DHS, HRA, DSS.  
5 These are a few of the...

6 CHAIRPERSON CORNEGY: Wait, I'm sorry,  
7 Mr. Guzman. I do want to acknowledge the fact that  
8 HPD officials are still here, so they didn't, they  
9 all didn't run out with their pants on fire. There  
10 are some actually members of HPD who are here  
11 receiving the testimony and I'm certain will take  
12 back your sentiments to HPD.

13 FELIX GUZMAN: Can I have the two  
14 minutes?

15 CHAIRPERSON VANESSA GIBSON: Yeah, you  
16 can start all over again, sorry.

17 FELIX GUZMAN: OK, thank you. Thank you.  
18 HPD, DOB, DHS, HRA, DSS, these are a few of the  
19 acronyms charged with preserving housing and  
20 addressing homelessness through trickle-down  
21 relationships with landlords and developers who build  
22 their portfolios at the expense of struggling  
23 taxpayers who are moments away from being homeless  
24 and the homeless. I live at 1196 Eastern Parkway in  
25 Crown Heights. This is a building whose residential

2 complaints were supposed to be regulated by HPD, DOB,  
3 and DHS, DSS, HRA. I mentioned DSS, DHS, HRA earlier  
4 because they facilitated the change of my building I  
5 lived in into a cluster site, housing homeless  
6 families and then single adults. The problems of the  
7 homelessness were brought to me. The horror stories  
8 heard about what happens in cluster site programs are  
9 true. While this was all happening I was under  
10 psychiatric care, which billed Medicaid non-  
11 ethically, worked as a purchasing accounts payable  
12 rep, as a housing specialist, mental health advocate,  
13 and struggled to provide a way to maintain a family.  
14 The relationship I was in was abusive. I was  
15 exploited for housing and for a child. That's right.  
16 I'm a disabled male DV survivor. No one helps men.  
17 But that's another fight. Thankfully I am in  
18 therapy, non-medicated, and managing that amazingly.  
19 The companies which ran the cluster site program in  
20 my building I believe were Campbell and Ocasio  
21 network. Campbell, the same agency that runs Home  
22 Base. Who do you complain to? As a result of  
23 contracts provided to such vendors who provided no  
24 security or aftercare I lost job after job, which  
25 impacted my relationships with immediate family to

2 the point where I actually became homeless. Before  
3 becoming homeless I approached HRA for help, which  
4 they expressed I should enter the shelter to find an  
5 apartment for myself and my immediate family, which  
6 included my special-needs child. I would complain  
7 when DOB and HPD workers came by, to no available.  
8 Nothing changed, and then I became homeless. My  
9 testimony is true and unique. I am back in the  
10 apartment I called home before the cluster site and  
11 homelessness. I teach at Riker's, facilitate  
12 recovery groups, and use my voice now to speak for  
13 others. I fell through the cracks but I made a way  
14 out. I would not be alive today if I refused to stop  
15 fighting for my sanity, my sobriety, my life.  
16 Policies in place did not work for me, my mom, or my  
17 son. The fact that I became homeless as a result of  
18 my being, my building being condemned as a cluster  
19 site with no end in site and told to enter a shelter  
20 system as a single male to navigate securing a place  
21 is insane, insane. The brutality of homeless broke  
22 my family up and almost killed me. Thank you.

23 CHAIRPERSON CORNEGY: Thank you for your  
24 testimony, and I heard the unique situation that  
25 you're in, and it's not lost on me, and thank you for

2 continuing to advocate even in your time of stress  
3 and what you're dealing with. Thank you.

4 JULIA DURANTE MARTINEZ: Good afternoon,  
5 Committee Chair Cornegy and members of the committee.  
6 My name is Julia Durante Martinez and I'm the  
7 community land trust coordinator at New Economy  
8 Project. Along with Picture the Homeless and other  
9 advocates, New Economy Project cofounded and co-  
10 convenes the New York City Community Land Initiative,  
11 which is a coalition of more than two dozen housing  
12 and social justice organizations advocating for  
13 community land trusts to preserve and create deeply  
14 permanently affordable housing and stabilized  
15 neighborhoods, and as an outgrowth of this work New  
16 Economy Project and 14 partner organizations are  
17 proposing a new citywide CLT initiative with fiscal  
18 year 2020 discretionary funding support that would  
19 incubate and expand community land trusts in all five  
20 boroughs of New York City. CLTs are a proven  
21 mechanism to preserve vital affordable housing stock,  
22 prevent extraction of public subsidies, and combat  
23 displacement. A CLT is a nonprofit that owns and  
24 stewards land in the community's interest and leases  
25 use of the land for affordable housing development

2 and other community needs. CLTs typically issue 99-  
3 year renewable ground leases that establish resale  
4 and rental restrictions, and these restrictions  
5 protect public investments and CLTs from being lost  
6 to the market over time, which is a key advantage  
7 that CLTs have over conventional  
8 ~~affordability~~affordability terms. The long-standing  
9 Cooper Square CLTs, for example, on the Lower East  
10 Side, has developed and preserved 400 units of  
11 housing for households earning roughly 30% of area  
12 median income, and will continue to do so in  
13 perpetuity. Another thing to mention is that CLTs  
14 also engage community members in meaningful decision-  
15 making over neighborhood development. The boards of  
16 directors are typically composed of equal part CLTs  
17 leaseholders, community members, and public  
18 stakeholders. Both the Cooper Square CLTs and the  
19 East Harlem [inaudible] CLT as well as emerging CLTs  
20 citywide have grown out of sustained community-led  
21 planning and organizing and continue to have strong  
22 relationships with their community boards and other  
23 local partners. The CLT model has sparked a citywide  
24 movement that has achieved tremendous gains in recent  
25 years and more than a dozen community-based



2 organizations from the northwest Bronx to Brownsville  
3 are working to develop local leadership, deepen  
4 community ~~parterships~~partnerships, organize tenants  
5 and home owners, and identify properties suitable for  
6 their CLTs. The proposed citywide CLT initiative  
7 will allow these groups to build upon this exciting  
8 progress at a critical moment of opportunity, and the  
9 initiative will support essential CLT community  
10 education and organizing, board and member training,  
11 and other startup costs, build capacity through  
12 legal, financial, and technical assistance, and  
13 promote coordination among CLTs so they reach a  
14 sustainable scale. So we ask the committee to  
15 include the CLT initiative in its budget  
16 recommendations for 2020. Thank you again for the  
17 opportunity to testimony.

18 CHAIRPERSON CORNEGY: Thank you for your  
19 testimony.

20 BERNADETTE DEVLIN-STEED: Good afternoon  
21 ladies and gentleman of the council, Mr. Chairman.  
22 Thank you for the opportunity to testify today. My  
23 name is Bernadette Devlin-Steed. I'm a member of 465  
24 West 157th Street Tenant Association. I am here, my  
25 building is in the TIL program. And I'm here to

2 discuss one circumstance that, although it's one  
3 circumstance, it's indicative of many of the problems  
4 that are addressed within the TIL program. On June  
5 25 of 2018 I was informed that the gas was shut off  
6 in my building indefinitely. This is because Con  
7 Edison found ~~three leaks~~three leaks in the basement of  
8 our building and shut the building off. It was later  
9 determined, after a meeting with the board and HPD  
10 that they would not be continuing, the gas would be  
11 permanently shut off. It was determined that we were  
12 going to get electric stoves. This required, ah, the  
13 entire building's electricity having to be rehauled.  
14 We were still, we still had fuses and we needed  
15 circuit breaker boxes. We needed dedicated lines put  
16 in. We needed things to happen that were, um, that  
17 could facilitate us having the electric stoves and  
18 the ability to use them correctly. In the interim,  
19 we were given hot plates. Some families were given  
20 two hot plates. Some families were given one, based  
21 on the size of the families. These hot plates were  
22 sub par. I have currently a one-burner-working hot  
23 plate. It's been difficult to cook and it's been  
24 eight months. The electricity work done in the  
25 apartment was, there were three different, um, bids

2 that were put in with HPD for the electrical work to  
3 be done. They determined that they were not going to  
4 go with any of those bids and went with yet another  
5 company. Everything was done on the cheap, on the  
6 cheap, on the cheap. And HPD's defense is we don't  
7 have the budget, we don't have the budget, we don't  
8 have the budget. Ah, the electrical contractors  
9 violated health codes in they did not test for lead,  
10 they did not test for asbestos as they knocked down  
11 our walls to put in new wiring for these, ah, for  
12 these stoves. They went around work orders. There  
13 were stop work orders on the building from many years  
14 back, but they were never cleared because inter-  
15 department, intercity agencies can't fine one  
16 another, so the Department of Buildings went around,  
17 or HPD went around the stop work orders and got  
18 permits for this electrical contractor. They, um,  
19 they didn't contain the, ah, dust and debris in our  
20 department. They were shut down for a while from the  
21 health department. Several residents had to call  
22 311. There was dust and debris everywhere. I have  
23 respiratory problems. There are people in our  
24 building who have children. They couldn't bring

2 their children into the building to live because of  
3 the dust and debris.

4 CHAIRPERSON CORNEGY: I'm sorry, Ms.  
5 Steed, do you know who your council member is?

6 BERNADETTE DEVLIN-STEED: Mark Levine.

7 CHAIRPERSON CORNEGY: Have you had a  
8 chance to engage him on these issues?

9 BERNADETTE DEVLIN-STEED: I have spoken  
10 with people in his office, but we have not directly  
11 spoken with him, and I have been working with  
12 Pa'Lante Harlem and they're very useful to us.

13 CHAIRPERSON CORNEGY: So the reason I'm  
14 asking is because your testimony is very specific and  
15 it requires resolution as there are health risks, and  
16 as opposed to you just giving a testimony I'd like to  
17 through your council member actually address those  
18 issues and try to resolve them. So I ask you, ah,  
19 not to continue your testimony but to see if we can't  
20 have a conversation and myself, between myself, my  
21 office, and Mark, get you the resolution that you  
22 need.

23 BERNADETTE DEVLIN-STEED: Yes, um, thank  
24 you, Mr. Chairman. Again, I'm here today to ask you  
25 to move forward with the TIL funding because I

2 believe that if the building could have been  
3 rehabilitated, if the tenants relocated and the  
4 building rehabilitated and us moved back in as  
5 promised over a dozen years ago these problems  
6 wouldn't exist today. The building is in a horrible  
7 state of disrepair and my question is what happens  
8 next, and to the HPD, and I know I'm over time and  
9 thank you for the consideration, um, my question to  
10 the HPD officials who are here is that earlier that  
11 HPD testified that they're here to protect tenants  
12 from abuse and exploitation and harassment. What  
13 happens when they're the perpetrators of that abuse,  
14 harassment, and exploitation?

15 CHAIRPERSON CORNEGY: That's a fair  
16 question and I'll certainly follow up with HPD. They  
17 can't respond now but we'll follow up, especially  
18 with your case, because I think that there's some  
19 resolution that we could get to between myself and my  
20 resources and the resources of a very active in Mark  
21 Levine.

22 BERNADETTE DEVLIN-STEED: Thank you, Mr.  
23 Chairman.

24 CHAIRPERSON CORNEGY: Thank you.  
25

2 UNIDENTIFIED: Good afternoon, everyone,  
3 also to everyone sitting on the panel. You know, I'm  
4 Jewish but it's my Shabbat, I lose names and  
5 everything. So I'm going to say thank you to you  
6 all. You know, I just celebrated my Purim and today  
7 Shabbat is on the weekend, but I don't want to be  
8 part of the problems, I'm a part of solution. I was  
9 born in the Bronx. I was raised in Germany. I lived  
10 there for 20 years. I came home in '94. When I got  
11 to Crown Heights it was a hot mess, when the  
12 [inaudible] killed a 7-year-old. I've worked in  
13 Brooklyn South, the 67th ~~Preeint~~Precinct. I worked  
14 with 71, I worked in Bushwick, Bed-Sty, everywhere.  
15 I'm a 65-year-old. I've worked very much involved in  
16 my community and at 65 I'm tired, because I'm seeing  
17 there's a bunch of people that are not being held  
18 accountable. Back in the day when I was a part of  
19 the board for 320 Sterling Street we insisted that  
20 the landlord live in that squalor. I am the one  
21 that, I live in the Lower East Side and I take food  
22 for the homebounds that are on HPD on 125th. You  
23 know, I'm 65. I walk most of the times with a  
24 shopping cart with food to help the needy. I'm a  
25 part of the Coalition for the Homeless for the past

2 20 years. Finally, as I moved to the Lower East  
3 Side, Baruch HaShem, I finally made it to the  
4 meetings on Tuesday. As I've said, I am not part of  
5 a problem, I'm part of a solution, and I have to  
6 dissociate with people who are lining their pockets  
7 every single day. There are people out there that  
8 have nothing and we have to do more. Anyone can  
9 talk. I'm proactive. Action, that's what it's all  
10 about. Thank you.

11 CHAIRPERSON CORNEGY: Thank you so much  
12 for your testimony. We're going to call the next  
13 panel. I believe, if I'm not mistaken, we do have to  
14 clear the room very shortly, so I'm going to call  
15 Rosa Rodriguez, Donna Gray, Luisa Rodriguez, Lucy  
16 Woody, Queen Mother, in parentheses, Demaris  
17 Rodriguez. I'm also going to call Greg Waltman. So  
18 again I will advise you that the time has grown  
19 incredibly short and we have several more people who  
20 would like to testimony. So in the event that you  
21 can condense your testimony in an effort to allow  
22 other people to testimony that would be greatly  
23 appreciated. You can begin. I ask that you state  
24 your name for the record upon your testimony. Thank

2 you for testifying. I just need you to hit the red,  
3 the button.

4 DONNA GRAY: OK. My name is Donna Gray.  
5 I'm a senior citizen and I represent the 138 West  
6 137th Street Tenant Association. My building is a  
7 TIL building. Nineteen years ago HPD, under  
8 contract, promised the residents of 138 low-income  
9 and ownership of each resident's apartment in three  
10 years, if the residents were able to manage the  
11 building. During these 19 years the building has  
12 been managed by the TA for little to no money, with  
13 the situation of constantly losing tenants since HPD  
14 would not allow the TA to rent. At this time HPD is  
15 trying to break its promise by taking not only this  
16 building but all the TIL buildings in contract and  
17 adding these residents to the 60,000 homeless  
18 population already in the city. Presently, 138 has  
19 14 vacant apartments that can easily accommodate  
20 homeless families. However, instead of sending  
21 homeless families to this building, HPD prefers to  
22 pay a private landlord \$3000 of taxpayers' money each  
23 month to house one family. This TA has \$20,000 in  
24 the bank with the monthly rent intake of only \$1400.  
25 We have no management fee, no porter, and no



2 extermination services. We presently have a  
3 secession position person, Miguel Santiago. This  
4 person has lived in the building for over 20 years  
5 with his transvestite cousin, who passed in '16 after  
6 suffering a HIV death. After his family member died  
7 leaving arrears, HPD told him to apply for secession  
8 and that he was responsible for those arrears.  
9 Without argument, this man agreed not only to pay the  
10 arrears, but also pay three months' rent.  
11 Nevertheless, after remitting three months' rent HPD  
12 ordered not only for this TA to return the funds, but  
13 that he was not going to be granted secession. HPD  
14 has justified placing 138 on corrective action by  
15 holding up our financial reports for trivia matters,  
16 denying us an election, and forcing us to take this  
17 residence to court to evict. This situation is not  
18 one that we created. HPD is responsible for it all.  
19 And yet as of this hearing HPD Director Ross is  
20 threatening us with the loss of our building if we do  
21 not seek an attorney to evict this man from the only  
22 home he has known for decades. Not for any wrong  
23 this man did, only for the incompetence of HPD. This  
24 proudly gay man has not, nowhere to go. This is his  
25 home. Since HPD created this situation it's up to

2 HPD to rectify it by removing from corrective action  
3 this 138 and right the arrears off of Mr. Santiago.  
4 HPD is under contract to keep its promise, not only  
5 to this TA but all the associations under TIL. Stop  
6 fabricating situations that would cause two buildings  
7 to be removed unjustly from the program. It and no  
8 one else under contract can singlehandedly negate an  
9 agreement. And yet that is exactly what HPD is  
10 trying to do to all the TIL contracts. The majority  
11 of the members of TIL, like myself, are senior  
12 citizens on a fixed income. We cannot afford ANCP  
13 program and we cannot afford to be homeless. Please,  
14 let us have the program we were so faithful to all  
15 these decades before none of us are alive. Thank  
16 you.

17 CHAIRPERSON CORNEGY: Thank you for your  
18 testimony.

19 DONNA GRAY: Thank you. Sorry.

20 DEMARIS RODRIGUEZ: Good afternoon, Mr.  
21 Chairman and the rest of the committee. My name is  
22 Demaris Rodriguez. I reside at 615 West 150th  
23 Street, apartment 55. [inaudible] the past ten  
24 months ago, um, I didn't know what I was gonna do. I  
25 thought I was gonna be kicked out. The reason why?

2 Because years before, um, lots of our neighbors  
3 passed away and I saw their grandchildren, their  
4 children, significant others are being removed  
5 because the secession rights law was not  
6 ~~inputed~~inputted. I was not aware. I wasn't sure.  
7 But thank God, because of Pa'Lante Harlem and Mr.  
8 Keith Wright helped and inputted this in our building  
9 I was able to stay at 615 West 150th Street. I am a  
10 disabled 51 year old woman. I became disabled at 19  
11 while I was in premed school. I have systemic lupus.  
12 This is what homelessness looked like. My mom and I  
13 was thrown in the street by my biological father.  
14 She was pregnant and we were homeless. Not in a  
15 shelter, but in the streets, in the snow, the cold.  
16 No boots. We were at the trains begging for food. I  
17 was able to be strong and God helped us and all I ask  
18 is that while these people were removed from those  
19 apartments, 615 West were not allowed to other people  
20 because HPD said no. Our building has been going  
21 slowly and slowly losing tenants, dying. Our  
22 building is a hundred and plus year old, no  
23 maintenance, not anything, OK? We have mold.  
24 Besides my mom and me and three other tenants have  
25 passed away from other causes, but it's very weird

2 that everybody has passed away from cancer. We had  
3 this bad mold. I still study my medicine, regardless  
4 of the way I look. My whole body is replaced with  
5 chrome and titanium from my shoulders all the way  
6 down to my feet. And I help out the building. What  
7 hurts me the most is that TIL has played games with  
8 us since 1997. We've been waiting and waiting, ten  
9 plus years. We have~~have~~ relocated families that are  
10 still outside with 10 years and the building are  
11 coming down. Right now I have leaks coming on from  
12 the roof as well as the whole floor. We have  
13 rodents. We have, it doesn't matter if the  
14 terminator comes, but the building is so old. What  
15 is HPD waiting for, for the building to crumb on top  
16 of us? We need help. I beg you, HPD, to please help  
17 us fund so we could rehab this building. Or we are  
18 all gonna die there and we are all going to be coming  
19 out in, you know, death bags little by little. It's  
20 like every month, no lie, you could go and check. We  
21 have 23 apartments empty of the people dead as a 62-  
22 unit building. It's ridiculous.

23 CHAIRPERSON CORNEGY: I want to thank you  
24 for your testimony. Thank you.

25 DEMARIS RODRIGUEZ: Thank you.

2 LUISA RODRIGUEZ: Good afternoon,  
3 everyone. My name is Luisa Rodriguez. I am also a  
4 tenant of 615 West 115th Street. I have been  
5 relocated since 2008. In 2008 the then-director of  
6 TIL, Victor Hernandez, came to our building and he  
7 said that HPD had the funds, the budget, to do our  
8 building, to rehab our building. So consistent with  
9 that they started moving people out so that they  
10 could get, do a, got rehabilitation. Of course we  
11 thought that it was just very temporary that we are  
12 moving out. I was one of the first ones to move.  
13 Fifteen families were moved out in 2008. Out of  
14 those 15, three died outside of their homes and two  
15 more were, are almost on the brink. So what I mean  
16 by that is that were, are, almost on the brink. So  
17 what I mean by that is that as Demaris said our  
18 building is losing tenants day by day, we could say.  
19 There are many, ah, there are many of us are seniors.  
20 The fact that HPD does not allow us to rent is doing  
21 [inaudible] day by day the funds that the TA, that  
22 the tenants' association has to face the repairs and  
23 all that in a building that is getting older and  
24 older, like me. I didn't have pain here and now I  
25 have. Our building is the same. It is getting old.

2 Many more repairs are needed. So we, HPD from the  
3 TIL building they passed us to the ANCP, Affordable  
4 Neighborhood Cooperative Program. The ANCP program  
5 is another little beautiful name for TPT, third-party  
6 transfer. And in those two the buildings end up in  
7 the hands of private landlords. They are passed  
8 through a, for profit or nonprofit organization that  
9 then looks for a developer and the developer gets a  
10 big chunk when they sell those apartments. As she  
11 said, we have 24 families living there, 13 out for  
12 ten years already, and 23 vacancies. Very, very  
13 attractive building for unscrupulous builders, let's  
14 say. So we look for an attorney because we are not  
15 willing to go with what HPD is trying to push down  
16 our throats, which is ANCP. They want us to pay for  
17 the rehabilitation all of the building. And that was  
18 not the right, that was not what we signed for in  
19 1996 when we became members of that program.

20 CHAIRPERSON VANESSA GIBSON: Who is  
21 helping you?

22 LUISA RODRIGUEZ: Excuse me?

23 CHAIRPERSON CORNEGY: Who is helping your  
24 building? Is Palante Harlem is working with you?

25 LUISA RODRIGUEZ: Yes.

2 UNIDENTIFIED: That's it.

3 LUISA RODRIGUEZ: Yes, Palante Harlem.

4 CHAIRPERSON CORNEGY: So I would  
5 absolutely follow up with them. I don't mean to rush  
6 you, but we have one more panel after you and I  
7 really want to hear from them, and we were supposed  
8 to end at 2:00, and I [inaudible] next.

9 LUISA RODRIGUEZ: OK, I just want to say  
10 one more thing, and it is that that lawyer that we,  
11 um, that we hired, he asked for full information to  
12 HPD. Since October. They're supposed to answer that  
13 in days. It's the end of March almost now. And he  
14 has not received an answer. He sent another full  
15 request. So we really need answers. And we need  
16 somebody to help us to get answers. And we need  
17 somebody to help us get money to save the TIL  
18 buildings. That's what we need. The homeless people  
19 could come to live to our buildings. I don't see how  
20 they spend billions of dollars with the homeless  
21 people and the problem doesn't get better.

22 CHAIRPERSON CORNEGY: I've just been  
23 given word from your council member, Bill Perkins,  
24 that he will follow up.

25 LUISA RODRIGUEZ: I hope so. Thank you.

2 UNIDENTIFIED: Thank you.

3 ROSA RODRIGUEZ: Good afternoon, panel,  
4 and good afternoon, everybody. My name is Rosa  
5 Rodriguez and I live at 79 Post Avenue. My tenants'  
6 association is [inaudible] tenants' association and  
7 we have been in the program since 2004. We have  
8 worked very hard, our tenants. Our building is very  
9 small. So right now we still have like four, five  
10 apartment vacancies, three other we have relocated  
11 from another building. So they [inaudible] building  
12 are renovated. And like Luisa said, this empty  
13 apartment could be passed on to these homeless  
14 people, who are out there sleeping in the street. I  
15 believe they should do something about it. But the  
16 problem with this, our building, we in TIL program,  
17 the problem is that they want us to move on to the  
18 ANCP program with a mortgage. We paying renovation.  
19 We had to pay for everything. I don't think we can  
20 have our development do the ~~was~~-ork for us because I  
21 have proof here that our tenants, we all together  
22 have worked very hard to keep our building in mostly  
23 good shape. The only situation with the building is  
24 the financial report, we [inaudible] having problem  
25 asking for paper back and forth. They always change



2 the financial reviewer. The building condition, the  
3 boiler is the worst. I have some pictures also I can  
4 show you because HPD is supposed to be taking care of  
5 the boiler. We are the one who are ~~who~~ taking care  
6 of the boiler. We have to pay for them for the  
7 maintaining of the boiler. And right now the boiler  
8 is broken, it's breaking every week. That's when we  
9 got an inspector from HPD. Now they decided, they  
10 decided, to give us a new boiler. I'm not sure,  
11 because I don't have ~~thv~~ any right. So we've been  
12 having the problem with the boiler since like 2012  
13 and I can show you a picture about it. The roof,  
14 there's a problem, like we were during the hearing  
15 last year they promised to do the boilers and the  
16 roof. They haven't done anything with the boiler or  
17 with the roof. So we have been doing the repairs and  
18 we've been paying a lot of money for it, and our  
19 tenants up to date with the rent and I believe us  
20 tenants can manage the building very well because  
21 we've been managing it since 2004, and we have proof  
22 that we can save and repair our apartments very well.  
23 So that means we are capable of building, not  
24 somebody else that doesn't live there, they haven't  
25 [inaudible] and they're our kid been living there.

2 They were born there. We have grandchildren living  
3 there. So why other people want to come here and run  
4 our building when we are capable of running our  
5 building? We have been to the training, which haven't  
6 been much help, and we have learned how to manage it  
7 very well. I can help anybody else who wants to  
8 learn how to manage their building. I'm willing to  
9 help. Thank you.

10 CHAIRPERSON CORNEGY: Thank you. I will  
11 follow up with your council member, who I believe is  
12 Ydanis Rodriguez.

13 ROSA RODRIGUEZ: Yes. Thank you.

14 GREG WALTMAN: Thank you. Greg Waltman  
15 from G1 Quantum. It's a clean energy company. We  
16 specialize in a variety of other technical  
17 applications. It was inspiring to hear the heartfelt  
18 testimony from everyone today and HPD, and I'm  
19 familiarizing myself with these issues, and I just  
20 wanted to take a second, I want to be brief, to step  
21 back and look at Hudson Yards and see, and ask  
22 ourselves how much or how many Section 8 housing is  
23 available there? [applause] Is it, or since it seems  
24 like Columbus Circle is moving to Hudson Yards, how  
25 about Section 8 housing there? Does that make sense?

2 So stepping back, I just wanted to point out to the  
3 resource allocation how things are being budgeted,  
4 briefly. But from a clean energy perspective there  
5 are solutions. Quantum Tracks is one of our  
6 proprietary innovations, a variation of speed breaker  
7 technology where you have tremendous kinetic energy  
8 potential for our railways and creating the first-  
9 ever self-sustainable city in the world. And this is  
10 a solution that hasn't been very, you know, due to  
11 the value protectism around these issues and  
12 reallocating resources to Section 8, this could help  
13 supplement this federal funding to get, because it's  
14 not, it's not just throwing money at the issue, it's  
15 going through the red tape, having process and having  
16 people there to walk through people that you need to  
17 help to go through the procedural applications and  
18 technical kind of background, and the way that we  
19 shape the city, whether it be clean energy or other  
20 types of innovation is important in addressing these  
21 issues as we move forward. So I appreciate your  
22 time. Thank you.

23 CHAIRPERSON CORNEGY: Thank you, and we  
24 understand that, ah, innovation is going to be  
25 absolutely necessary in having a sustainable future

2 for affordable housing, so I appreciate your  
3 testimony as well. Thank you all for your testimony  
4 and I have noted the various council members that I  
5 should follow up with on your behalf on the ground in  
6 your respective districts.

7 UNIDENTIFIED: Our council member is Mark  
8 Levine?

9 CHAIRPERSON CORNEGY: Mark Levine, yes.

10 UNIDENTIFIED: [inaudible]

11 CHAIRPERSON CORNEGY: Thank you. We are  
12 going to call the final panel, Jackie Del Valle,  
13 Charisma White, James Harvey, Joy Clark, Barry  
14 Weinberg, and Aida Tejado. I'm sorry, we have one  
15 panel after this as well. I apologize. Again, I  
16 would ask that you take the liberty to in the  
17 instance that you can, although you are very  
18 passionate about this topic, if you could condense  
19 your testimony to the degree that you can it would be  
20 helpful. I have one panel after you and I really  
21 would like hear their voices as well. Thank you.  
22 You can begin when you're ready, and if you would  
23 just identify yourself for the record upon your  
24 testimony I would appreciate it. Thank you.

2 CHARISMA WHITE: Hello, my name is  
3 Charisma White. I'm an HPD voucher holder for over  
4 10 years now. I've had some bad experiences, but I  
5 tried to work through it. I'm a housing advocate  
6 that has been homeless for four years now and it has  
7 been uncomfortable looking for housing. When I have  
8 a medical disability and cannot work, I'm on the very  
9 bottom of the low-income bracket. Even when trying  
10 to get affordable apartment through the City Housing  
11 Connects website I am below income requirements.  
12 There are almost 73,000 homeless people in New York  
13 City altogether. We are asking for 30,000 with 24  
14 newly constructed out of 300,000 units the mayor, the  
15 mayor's Affordable Housing Plan. It seems that New  
16 York has forgotten about our own poor and disabled  
17 people who need the most help. Permanent affordable  
18 housing for homeless is what is needed, not luxury  
19 buildings, not high-end, unavailable, unobtainable  
20 housing, and not promises of being housing while  
21 years in a disorganized and selfish shelter system  
22 that has no concern for people at all. Permanent  
23 affordable housing is what homeless people need to be  
24 a part of a community and thrive and be a productive  
25 person in society.

2 CHAIRPERSON CORNEGY: Thank you for that  
3 testimony.

4 AIDA TEJADA: Good afternoon. My name is  
5 Aida Tejada from 551 West 157th Street Association.  
6 Our renovation was completed in 2005 and the  
7 Certificate of Incorporation was completed in 2014.  
8 Now we are in 2019, we have 14 year waiting to become  
9 owner share with this building. We have been taking  
10 all the classes, we've been doing all whatever you  
11 asking us to do, and we are still waiting for their  
12 promise to come over. We, a lot of our tenant  
13 already are dying, four there already died, a lot of  
14 them are getting old, and we are still waiting. This  
15 is, we're thinking this is a ~~comparisien~~comparison of  
16 HPD or what is going on? It has been 15 year of  
17 [inaudible] effort with the tenant of 551 West 157th  
18 Street. We are asking, no, we are begging you to  
19 please help us to make this dream come true, become a  
20 New York citizen with a secure home and our secure  
21 home come true. Thank you.

22 CHAIRPERSON CORNEGY: Thank you for that  
23 testimony.

24 BARRY WEINBERG: Hello. My name is Barry  
25 Weinberg. Thank you to Chair Cornegy and Chairwoman

2 Gibson and the rest of the council for holding this  
3 hearing. I am a member of Community Board 9, which  
4 is West Harlem, where I sit on the housing, zoning,  
5 and land use committee. While my testimony today is  
6 my own, I will be speaking on items formerly  
7 submitted to OMB by the community board through our  
8 budget prioritization process. I do want to also  
9 acknowledge remarks earlier made. Community Board 9  
10 does not believe that supportive housing is a burden.  
11 It welcomes additional supportive housing, especially  
12 compared to new luxury housing, and that is in our  
13 budget request, particularly for homeless LGBTQ  
14 youth. But I want to talk specifically about TIL,  
15 the Tenant Interim Lease Program, and ANCP, the  
16 Affordable Neighborhood Cooperative Program. Our  
17 number two capital budget priority is the full  
18 funding of TIL repairs and rehabilitations and  
19 conversion to co-ops, HDFC's fund TIL. HPD, under a  
20 move that began in the Bloomberg administration, has  
21 abandoned this and is instead pushing these buildings  
22 through the ANCP program when they are transferred to  
23 a third-party developer that takes on an enormous  
24 amount of debt, pays contractors who do substandard  
25 work, for work at all, and then leaves the new HDFC

2 holding the bag, responsible for the debt used to do  
3 these faulty and shoddy constructions. 938 St.  
4 Nicholas Avenue was one of the first buildings to go  
5 through this process and is already in foreclosure.  
6 It is a perfect example of why this fails. The  
7 contractor, Dellwood, allegedly performed no repairs  
8 with the 6 million dollars they were paid, and HPD  
9 signed off on the building finishing conversion  
10 because it realized that if it did not sign off HPD  
11 would be responsible for the loan. This is the end  
12 of what happens when you take these TIL buildings and  
13 you instead put them through ANCP. You set them up  
14 for foreclosure because they have unsustainable debt  
15 burdens. Three blocks from where I live, 640  
16 Riverside and 644 Riverside, are going through the  
17 same process and have already racked up tens of  
18 millions of dollars in debt from faulty and shoddy  
19 repairs using the same contractors, and I believe  
20 they have the same sponsors, and are well on their  
21 way to foreclosure and they're not even cooperatives  
22 yet. This is insane. To me, as someone who has to  
23 deal with these problems on our community board on  
24 the housing committee, these TIL buildings are city-  
25 owned buildings. Mr. Chairperson, you said that the



2 city believes that affordable housing and affordable  
3 home ownership are not mutually exclusive. Then the  
4 City Council must make sure that the rehab of TIL  
5 buildings is fully funded by the city, because these  
6 buildings are owned by the city, the tenants are  
7 allowed to purchase their units, and allow or arrange  
8 for other low-income New Yorkers to purchase or rent  
9 the other apartments that have become vacant over  
10 time. Why in a city full of shelter population are  
11 there city-owned units sitting vacant? Why is HPD  
12 allowed to pay slum lords 174 million dollar to  
13 purchase cluster site housing when it has not even  
14 repaired or maintained the buildings it already owns  
15 in the TIL program? This needs to be a priority of  
16 the council to have oversight of this program and to  
17 see these buildings through fully rehabbed without  
18 the debt attached so that the low-income tenants who  
19 purchase their units will just very quickly be  
20 foreclosed on and lose their ownership. Thank you.

21 CHAIRPERSON CORNEGY: You have my word  
22 that I will make it a priority to look into this.

23 UNIDENTIFIED: Thank you.

24 JOY CLARK: Hi. I'll keep it brief. My  
25 name is Joy Clark. I am a tenant at the 347 Prospect

2 Place TIL building. We are presently being forced  
3 into the ANCP program. I have a breakdown of the  
4 budget that they just gave to us Wednesday, showing  
5 us what the rehab costs would be, telling us we would  
6 have to take out, we would have a 6 million dollar  
7 loan that we would have to pay back to HPD to a  
8 private lender. Part of this 6 million dollar is  
9 \$500,000 alone that goes to the developer. That's  
10 his fee, \$500,000 on top of us having to rent his  
11 apartments while we are relocated. So not only is he  
12 getting \$500,000 fee, we have to rent his apartments  
13 at, what, \$1500, \$1600 a month, so for two years, so  
14 that's \$1500 a month times 13 tenants times 24  
15 months, on top of the \$500,000 that he is already  
16 getting. Now we don't want to sign this. Like  
17 someone said earlier, what do you do when HPD are the  
18 people who are abusing you? How do they oversee  
19 themselves? We need an independent entity to oversee  
20 them. They're trying to sell this building to the  
21 developer next week. Please stop it. From this  
22 point on do not allow HPD to sell any buildings to  
23 private developers. Starting today, we need someone  
24 to step in. HPD is not going to oversee themselves.  
25 I was here two years ago when Jumanne Williams had a

2 hearing on the TIL program along. Two years later  
3 I'm still getting a bill for 6 million dollars.

4 CHAIRPERSON CORNEGY: Can I please have a  
5 copy of it?

6 CHARISMA WHITE: You can have it. You  
7 can have it, absolutely, yes. Um, everything that  
8 everyone said regarding the conditions of this  
9 buildings is absolutely correct. Yes, they are  
10 falling around us, yes we live with mold. Yes, you  
11 know, people are getting sick. Kids are being born  
12 with autism and its all because of these living  
13 conditions. HPD does not care. They want to keep  
14 you living like this so you can get up and get out  
15 and they can make money all with the developers.

16 Thank you. Please help us.

17 CHAIRPERSON CORNEGY: Thank you for your  
18 testimony.

19 JAMES HARVEY: Yeah, good afternoon, my  
20 name is James Harvey. At the present time I'm in the  
21 shelter system and it's no matter how I got there,  
22 but it's all about making a difference. What I see  
23 is that I'm tired of being used as a commodity for  
24 shelter organizations and people that has the power  
25 to make a difference to capitalize instead of helping

2 the homeless. What is see right now is like I'm a  
3 native of Harlem. I was born in the Polo Grounds  
4 since 1967, I've been there for thirty-some years.  
5 What I see now, the development was happening to New  
6 York City and all across the board of the nation is  
7 that people worried about building things for people  
8 to come and look at our city and it's all great, so  
9 you get rid of the problem by putting them in  
10 shelters and building more. That's not the answer.  
11 The answer is a person like me is looking for the  
12 future. Now I'm going through this at the age of 54.  
13 What happens when I become to be a senior citizen.  
14 Will the same thing happen that you're going to force  
15 me to get out of my apartment because I'm too old to  
16 maintain or you'll find an excuse to move me out and  
17 probably put me into a New York City, um, what you  
18 say, a senior citizen building or nursing home ~~home~~  
19 so you can gain, you have more prosperity as far as  
20 making more gains, as far as, um, money-wise. The  
21 [inaudible]. Now I used to sleep on the subways and  
22 the whole nine and I have a lot of pride, but I don't  
23 like to see myself being stagnated worrying about  
24 where I'm gonna lay my head. You got organizations  
25 that will put you in a safety house which they call,

2 but you're being treated in downgraded behind closed  
3 doors and being called the N word, and like that  
4 happened to me like a month ago and I had to keep my  
5 composure of holding myself. I also used to be a  
6 Guardian Angel. I used to protect certain people  
7 that was coming home from work. What about the hands  
8 done changed for me to get the same services that I  
9 provided back in the '80s when the crack academic was  
10 at its highest peak? Or you want to keep us where we  
11 gonna be stuck in the same situation but you got  
12 congressmens and everybody else that could make a  
13 difference, but choose not to because you got  
14 somebody in your pocket.

15 CHAIRPERSON CORNEGY: Thank you for your  
16 testimony. We are going to move to the last panel.  
17 Oh, I'm sorry, I'm sorry.

18 JACKIE DEL VALLE: No problem. Good  
19 afternoon. My name is Jackie Del ValleDevalier and  
20 I'm the Stabilizing NYC coordinator at the Community  
21 Development Project of the Urban JusticeJustice  
22 Center. I'm testifying today on behalf of  
23 Stabilizing NYC, a citywide coalition working  
24 together to fight the depletion of affordable housing  
25 in New York City at the hands of predatory equity

1 landlords. At the frontlines of the battle against  
2 displacement and gentrification— @we build tenant-led  
3 associations and coalitions. We have won countless  
4 repairs in housing court and challenged dozens and  
5 dozens of MCIs. We have launched a citywide tenant  
6 union where tenants from across the city come  
7 together to look at the systemic issues causing the  
8 loss of affordable housing. Our work is  
9 intersectional, as we know that communities of color  
10 are the most targeted and most affected by all the  
11 players in the real estate speculation game. We hold  
12 lenders, management companies, investors, and owners  
13 accountable. We work with legislators to strengthen  
14 tenant protections. Over the past year, Stabilizing  
15 NYC worked with Council Member Ritchie Torres and HPD  
16 to pass and implement Intro 1210, which requires HPD  
17 to create a speculation watch list to help target  
18 organizing and outreach efforts by tracking  
19 speculative purchases. Since Stabilizing NYC's  
20 inception in 2013 we have grown and deepened our work  
21 in order to reach additional neighborhoods and  
22 council districts. You are all well aware of the  
23 impact that predatory equity has on affordable  
24 housing in your districts and throughout the city,  
25

2 and we are grateful for the council's tireless  
3 support and advocacy. Our coalition seeks not only  
4 to serve tenants, but to mobilize them and build up  
5 leaders who preserve affordable housing for  
6 generations to come. We humbly ask you to consider  
7 our request for an increase in the initiative to 3  
8 million dollars for FY20 and we look forward to  
9 continuing to work with you to defend and preserve  
10 one of our city's greatest assets. Real quick, the  
11 members of our coalition are from Queens, Asian  
12 Americans for Quality, Catholic Migration Services,  
13 China CDC [inaudible] Move. Manhattan-based members  
14 are CAF, Cooper Square Committee, Goals, Hudson  
15 Conservation, Housing Conservation Coordinators. We  
16 have Fifth Avenue Community, Neighbors Helping  
17 Neighbors, Flatbush Tenant Coalition, Input Brooklyn,  
18 St. Nick's in Brooklyn. Bronx has Casa, Mothers on  
19 the Move, and Barry Mitchell Center in Northwest  
20 Bronx, Community Clergy Coalition, and [inaudible]  
21 Kelly Improvement Association, as well as Community  
22 Development Project and You Have. Thank you.

23 CHAIRPERSON CORNEGY: Thank you so much  
24 for your testimony. We're going to move to the last  
25 panel, but in the interim I would like to welcome and

2 acknowledge the presence of one of my favorite former  
3 colleagues, ah, former Council Member Jimmy Vaca, now  
4 Professor Jimmy Vaca, and his class of public  
5 administration from Queens College is in the  
6 building. Jimmy Vee. Ah, Caroline Nagy, Shane  
7 Correia, Sam Chiera, Nicole Johnson, and ~~Tawaki~~Towaki  
8 Komatsu-Camaeche, I'm sorry. I'm sorry, I believe I  
9 had Leroy Alexander testimony on a former panel, but  
10 I have his card again. Yep, I thought so, OK, thank  
11 you. You can begin when you're ready. I ask that  
12 you identify yourself for the record upon your  
13 testimony. Thank you.

14 SHANE CORREIA: Good afternoon, council  
15 members. Thank you for hearing our testimony. My  
16 name is Shane Correia. I'm the assistant director of  
17 the Strategic Partnerships at the Center for Court  
18 Innovation. I would also like to state that as  
19 someone who was formerly homeless, ah, hearing the  
20 testimony of the people today is incredibly powerful,  
21 ah, and it's because of that reason that I would like  
22 to highlight some of the work that the Center for  
23 Court Innovation does in serving over 75,000 New  
24 Yorkers, including through three of its programs,  
25 which are the Red Hook Community Justice Center, the



1 Harlem Community Justice Center, and the Legal Hand  
2 Services that operate throughout New York City.  
3 Within our community justice centers have  
4 specific housing parts that also include  
5 housing resource centers. They are unique in that  
6 the judges are, they become familiar with issues of  
7 the community and housing resource centers support  
8 the residents to navigate what is traditionally a  
9 complex legal situation. In fact, in our courts,  
10 whereas the traditional housing court has only 2% of  
11 tenant-initiated cases, our resource centers  
12 and courts have over 18%. This permits individuals  
13 to use the court system to access justice in a way  
14 that they normally would not be able to access  
15 otherwise. It's because of this and the direct  
16 support that we provide to residents within these  
17 communities that we would like to ask for support of  
18 two applications under the Community Housing  
19 Preservation Strategies Initiative that will allow us  
20 to reach out directly to members within the community  
21 who can't necessarily leave their homes to access the  
22 resources that we have to offer in the courthouse,  
23 specifically seniors, the disabled, and individuals  
24 who don't necessarily speak English as their primary  
25

2 language. We'd like to send staff to be able to go  
3 into the community and meet with them at their homes  
4 so that they can become aware of how they can resolve  
5 the issues that may be threatening their housing  
6 situation. Thank you for hearing our testimony.

7 CHAIRPERSON CORNEGY: Thank you.

8 SAM CHIERA: Hello, good afternoon. I'm  
9 Sam Chiera from Brooklyn Legal Services Corporation  
10 A. I'm a staff attorney in the group representation  
11 unit. I represent tenant associations in the  
12 communities in north Brooklyn. I would like to  
13 applaud all of the tenant association members who  
14 have come out. Thank you for advocating, it's  
15 amazing. I am here today on behalf of the Stand for  
16 Tenant Safety Coalition. STS is a citywide group of  
17 tenant advocates who seek to strengthen and create  
18 protections for tenants during times of construction,  
19 specifically against construction harassment. As the  
20 City Council is aware in 2017 the council passed a  
21 number of bills into law aimed at preventing  
22 construction as harassment. These laws protect  
23 tenants by increasing fines and other penalties for  
24 landlords who perform work without a permit or who  
25 fail to comply with buildings issued stop work

1 orders. It creates a watch list of bad acting  
2 contractors who fail to comply with buildings, issue  
3 state stop workers, sorry, fail to comply, to take  
4 tenant protections into access, require specific  
5 protections be included where tenant protection plans  
6 are needed, revises the definition of distressed  
7 buildings subject to third-party transfer program,  
8 ah, and creates an Office of the Tenant  
9 Advocate Advocate to act as a point person for tenants  
10 suffering during dangerous construction. I'm here  
11 today to advocate for increased funding for  
12 these laws. These laws, while passed in 2017,  
13 struggle to be enacted, in part because they have not  
14 been appropriately funded, specifically ask that that  
15 the real-time enforcement unit be granted an  
16 appropriate budget so that it can continue to respond  
17 in real time to dangerous construction complaints and  
18 that the Office of the Tenant Advocate be fully  
19 staffed. And then, real quickly because I, Council  
20 Member Gibson asked a little bit about the pilot  
21 program for the Certificate of No Harassment and how  
22 that's actually working on the ground. As an  
23 attorney who regularly litigates harassment claims in  
24 housing court on behalf of the tenant associations,  
25

2 as I said, it's working very well. Specifically, it  
3 is allowing, or it's forcing landlords and the courts  
4 to take harassment very seriously and we've seen a  
5 lot of boots-on-the ground results from that. I'm  
6 not sure that you're going to be able to see that,  
7 like a metric for that, because a lot of the results  
8 in settlements that are favorable to the tenants and  
9 a lot of it results in protections that, ah, that we  
10 come to, um, that you won't see because it won't  
11 necessarily translate into a Certificate of No  
12 Harassment, right? But it is working very, very well,  
13 so thank you for that. And thank you for allowing me  
14 to testify, thank you.

15 CHAIRPERSON CORNEGY: Thank you for your  
16 testimony.

17 CAROLINE NAGY: Good afternoon. My name  
18 is Caroline Nagy and I'm the deputy director for  
19 policy and research at the Center for New York City  
20 Neighborhoods. Thank you, Chair Cornegy, Council  
21 Member Gibson, everyone else here, and the staff who  
22 worked to prepare today's hearing. We promote and  
23 protect, we work to promote and protect affordable  
24 home ownership in New York so that middle and working  
25 class families are able to live in strong, thriving

2 communities. Lower and moderate income homeowners  
3 are a very important of New York City's affordable  
4 housing stock. There are more than, you know, they  
5 receive a very ~~disporportinately~~disproportionately  
6 small amount of the city budget for the amount of,  
7 you know, stable housing that they provide, both for  
8 the families who are able to live there, have housing  
9 stability and build well, as well as for their  
10 tenants, since tenants are not rent-regulated and are  
11 always displaced when homeowners and their families  
12 are displaced. More than 181,000 New York City  
13 homeowner families spend more than 50% of their  
14 income on their mortgage and related houses, housing  
15 costs, which gives you a size of, you know, the  
16 population that's under a lot of stress, um, and  
17 we've seen, you know, the results over the last ten  
18 years, the number of black homeowner households has  
19 decreased by over 9% in Queens, that's about 50,000  
20 homeowners. In Brooklyn the number of Latino  
21 homeowners has decreased by 18% over the same time  
22 period, even though the Latino population has grown  
23 over that time. This is a sign of increasing income  
24 inequality and, um, you know, causing like lack of  
25 opportunities for people to be able to buy and become

2 homeowners. So we're here today, you know,  
3 foreclosures obviously remain a threat. Reverse  
4 mortgage foreclosures are on the rise. We've seen a  
5 big rise in deed theft scams, um, as well as issues  
6 with homeowners being deliquentdelinquent on property  
7 taxes, as you know. I have a lot of statistics, um,  
8 you know, things here which I will not read to you  
9 since I'm running out of time, but we're here to  
10 advocate for homeowner services in the city budget.  
11 As I said, you know, there's, you know, our, well,  
12 you can read all of it in the testimony and also, um,  
13 for similar support for the new home fix, Home Repair  
14 program, since that's going to require a lot of  
15 outreach and education and advocacy, um, on the part  
16 of nonprofits that serve homeowners. Thank you very  
17 much.

18 CHAIRPERSON CORNEGY: Thank you for your  
19 testimony.

20 NICOLE "NICKY" JOHNSON: Good afternoon,  
21 Chairman Cornegy, council members, and everyone here  
22 at the sound of my voice. My name is Nicole "Nicky"  
23 Johnson. I put on the paper Partnerships for the  
24 Homeless, but I'm also involved with Vocal New York  
25 and a number of other organizations. Today I

1 represent families and everyone here because, um, is,  
2 this applies to all of us. Um, my situation is that  
3 I'm a former MOS, which is a Member of Service. I  
4 also used to work for the Department of Education.  
5 People describe homelessness as a person on the  
6 street, as a person on the trains. But in all  
7 realityreality you go from a shelter into an apartment  
8 and what happens to you after that? The aftercare  
9 does not take place. I live in a private house. I  
10 don't live in New York City housing, and the things  
11 that I'm enduring is harassment by my landlord. I  
12 have a 13 year old daughter that I cannot leave at  
13 home alone at all because my landlord has tried to  
14 come into my apartment a number of times. I have  
15 caught him listening at my bedroom door, because  
16 there's two ways into my apartment. He has harassed  
17 my kids by knocking on the door, knowing that I'm not  
18 there. He has written me letters saying that every  
19 closed eye is not asleep and he highlights the Es.  
20 I've saved these documents. But I'm not here to bash  
21 anyone, because no matter who sits in office we all  
22 need to be educated, we all need to take  
23 accountability, but we just can't do it alone. It's  
24 not enough. I want people to hear my story. My  
25

2 story is that I'm a mother of four children. I have  
3 one child with a learning disability. I have another  
4 child that was not born bipolar, but because of early  
5 childhood trauma of having her taken from me because  
6 I lost my apartment in my New York City Housing  
7 Authority, which I grew up, she is now homeless and  
8 because she is of a certain age they are telling me  
9 that I can no longer help her. Right now I'm behind  
10 in my rent and I keep going for assistance. I only  
11 receive one income. I have one daughter that I am  
12 proud to say she will be graduating next year from  
13 Spellman College. I have one that is on her way out  
14 of middle school, but she is enduring bullying. I  
15 have another one that hopefully he will be graduating  
16 by next year, but no later than 2020, because of the  
17 problems that I had to endure with his older sister.  
18 I need people to understand. You can go to court and  
19 you can continue to march. You can continue to  
20 rally. But to see me is to see that I am person who  
21 still tries to look at the positivity in life. When  
22 I lost my job there was no one there to help me. The  
23 union didn't step up because the thing is getting to  
24 the root of the problem. I grew up, like I said, in  
25 New York City Housing Authority. I graduated at the



2 top of my class. Out of 609 I ranked number 11. And  
3 the only reason I believe I wasn't number one is  
4 because I lost my mother during the process. But God  
5 is good. He is real. I need help because where we  
6 live at I can no longer endure having somebody ring  
7 my doorbell and appearing to be intoxicated, saying  
8 all type of derogatory things to me, having gone to  
9 court and go and tell my lawyer that my landlord is  
10 harassing me. My lawyer is telling me the main thing  
11 is to secure the apartment. I do not want to go back  
12 into a shelter. When I was in a shelter we was  
13 exposed to bedbugs and having to watch mothers go  
14 outside past curfew, put their babies in trucks to go  
15 off with these drivers and Lord knows do whatever to  
16 get what they can. I didn't do those things and I  
17 don't want to endure it. I've had workers take my  
18 belongings. I file complaints. But where does that  
19 leave me? I went into the shelter of January 2005. I  
20 came out in August of 2005. I want people to know  
21 that when you go into a shelter it's not easy for  
22 anybody to get out. My worker told me every day I'm  
23 gonna work with you, Ms. Johnson, to help you find an  
24 apartment. Not once did she do that. So I took one,  
25 I only had one child with me in the shelter. I took

2 my son and I got up every morning at 5 o'clock in the  
3 morning and left the shelter to go where I needed to  
4 go. I got out, like I said, in August of 2005. I  
5 moved into an apartment in 142 Grove Street. I lived  
6 there for one year, two months, and two days. The  
7 fire department said I should have never lived there  
8 not even for a second with my kids. I'm sorry. How  
9 much does a person have to endure? Like I stated  
10 before, I have one child that's not in my house, she  
11 is homeless. She has mental health issues. She's  
12 been raped, she's been a prostitute, she's been  
13 exposed to drugs. I am obligated to tell my story.  
14 I have gone as far as to Albany speaking on mental  
15 health issues and when you are homeless you are  
16 battling more than just trying to secure a roof over  
17 your head. People suffer from physical, emotional,  
18 mental, social, and spiritual abuse, and I still  
19 stand. I am still here. I lost my mom because of  
20 wrongful death at a hospital failing to test her, to  
21 test the blood that they gave her. I was a child  
22 when I lost her, a child with a baby. And I'm asking  
23 everyone that is here today if you can hear me, hear  
24 me and help me. Don't allow me to walk out without  
25 giving me the assistance that I need. Like I said, I

1 have one income and they're telling me that that is  
2 more than enough for you and your kids to live on.  
3 But I take my income, where does that leave me? It's  
4 not just housing that I have to pay for. I have to  
5 pay for light and gas and food. We have people that  
6 go into shelters. When you are in on Riker's Island  
7 supplies and demands, you know, they only give you so  
8 much and there are certain things that you can't pay  
9 for through SNAP. I wasn't asking to really  
10 testimony today. I don't have the papers in front of  
11 you because this is not easy for me, but like I said  
12 I'm obligated to represent families and everyone who  
13 has gone through and still going through. I don't  
14 look forward to going home every day and do not.  
15 The. the thing that keeps me going is my children  
16 because they're at the top of their class and I  
17 battle for the three that I do have and the one  
18 that's on the streets I ask that people really get  
19 get a understanding. Don't turn a blind eye. Don't  
20 act like we don't know what's going on. I will not  
21 hold, like I said, anybody in office accountable to  
22 the point where I'm blaming you for my situation.  
23 But if you have the power, which is money, to help  
24 then do that. I understand sometimes it's like  
25

2 putting your job on the line. I've gone in courts  
3 and I've watched people sell their own mother's soul.  
4 A lawyer said to me, Ms. Johnson, had I met you first  
5 I would have represented you. But that didn't matter  
6 because my child, like I said-, the only thing that  
7 she didn't do was die at the age of 14 when they  
8 found her on the streets with a blood alcohol level  
9 of 0.22, having been raped and still to this day they  
10 have not given me any information as to what happened  
11 with her case. My son almost lost his life two weeks  
12 ago coming from school downtown Brooklyn, all because  
13 of somebody else's own actions. They were stopped by  
14 NYPD. And I hate to say that one of our own fellow  
15 officers was very belligerent and called these  
16 children all type of derogatory names and said I  
17 better not see you're down here again. But these are  
18 children coming from school and what they stopped  
19 them for they had nothing to do with it.

20 CHAIRPERSON CORNEGY: Ms. Johnson, what I  
21 heard you say was not let you leave here without  
22 offering you some assistance. Somebody will see you  
23 before you leave this chamber today to see if they  
24 can be of assistance.

2 NICOLE "NICKY" JOHNSON: Thank you for  
3 allowing me to speak.

4 CHAIRPERSON CORNEGY: Thank you for your  
5 testimony.

6 TOWAKI KOMATSU: Hi, my name is Towaki  
7 Komatsu. Hello, Mr. Cornegy. I'm a US Navy military  
8 veteran. I don't really have too much prepared  
9 testimony. I gave you written testimony earlier.  
10 Um, there was a budget hearing just like this one a  
11 year ago with Ritchie Torres. The video that I'm  
12 about to play for your benefit, as well as the  
13 audience in this room, was essentially that Mr.  
14 Torres had made a commitment to me during that  
15 hearing that he would have HPD look at deficiencies  
16 in the housing where I reside in the Bronx as one of  
17 your constituents, Mrs., ah, Ms. Gibson. So let me  
18 play this video recording for your benefit.

19 CHAIRPERSON CORNEGY: Mr. Komatsu,  
20 unfortunately I don't know if we have the capacity to  
21 allow you play a video at this time.

22 TOWAKI KOMATSU: Oh, I know it, I have it  
23 right here.

24 CHAIRPERSON CORNEGY: I'd like to hear  
25 your testimony, but we don't, we can't watch a video.

2 You are, fortunately are the last person to testimony  
3 and we have people in the rotunda waiting for the  
4 hearing. You can't play the video.

5 TOWAKI KOMATSU: [inaudible] [crosstalk]

6 CHAIRPERSON CORNEGY: You can testify,  
7 you can't play the video.

8 TOWAKI KOMATSU: No, he's the person who  
9 was helping me until...

10 UNIDENTIFIED: [inaudible]

11 TOWAKI KOMATSU: Fair enough. Um, so my  
12 testimony today is for Federal Judge Lorna Schofield.

13 Um, Judge Schofield, I have a, Judge Schofield, I

14 have a First Amendment right to play this video

15 recording that I intended to play for the benefit of

16 this audience. Unfortunately, Mr. Cornegy violated

17 Fourth Amendment rights today during this hearing.

18 So I am going to specifically ask you to void today's

19 hearing in accordance with New York State's Open

20 Meetings law, section 107. Um, there was a public

21 hearing in the blue room on Monday with the mayor. I

22 was in the process of exercising my First Amendment

23 rights lawfully. I was illegally kicked out of that

24 meeting. A member of the mayor's security detail put

25 his hand on my left arm, kicked me out of that

2 meeting. He was not ordered to do so. Then I  
3 thereafter came to today's hearing prepared and I'm  
4 being told, but, sorry, but despite that fact that  
5 the audience doesn't have the ability to, I guess,  
6 watch what I stated to Mr. Torres on, I think it was  
7 March 28 or 26th of last year, where he basically  
8 said he would have HPD look into the problems, take  
9 appropriate corrective action. They haven't been  
10 remedied. In fact, um, I actually have to go to  
11 housing court against a slum lord next week. They  
12 filed a frivolous lawsuit against me after I took 15  
13 punches to my left temple that I previously apprised  
14 you about, and HRA is essentially stating, HRA has a  
15 contract with Urban Pathways for this particular  
16 building. HRA is saying in these legal papers that I  
17 got in a New York State Supreme Court lawsuit that I  
18 filed against HRA that HRA is not responsible for  
19 security in terms of Urban Pathways if it doesn't do  
20 its job. So if this is a budget hearing, if HRA is  
21 doing business with a company called Entity Data that  
22 I was going to talk about with the mayor on Monday  
23 and Entity is facing a class-action lawsuit by the  
24 NAACP. For obvious reasons, Ms. Gibson, Mr. Cornegy,  
25 Mr. Perkins. You should support what the NAACP does.

2 So if the NAACP is filing a lawsuit on behalf of  
3 black people against a company that still is  
4 subjecting me to wage theft, that everyone in the  
5 audience has to fund as a result of it being a  
6 government, uh, yeah. The question is where is the  
7 oversight of, um, this building at 802 Fairmont Place  
8 in the Bronx for military veterans? There is a  
9 disabled person in apartment 1-D. He's not getting  
10 repairs. I got 15 punches to my left temple. I got  
11 a concussion. That concussion, that assault was, um,  
12 it was foreseeable. There was an attempted earlier  
13 assault and when I talked to Mr. Banks, Steven Banks,  
14 commissioner of HRA, he told me in a conversation I  
15 recorded on audio HRA is not responsible for crime.  
16 So the question is who is responsible for providing  
17 oversight of Urban Pathways, the landlord? Can you  
18 answer that question?

19 CHAIRPERSON CORNEGY: So I don't have the  
20 answer to that question, but first of all I want to  
21 thank you for your service in the military. I think  
22 I've told you that before...

23 TOWAKI KOMATSU: But you really don't, if  
24 you're not letting me have [crosstalk]



2 CHAIRPERSON CORNEGY: I don't have, I  
3 don't have the answer to that question.

4 TOWAKI KOMATSU: If you're not letting me  
5 play a video during my testimony you're not honoring  
6 my service.

7 CHAIRPERSON CORNEGY: Mr. Komatsu, I  
8 appreciate every time you come and testify, number  
9 one.

10 TOWAKI KOMATSU: You don't.

11 CHAIRPERSON CORNEGY: Number two, it  
12 disturbs you that you have to continue to come back  
13 over and over again and we haven't been able to as a  
14 body resolve the issues...

15 TOWAKI KOMATSU: You have told me to  
16 follow up with your staff. I have, and there's been  
17 no recourse. There's been no remedy.

18 CHAIRPERSON CORNEGY: I will follow up to  
19 see what's happening. I have no idea at this  
20 particular...

21 TOWAKI KOMATSU: And the last, just one  
22 final point. HRA is having a public hearing on March  
23 28 where I have a First Amendment right to go to his  
24 offices at 150 Greenwich to look at those contracts  
25 before I testify. They are illegally preventing me

2 from walking through the doors to see those contracts  
3 with my own two eyes. Can you do something about  
4 before that March 28 hearing?

5 CHAIRPERSON CORNEGY: I can talk to,  
6 after this hearing, to see what I could possibly do,  
7 but I can't make a commitment...

8 TOWAKI KOMATSU: [crosstalk]

9 CHAIRPERSON CORNEGY: I'm not going to,  
10 I'm not going to make that kind of commitment because  
11 I don't know the circumstances, and that would.

12 TOWAKI KOMATSU: Again, Judge Schofield,  
13 thank you for your time. You'll see this video soon.

14 CHAIRPERSON CORNEGY: Thank you all for  
15 coming out and testifying on this very important  
16 issue. This hearing is adjourned. [[gavel]]

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C E R T I F I C A T E

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



Date May 12~~1~~, 2019