

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS

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May 7, 2019
Start: 10:32 a.m.
Recess: 10:41 a.m.

HELD AT: 250 Broadway - Committee Rm.
14th Fl.

B E F O R E: ROBERT E. CORNEGY, JR.
Chairperson

COUNCIL MEMBERS: Fernando Cabrera
Margaret S. Chin
Rafael L. Espinal, Jr.
Mark Gjonaj
Barry S. Grodenchik
Bill Perkins
Carlina Rivera
Helen K. Rosenthal
Ritchie J. Torres

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

2 [sound check] [gavel]

3 SERGEANT-AT-ARMS: Quiet, please.

4 CHAIRPERSON CORNEGY: Good morning

5 everyone and thank you for coming. I'm Council

6 Member Robert Cornegy, Chair of the Council's

7 Committee on Housing and Buildings. Today, we'll

8 vote on 18 bills. Seventeen of these bill pertain to

9 tenant displacement. In May of last year, the New

10 York Times ran a three-part series that highlighted

11 the lengths that landlords will go to remove rent

12 regulated tenants and to bring those apartment units

13 up to market rate. In the aftermath of this article,

14 we held a hearing on those 17 bills. The final bill

15 relates to construction site safety training.

16 Proposed Intro 59-A, which I sponsored would ensure

17 that tenants entering into buyout agreements do so as

18 educated consumers. This bill will require that the

19 person offering a buyout agreement inform the tenant

20 of the median asking price for similar units as well

21 as factors that may impact the tenant's ability to

22 rent an apartment if they choose to—if they choose to

23 move. This bill also requires HPD to report on

24 median asking rents in each community district if

25 sufficient data is available. Proposed Intro 1257-A,

2 which I also sponsored will require DOB to issue a
3 stop work order if a DOB inspector can't get access
4 to a construction site, and he has reason to believe
5 that work—I'm sorry—which—DOB to issue a stop work
6 order so a DOB access can get access to a
7 construction site, and has reason to believe that
8 work is being done in violation of the law. Proposed
9 Intro 128-A, which I also sponsored—158 [pause] 1258-
10 A, which I also sponsored will require the Department
11 of Consumer Affairs to audit 20% of process servers
12 who serve in Housing Court. The New York Times
13 article highlighted certain instances of improper
14 service, which resulted in tenants being evicted from
15 their homes without even knowing that there were
16 eviction proceedings pending against them. This bill
17 will provide a tool for the city to uncover further
18 instances of improper service. Proposed Intro 551-A
19 and 1274-A are sponsored by Council Member Levine.
20 Proposed Intro No. 551-A will require landlords to
21 file information about buyout agreements online or
22 face a penalty. This bill also requires ATB to
23 report annually on buyout agreements. Proposed Intro
24 1274-A will require landlords to obtain the previous
25 four-years rent for an apartment in a landlord's

2 building if available and give that information to
3 the tenant in that apartment. Proposed Intro No.
4 975-A sponsored by Council Member Brannan will
5 require DOB to maintain a list of buildings with an
6 excessive number of open immediately hazardous or
7 major violations of the Housing Maintenance Code or
8 Construction Code. These buildings would be subject
9 to a year-long moratorium on the issuance of permits.
10 Proposed Intro 977-A sponsored by Council Member
11 Reynoso would create sanctions for registered design
12 professionals who submit professionally certified
13 applications for construction backing an approval
14 within any 12-month period that contain errors that
15 result in a stop work order. In a similar vain,
16 proposed Intro No. 1241-A sponsored by Council Member
17 Ampry-Samuel will sanction supervisor registry-
18 supervisory registered design professionals who
19 supervise registered design professionals who falsely
20 certify construction documents and plan. Proposed
21 Intros Nos. 1107-A, 1279-A and 1280-A were all
22 sponsored by Council Member Rosenthal. Proposed
23 Intro No. 1107-A and 1280-A would expand DOB
24 oversight over tenant protection plans, which are
25 documents that must be submitted when construction

2 will be performed in occupied buildings, and building
3 owner penalties with false statements and tenant
4 protection plans. Proposed Intro No. 1107-A would
5 also require contractors to play a larger role in the
6 submission of tenant protection plans, which are
7 currently overseen by building owners. Proposed
8 Intro No. 1278-A will require DOB and HPD to order a
9 certain percentage of Certificates of Correction,
10 which are filed by building owners when they correct
11 violations to ensure their violating conditions have
12 been corrected. Proposed Intro No. 1278-A sponsored
13 by Council Member Rivera also pertains to Tenant
14 Protection Plans. This will require heightened
15 review of Tenant Protection Plans, and increase the
16 enforcement of building code standards. Proposed
17 Intro 1171-A sponsored by Council Member Torres would
18 among other things require audits of a building
19 owner's entire real estate portfolio while the
20 building owner was caught performing work without a
21 permit or where the building owner submitted five
22 amendments to construction documents within a six-
23 month period that contained changes in occupancy,
24 regulation status, or that would require the owner to
25 submit an application for a new permit. Proposed

2 Intro No. 1242-A sponsored by Council Member Ayala
3 would expand the information to be posted on HPD's
4 online Property Owner Registry by requiring owners to
5 include information about DOB violations related to
6 construction as harassment including stop work orders
7 without a permit and if available, information about
8 rent overcharges. Proposed Intro 1247-A sponsored by
9 Council Member Cabrera would require owners to
10 distribute copies of notices of violation to building
11 tenants and require DOB to provide information about
12 the adjudication process for resolving those
13 violations. Proposed Intro No. 1275-A sponsored by
14 Council Member Powers would place a one-year
15 moratorium on DOB issued permits to buildings where
16 the building owner lied about the occupancy status of
17 the building or where DOB's permanent work was
18 performed without a permit while the building was
19 occupied. Finally, Proposed Intro 1277-A sponsored by
20 Council Member Ampry-Samuel would require DOB to
21 perform preliminary inspections on 20% of reportedly
22 unoccupied buildings to verify these buildings are,
23 in fact, unoccupied prior to construction. In
24 addition to voting on the tenant displacement bills
25 today, we'll vote on one bill relating to protecting

2 the construction workers who risk their lives to help
3 develop and grow this city. Construction remains one
4 of the most dangerous lines of work in the city.

5 Local Law 196 of 2017 create a comprehensive safety
6 training requirements for construction workers.

7 Proposed Intro 1533-A sponsored by the Public
8 Advocate extends the deadline by which workers must
9 comply with the training requirements in Local Law
10 196. Through these 19 bills, we hope to better
11 protect our fellow New Yorkers both in their homes
12 and in their places of work. I'm joined today by
13 Council Members Rivera. I-I-know you. [laughter]
14 Espinal-Espinal, Barry Grodenchik, Antonio Reynoso,
15 Margaret Chin, Fernando Cabrera, Bill Perkins, and
16 Helen Rosenthal. Didn't I not say Ritchie?

17 COUNCIL MEMBER TORRES: You didn't.

18 CHAIRPERSON CORNEGY: And Ritchie Torres.
19 [background comments/laughter] Thank you, everybody.
20 We can now ask the clerk to call the roll.

21 CLERK: Matthew DiStefano, Committee
22 Clerk, Committee on Housing and Buildings. Roll call
23 on the aforementioned bills.

24 CHAIRPERSON CORNEGY: Wait. I'm sorry,
25 Clerk. I didn't ask any of the members if they'd like

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2 to speak on their bills. [background comments/pause]

3 Oh, well. [background comment/laughter]

4 CHAIRPERSON CORNEGY: Nice. [background
5 comments] Okay.

6 CLERK: Roll call on the aforementioned
7 bills. Chair Cornegy.

8 CHAIRPERSON CORNEGY: I vote aye.

9 CLERK: Cabrera.

10 COUNCIL MEMBER CABRERA: Aye.

11 CLERK: Chin.

12 COUNCIL MEMBER CHIN: Aye.

13 CLERK: Espinal.

14 COUNCIL MEMBER ESPINAL: Aye.

15 CLERK: Rosenthal.

16 COUNCIL MEMBER ROSENTHAL: Aye.

17 CLERK: Torres.

18 COUNCIL MEMBER TORRES: Aye.

19 CLERK: Grodenchik.

20 COUNCIL MEMBER GRODENCHIK: Aye on all
21 except 1258-A on which I abstain.

22 CLERK: Perkins.

23 COUNCIL MEMBER PERKINS: Aye on all.

24 CLERK: Rivera.

25 COUNCIL MEMBER RIVERA: Aye on all.

2 CLERK: By a vote of 9 in the
3 affirmative, 0 in the negative, and no abstentions,
4 the items have been adopted with the exception of
5 Intro 1258-A which was adopted by the vote of 8 in
6 the affirmative, 0 in the negative and 1 abstention.
7 [background comments]

8 CHAIRPERSON CORNEGY: I do—I just—I just
9 want to at the close of the hearing acknowledge for
10 Lew Fidler who was great Council Member, and a great
11 friend. I will be leaving in as a lot of members
12 will to attend to his services so—[pause]

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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 24, 2019