

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON AGING

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JANUARY 21, 2020
Start: 10:25 AM
Recess: 12:37 PM

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: DANIEL DROMM
CHAIRPERSON

MARGARET S. CHIN
CHAIRPERSON

COUNCIL MEMBERS: ADRIENNE E. ADAMS
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FRANCISCO P. MOYA
KEITH POWERS
HELEN K. ROSENTHAL
JAMES G. VAN BRAMER

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

Michael Hyman, First Deputy Commissioner, New York City Department of Finance

Bibi Parmar, Senior Director of Senior and Disabled Programs, NYC Department of Finance

Sheila Voyard, Director of Outreach, NYC Department of Finance

Carl Laske, Director of Real Property and Legal Council Unit, Legal Affairs Division, NYC Department of Finance

Rocky Chin, Member of AARP Executive Council, New York

Kim Lerner, Program Director Benefits Outreach Program, Live On New York

Peter Kempner, Legal Director and Elderly Project Director, Volunteers of Legal Service

Alex Riley, Director, Elder Law Practice of the Civil Practice, Legal Aid Society

Christopher Evans, Legal Aid Society

Larry Wood, Director or Organizing, Goddard Riverside Community House, Upper West Side

Provati Devi

Alex Brandis, Policy and Advocacy Manager,
Medics Home Neighborhood House

2 (sound check) (pause) (gavel)

3 SERGEANT-AT-ARMS: Alright folks, if you
4 can, please find seats. If not doing so, once again
5 private conversations please take outside of the
6 Chambers. We ask you to please silence all electronic
7 devices. Any questions, please get the attention of
8 one of the sergeant-at-arm who will be more than
9 happy to help you. Thank you. (pause) (gavel)

10 CHAIRPERSON DROMM: Okay, good morning.
11 I'm Council Member Daniel Dromm, Chair of the
12 Committee on Finance. Today's hearing is being held
13 jointly with the Committee on Aging, which is chaired
14 by Council Member Margaret Chin. I apologize for
15 being late. We had a vote across the street, and
16 that was what kept me there. We have been joined by
17 my colleague Council Member Adrienne Adams, Council
18 Member Karen Koslowitz, Minority Leader Steve Matteo,
19 Council Member Ruben Diaz, Sr., Council Member Barry
20 Grodenchik, Council Member Barry Grodenchik, and
21 that's it. Okay, good. Today the committees will
22 conduct an oversight hearing on the Department of
23 Finance's administration of the Senior Citizen Rent
24 Increase Exemption Program and the Disabled Rent
25 Increase Exemption, which together make the New York

2 City Rent Freeze Program. More specifically, the
3 committees will examine DOF's progress in increasing
4 overall annual enrollment and outreach for the
5 program, as well as recent legislative policy changes
6 that impact the program's benefits and issues raised
7 in various government reports. Under the Rent Freeze
8 Program, senior citizens over the age of 62 and
9 individuals with disabilities are protected from
10 future rent increases when freezing their rents while
11 providing landlords with tax abatement credits equal
12 to the dollar value of the rent increases they are
13 entitled to. According to DOF's 2028 Rent Freeze
14 Program Report approximately 73,299 eligible
15 households were enrolled in the program in 2016 and
16 receiving SCRIE or DRIE benefits citywide. We
17 commend the agency for its increased efforts to
18 target under-enrolled neighborhoods. However, even by
19 the agency's own reporting there remains at least
20 57,000 eligible households that are not yet enrolled
21 in the program even though neighborhood level data
22 was not included in the 2018 report as it was in the
23 2014 report, the Council hopes that DOF is using this
24 data to target its outreach for maximum
25 effectiveness. Until all eligible households are

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2 enrolled more work needs to be done to ensure that
3 seniors and people with disabilities are receiving
4 the rental assistance they need to remain in their
5 homes. At a time where escalating costs of rent and
6 income-income inequality continues to grow in the
7 city, SCRIE and DRIE become even more critical
8 housing preservation programs. In addition, at the
9 end of 2019 State Legislative Session the Legislature
10 passed the Housing Stability and Tenant Protection
11 Act, which caused several changes to the
12 Administration of the Rent Freeze Program. Notably
13 the state legislation allows the city to freeze rents
14 at a preferential rent level rather than at the legal
15 rent for the length of the tenancy. This is a
16 welcome change particularly because DOF noted in its
17 2018 report that preferential rent was one of the
18 primary reasons that program enrollment was not
19 higher. We look forward to learning about how DOF
20 intends on utilizing this shift in policy to increase
21 enrollment. Before we hear from the Administration,
22 I would like to hand it over to Chair Chin for her
23 statement. Thank you.

24 CHAIRPERSON CHIN: Thank you, Chair
25 Dromm. Good morning.

2 CROWD: Good morning.

3 CHAIRPERSON CHIN: I'm Margaret Chin,
4 Chair of the Committee on Aging. Thank you to Chair
5 Dromm for his leadership in calling this important
6 hearing on rental assistance programs for seniors and
7 people with disability. We have also been joined by
8 Council Member Louis. Today, we will hear testimony
9 from the Mayoral Administration on the Senior Citizen
10 Rent Increase Exemption or SCRIE programs and the
11 Disabled Rent Increase Exemption or DRIE program,
12 which are collectively referred to as the New York
13 City Rent Freeze Program. As Chair of the Committee
14 on Aging, and a representative of many low-income and
15 rent burdened New Yorkers, I fully understand how
16 essential the New York City Rent Freeze Program is.
17 I was proud to support the Council's law authorizing
18 an increase in the household income threshold to the
19 Rent Freeze Program to 50,000 in March of 2014. That
20 represents an increase of over \$20,000 for both
21 programs and make thousand more seniors and people
22 with disabilities eligible. However, we know that
23 the program can still do more for more people. The
24 statistics are so great. On average the SCRIE
25 participant is 73 years old and has an average

2 household income just under \$18,600. Meanwhile, the
3 average DRIE participant is 57 years old and has an
4 average household income around \$15,200. These are
5 some of our most low-income neighbors. These
6 neighbors rely on the Rent Freeze Programs to stay
7 stably housed out of shelter and rooted in the
8 communities they helped to build. We have been—we
9 have seen enrollment in the Rent Freeze Program
10 increase between 2014 and 2017. The data show an
11 increase of nearly 11% growing from 67,000 to 74,300
12 participants. Department of Finance deserves credit
13 for this increase. Still, DOF's 2018 Rent Freeze
14 Program Report estimates that only 50% of eligible
15 households are enrolled in the program. That mean
16 that our there are over 57,000 households who are
17 eligible for the Rent Freeze Program, but aren't
18 enrolled. Today, I would like to hear a clear
19 strategy from DOF on how to reach these vulnerable
20 New Yorkers. In addition, we need greater
21 accountability regarding the effectiveness of
22 existing outreach to severely under-enrolled
23 neighborhoods. These neighborhoods criss-cross all
24 five boroughs, and include immigrant rich areas like
25 Flushing, Flatbush, and Highbridge where language and

2 cultural barriers may create obstacles that the city
3 must overcome. Another issue to discuss is the role
4 of the DOF Ombudsperson. The ombudsperson is a recent
5 innovation designed to help tenants resolve issues
6 when applying or renewing rent free--Rent Freeze
7 Program benefits. The two major categories addressed
8 by the ombudsperson are related to application
9 processing, and tax abatement credits. I am
10 particularly concerned about the large volumes, some
11 69% of increased dealing with application processing.
12 We need the Rent Freeze application and renewal
13 process to be seamless, and streamlined so that our
14 older New Yorkers and people with disability can
15 access their benefit with ease. I look forward to
16 hear how DOF and its sister agencies are working to
17 improve and streamline this process. Finally, there
18 is an important gender and disability equity lens to
19 this work. In November 2018, the Council heard from
20 advocates who correctly identified that the DRIE
21 program excludes caregivers of people with
22 disability. Most of the time these caregivers are
23 women. Caregiving responsibility significantly impact
24 the ability of caregivers to maintain full-time
25 employment, which can result in a struggle to make

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2 ends meet and pay rent. Let lift up our caregivers
3 and honor their essential work. I look forward to
4 hearing how DOF treats caregivers and possible action
5 the Council and our state partner may take to extend
6 this benefit to caregivers and promote equity. I'd
7 like to thank the Committee on Aging staff for their
8 hard work in preparing for this hearing: Daniel
9 Coupe, our Senior Financial Analyst, our counsel
10 Nusrat Tadari and Senior Policy Analyst Calima
11 Johnson. I now turn it back to Chair Dromm. Thank
12 you.

13 CHAIRPERSON DROMM: Okay, thank you Chair
14 Chin. Before we hear testimony I'd like to thank the
15 Finance Committee staff. (coughs) Excuse me, who
16 worked on today's hearing: Rebecca Chasen, Stephanie
17 Ruiz, Emre Edev, Andrew Wilbur and Luke Zangerle. We
18 will now begin testimony from Michael Hyman, First
19 Deputy Commissioner of the Department of Finance
20 joined by Bibi Parmar, Senior Director of Senior-of
21 Senior and Disabled Programs; Sheila Voyard, Director
22 of Outreach, and Carl Laske, Director of Real
23 Property and Legal Council Unit in DOF's Legal
24 Affairs Division; representatives from the Department
25 for the Aging and the Mayor's Office for People with

2 Disabilities are also here to answer any questions we
3 may have for their agency. So, we will begin as soon
4 as you are sworn in by counsel.

5 LEGAL COUNSEL: Do you affirm that your
6 testimony will be truthful to the best of your
7 knowledge, information and belief?

8 MICHAEL HYMAN: I do.

9 LEGAL COUNSEL: Thank you.

10 MICHAEL HYMAN: Good morning. Thank you,
11 Chair Dromm and Chair Chin and members of the Finance
12 and Aging Committees for the opportunity to testify
13 today. My name is Michael Hyman. I am the First
14 Deputy Commissioner of the New York City Department
15 of Finance. As the Chair mentioned, I'm joined today
16 by Bibi Parmar, our Senior Director of Senior and
17 Disabled Programs; Sheila Voyar, our Director of
18 Outreach and Carl Laske, Chief of the Real Property
19 and Legal Counsel Unit in our Legal Affairs Division.
20 With us today are representatives of the Department
21 for the Aging, and the Mayor's Office for People with
22 Disabilities. The Department of Finance administers
23 the tax and revenue laws of the city including
24 property and business taxes and parking summonses. We
25 value close to 1.1 million properties worth a

2 combined market value of \$1.4 trillion, and we are
3 responsible for recording deeds and other documents
4 associated with those properties. We also administer
5 dozens of exemptions and abatement programs that
6 provide billions of dollars in property tax relief to
7 property owners and renters. One of the most
8 important and most well known of these programs is
9 the Rent Freeze Program, which provides rent relief
10 to low-income seniors, and people with disabilities.
11 The Rent Freeze Program freezes recipients' rents and
12 protect them from future increases. Landlords
13 receive tax credits to cover the differences between
14 their tenants' frozen rent amount the amount of rent
15 that would be permitted by the Rent Guidelines Board.
16 The Rent Freeze Program is comprised of two benefits:
17 the Senior Citizen Rent Increase Exemption known as
18 SCRIE, which was created in 1970 and the Disability
19 Rent Increase Exemption known as DRIE created in
20 2005. As housing costs continue to rise—continue to
21 rise citywide, the SCRIE and DRIE benefits help New
22 Yorkers remain in their homes. Each benefit has
23 specific eligibility requirements, but both SCRIE and
24 DRIE recipients must have a combined annual household
25 income of \$50,000 or less, and more than one-third of

2 their monthly income must be spent on rent. To be
3 eligible for SCRIE a tenant must be 62 or older. To be
4 eligible for DRIE, the tenant must be 18 or older and
5 receive one of several disability related benefits.
6 To be approved for the Rent Freeze Program,
7 applicants must reside in rent regulated apartments.
8 Currently there are 63,018 tenants enrolled in SCRIE,
9 and 12,088 tenants enrolled in DRIE. Over the past
10 several years the Department of Finance has worked
11 with the State Legislature and the City Council to
12 introduce and pass legislation to make critical
13 improvements to the Rent Freeze Program for current
14 and future recipients. We were able to increase the
15 program's income ceiling to \$50,000 from its prior
16 ceiling of less than \$30,000. Recipients can now
17 return to their previous frozen rent amount if a one-
18 time income increase such as a pension payout causes
19 them to be ineligible for the benefit for one year.
20 We introduced a policy and promulgated rules
21 providing for reasonable accommodation when a tenant
22 did not file a timely renewal application. We have
23 implemented a short form renewal application
24 available to participants who have received SCRIE and
25 DRIE for five consecutive benefit periods, and

2 finally, we worked with the state to pass legislation
3 allowing eligible household members a reasonable
4 amount of time to submit a benefit take over
5 application in the event that the head of household
6 dies or leaves the property. In addition to these
7 changes, the Department of Finance implemented a
8 number of improvements to how we administer the Rent
9 Freeze Program. We have redesigned and simplified the
10 renewal process resulting in a 94% approval rate
11 during our most recently completed renewal cycle in
12 2018. We have introduced, are in the process of
13 introducing online platforms that allow new an
14 renewing rent freeze program participants to review
15 their benefits and improve their—upload their
16 documents—documentation electronically rather than
17 know a packet of information or visited a Department
18 of Finance Business Center. The online DOF Landlord
19 Express Access Portal known and LEAP, allows property
20 owners to submit documents necessary for the
21 processing of rent freeze applications. This year,
22 DOF will be introducing an Online Tenant Access
23 Portal known as New York City TAP. It will provide a
24 one stop shop for forms, information and resources,
25 for the SCRIE and DRIE benefits. The public will be

2 able to renew as well as submit initial applications
3 for Rent Freeze Program benefits. Our customers will
4 be able to upload required documentation
5 electronically rather than having to mail a packet of
6 information or visit a Department of Finance business
7 center, and they will also be able to check on their
8 application status. In addition, a tenant will be
9 able to authorize a family member or another
10 individual to apply for the benefits on his or her
11 behalf. We plan to deploy the renewal function in
12 the third quarter of calendar year 2020 followed by
13 the initial application function by the end of the
14 year. Customers who have further questions about
15 their rent freeze benefits are now able to speak
16 directly with the Department of Finance employee to
17 resolve their issues and concerns. With the launch of
18 the new Department of Finance Customer Call Center.
19 rent freeze calls at 311 is unable to answer, and are
20 routed to us for immediate response. Additionally, we
21 have cross-trained staff so that more people are
22 capable of processing applications thereby reducing
23 wait times. We have also created the offices of the
24 SCRIE and DRIE ombudspersons to help tenants resolve
25 any issues when applying for or renewing benefits.

2 The most recent updates to the Rent Freeze Program
3 resulted in—results from the passage of the Housing
4 Stability and Tenant Protection Act of 2019. The
5 state law includes several changes that impact the
6 program. First, the capital and rent increases for
7 major capital improvements or MCIs decreased from 6%
8 to 2%. Allowable rent increases to MCIs are covered
9 by a tax abatement credit to the landlord. While this
10 change affects the amount of the credit available to
11 landlords, as the maximum amount they can receive for
12 major capital improvements has decreased, it does not
13 affect the rent of tenants receiving SCRIE or DRIE.
14 Another change enacted by the Housing Stability and
15 Tenant Protection Act was the elimination of fuel
16 cost charges for tenants' rents. In the past
17 landlords could add these charges to the rent amount
18 and receive a credit. Again, while this will not
19 affect rent freeze tenants, it will affect the amount
20 of the tax abatement credits received by landlords.
21 Mostly differently for renters enrolled in or
22 eligible for the programs, the new law stipulates
23 that the new rent freeze applicants who have an
24 existing preferential rent agreement in the all
25 program eligibility requirements can have their rent

2 frozen at their preferential rent amount. In the
3 past tenants with preferential rent agreements may
4 have not seen the benefit of applying for the program
5 as they were already paying below market or below
6 legal rent. With the change in law, these tenants
7 will now be able to lock in their preferential rent
8 amounts, which were previously subject to changes
9 with the expiration of the lease. We expect that
10 over the next several years this will result in more
11 households participating in the Rent Freeze Program,
12 and we'll continue—and we will continue to encourage
13 tenants with preferential rent agreements to enroll.
14 I will discuss our outreach efforts shortly. The
15 Department of Finance is currently in the process of
16 promulgating a number of rules for the Rent Freeze
17 Program. These proposed rules will provide more
18 guidance to the public on how the program works and
19 who is eligible. The rules would do the following:
20 Establish the eligibility requirements for SCRIE and
21 DRIE benefits based on applicant's status, household
22 income, and who is to be considered a member of the
23 household; set for the application process, and
24 applicable deadlines for rent freeze applications as
25 well as who may sign such applications; establish the

2 mechanics to determine the effective date, as well as
3 with those who rent for approved applications; set
4 forth the types of rent increases that are the
5 responsibility of the landlords, and the rent
6 increases to be paid by the tenants; define who is
7 the head of household eligible for such benefits as
8 well as the succession rights when the head of
9 household permanently leaves an apartment; and set
10 forth the procedures for the transfer of benefits if a
11 SCRIE or DRIE benefit share moves from one eligible
12 apartment to another eligible apartment. As part of
13 this rule development in the information process, we
14 continue to receive and review feedback from
15 residents and advocates. We held a public hearing on
16 December 3, 2019, and we'll be scheduling another
17 hearing after gathering feedback on the rules at the
18 next meeting of the SCRIE and DRIE Task Force on
19 January 29th. The Task Force members include senior
20 and disability advocacy groups, neighborhood
21 organizations and other stakeholders who share our
22 goal of improving and increasing participation in the
23 Rent Freeze Program. Since 2016, enrollment in the
24 Rent Freeze Program including the Mitchell-Lama SCRIE
25 benefits administered by the Department of Housing,

2 Preservation and Development has increased from
3 73,299 to 75,106. It is important to note that the
4 role that attrition plays in these figures. For
5 example since 2014 we have actually seen a nearly 40%
6 increase in the number of households receiving rent
7 freeze benefits administered by the Department of
8 Finance. At the same time, however, many households
9 lost their benefits due to moving, death, or increase
10 to their income. Others failed to renew their
11 benefits likely for the same reasons. We do our best
12 to counteract this attrition by enrolling and
13 renewing as many people in the Rent Freeze Program as
14 we can. One of the ways we do that is with the
15 robust and year round outreach effort to enroll and
16 re-enroll New Yorkers. Our outreach efforts focus on
17 the communities where the data suggests we are most
18 likely to find eligible rent freeze households. At
19 the Council district level, the largest rent freeze
20 program enrollment is in Council Member Rodriguez's
21 Council District 10 with approximately 6,200
22 enrollees, nearly twice as many as any other
23 district. District 40 represented by Council Member
24 Eugene and District 7 represented by Council Member
25 Levine each have more than 3,000 rent freeze

2 households. Districts with more than 2,000 enrolled
3 households include Districts 1, 3, 6, 14, 25, 29 and
4 48, which are represented by Chair Chin, Speaker
5 Johnson, Council Member Rosenthal, Council Member
6 Cabrera, Council Member, Chair Dromm, Council Member
7 Koslowitz, and Council Member Deutsch. In addition to
8 getting the word out about the SCRIE and DRIE
9 benefits in these and other communities, DOF's
10 outreach team provides a full range of case
11 management service. Staff work closely with
12 potential applicants throughout the application and
13 enrollment process. Much of this work is done in and
14 at-it's done in person at in-person events. In
15 Fiscal Year 2019 we hosted or attended 471 events an
16 average of nine per week nearly all of which were
17 held in partnership with the Council. We met with
18 community in recreation centers, churches,
19 restaurants, public buildings and anywhere else we
20 can find space. Outreach staff even make home visits
21 for customers who are not able to leave their homes
22 to attend an event. All Rent Freeze applicants have
23 the right to a reasonable accommodation, and the
24 agency approved 93 reasonable accommodation requests
25 for SCRIE and DRIE applicants last year. We would

2 not cover so much ground or serve so many people
3 without help from our partners in government and the
4 community. Our partners include our sister agencies
5 such as DFTA and MOPD, members of the New York City
6 Council, the community boards, the borough presidents
7 and the New York City Service Bureau. We also work
8 very closely with the Mayor's Public Engagement Unit.
9 We meet monthly with PEU to discuss enrollment events
10 and activities, and we rely on the support of Public
11 Engagement Team, as well as our partners at Live On
12 New York to help us staff and manage our larger
13 events. Together we have trained 167 community
14 organizations to assist tenants with applying for
15 rent freeze benefits, and providing the necessary
16 documentation. We also work with PEU and our other
17 partners to knock on doors, make calls, and send
18 mailings to eligible rent freeze households. We are
19 grate—really grateful to the Mayor's Public
20 Engagement Unit and our sister agencies for their on
21 the ground support. In closing, I noted earlier that
22 more than 75,000 households currently benefit from
23 the protections afforded by the Rent Freeze Program.
24 Our goal is to increase that number, and we look
25 forward to continuing to work with the Council to

2 reach the New Yorkers who would benefit from
3 receiving SCRIE and DRIE. We thank you for your
4 continued support and for the opportunity to testify
5 and any questions you may have. Thank you.

6 CHAIRPERSON DROMM: Okay, thank you very
7 much and before we go to questions, I just want to
8 say we were joined by Council Member Ayala and we are
9 now joined also by Council Member Keith Powers. So,
10 thank you so much for your testimony. In your
11 testimony you discussed the SCRIE and DRIE Task
12 Force. So, can you just tell us how many members are
13 on the Task Force and how often does the Task Force
14 meet?

15 MICHAEL HYMAN: I'm going to let Sheila
16 Voyard who is centered (sic) about our outreach, the
17 details.

18 SHEILA VOYARD: We have about, um, 25 to
19 30 members in the Task Force and we meet quarterly.

20 CHAIRPERSON DROMM: Okay, and what's the
21 role of the Task Force?

22 SHEILA: So, the Task Force was, um,
23 instituted as a—to provide a platform and opportunity
24 for advocacy groups, industry groups and also the
25 community based organizations to provide feedback to

2 the, um, agency on issues that they may be facing.

3 So, we recognize these as important partners in the
4 communities because they serve underground and so we
5 wanted to give them an opportunity to bring issues to
6 us so that we can provide policy challenges, and make
7 improvements to our processes so that we can continue
8 to get people to apply into the programs.

9 CHAIRPERSON DROMM: So, were some of the,
10 um, partners that the Deputy Commissioner mentioned
11 also included on the Task Force?

12 SHEILA VOYARD: Yes, do Live On New York
13 is part of our task force, MOPD is part of our task
14 force, and we have a number of other industry and
15 advocacy groups in the task force.

16 CHAIRPERSON DROMM: Great. If you can get
17 us a list of that of those members later on, please.

18 MICHAEL HYMAN: Sure, definitely.

19 CHAIRPERSON DROMM: Thank you. When DOF
20 issued its first Rent Cree-Rent Freeze report in
21 2014, the report, um, focused on the enrollment
22 issues of neighborhoods across the city. DOF said it
23 was going to utilize that data to, um, create a
24 targeted outreach campaign specifically for the top
25 10 under-enrolled neighborhoods, and those

2 neighborhoods were the Upper East Side, the Upper
3 West Side, Stuyvesant Town, Turtle Bay, and
4 Manhattan, Kings Bridge Heights, High Bridge, South
5 Concourse, Throggs Neck, Co-op City and Riverdale,
6 Kings Bridge in the Bronx, Coney Island and Central
7 Flatbush, Crown Heights and Brooklyn and Flushing
8 Whitestone and Kew Gardens Park, and Woodhaven in
9 Queens. So, what specific strategies did you use to
10 target your outreach in these areas?

11 MICHAEL HYMAN: Well, there's several-
12 several aspects that we did to-first is using data to
13 try to figure out where the potentially eligible and
14 under-utilized population exists, but I think a big
15 part of it is just expanding not only the outreach
16 for education, but for case management strategies.
17 Actually working with sister agencies and other
18 organizations making sure that tenants who are
19 eligible for the-for the benefit can be kind of
20 assisted through the process of applying for the
21 benefit and dealing with any documentation that might
22 be required. So on the one hand it was trying to get
23 a better target population that we could focus
24 efforts on and also provide better a full array of
25 customer services to help them in the process.

2 CHAIRPERSON DROMM: Do you attribute
3 those outreach efforts to, um, the high enrollments
4 in neighborhoods, um, and, um, how do those
5 enrollment rates then compared to what we see today?

6 MICHAEL HYMAN: I can get you information
7 on specific neighborhoods. Overall, as I mentioned
8 in my testimony the number of-of-of recipients of the
9 benefits is up 40%. You know, part of what we're-you
10 know, part of it on the other side there is attrition
11 in the program, but we are trying to reach out to
12 communities where we think there is significant
13 under-utilized populations, and focus the efforts
14 there. We think it has been successful. We continue
15 to expand our outreach efforts. We're now partnering
16 with AARP on efforts to get additional data to try to
17 target potentially eligible populations. So, we
18 think it-there's obviously more work to be done, but
19 we believe they have been successful.

20 CHAIRPERSON DROMM: So, Local Law 40 of
21 2015 required the DOF to report, um, the
22 neighborhoods level eligibility enrollment data, and
23 this-this information was not included in the report
24 though the latter was provided to the Council upon
25 request. So did DOF ever issue and post and amended

2 version of the 2018 report that included the data by
3 neighborhood as required?

4 MICHAEL HYMAN: Did we? I'll have to
5 check, but if not, we could look into it.

6 CHAIRPERSON DROMM: Um, okay. Based on
7 the neighborhood, um, based on the data that was
8 latter provided to the City Council, the following 10
9 neighborhoods were identified as having the lowest
10 enrollment: Williams Bridge, Baychester, Morrisania,
11 East Tremont, Mott Haven, Hunts Point, Kingsbridge
12 Heights, Moshulu, Pellham Parkway, Riverdale, Kings
13 Bridge in the Bronx, Howard Beach, South Ozone Park
14 and the Rockaways in Queens, North Shore in Staten
15 Island, and Brownsville, Oceanville, Ocean Hill in
16 Brooklyn. Does DOF have an outreach plan to target
17 these under-enrolled neighborhoods, and if so, um,
18 can you distribute that to us, and please describe
19 the data that you've used instead to develop your
20 outreach strategies.

21 MICHAEL HYMAN: Well, the data we use is
22 based upon—and we do have access to income data since
23 we do administer taxes and we do have also
24 information to certain housing and community renewal
25 data on, um, rent stabilized apartments. So, we try

2 to look at the population that would be eligible.

3 It's an estimate and, you know, while we have
4 outreach efforts citywide, I think I mentioned in my
5 testimony I think every Council district has had an
6 outreach event, and we're always open to doing more.

7 We are trying to focus special efforts on the
8 communities you mentioned and part of that is by
9 having more direct case management services available
10 to potential applicants, and also more targeted
11 outreach events to, um, to try to get as many people
12 as possible enrolled.

13 CHAIRPERSON DROMM: So, like a
14 neighborhood like Howard Beach and South Ozone Park
15 has 65 recipients out of a total eligible estimated
16 number of about 187. What do you attribute to low
17 number to?

18 MICHAEL HYMAN: I can't speak to that
19 particular neighborhoods, but as—as somebody
20 mentioned, I think Chair Chin at the beginning and as
21 I mentioned in my testimony we do think that the
22 changes in the State Stabilization Laws with
23 preferential rent will be a boost to enrollment in
24 the programs that previously even though there was a
25 reason to enroll even prior to the change in the law

2 because the preferential rent went away, we still
3 have a freeze on you legal rent, but now given that
4 the preferential rent is the legal rent, we think
5 there is going to be an enhanced incentive for—and
6 that's one thing we're also doing in our outreach and
7 trying to encourage people to enroll to make sure
8 that their rents are frozen at the preferential rent
9 level. The other factor I should say with this is
10 that, you know, when we do these estimates of
11 potential populations, we try to be as expansive as
12 possible, and it could be that in certain neighborhoods
13 we are over-estimating the potential eligible
14 population because we don't have the complete
15 information on household income or other factors, but
16 we're taking the strategy that we should be as
17 expansive as possible so that the outreach is
18 targeted even if, you know, we're overstating
19 potential populations that might be eligible.

20 CHAIRPERSON DROMM: Okay. In the 2018
21 report, the Department of Finance used a new approach to estimate the
22 program's eligible populations for rent stabilized
23 apartment units. Rather than using data from the
24 Housing and Vacancy Survey as previously done in the
25 2014 report, the agency instead used administrative

2 data sources such as HCR rent stabilized apartment
3 data and IRS income data. Why did you make this
4 change in methodology for rent stabilized apartments?

5 MICHAEL HYMAN: It's a more precise
6 method to try to get to the population that's under-
7 served. The Housing Vacancy Survey data is kind of
8 summary data. It is a survey. So, especially when you
9 start getting to the community level the reliability
10 becomes a little more suspicious. Using direct
11 administrative data like income tax data and HCR data
12 that you mentioned, allows us to do little more
13 precise estimates of the top-populations. And, in
14 fact, we did revise some of our numbers from the
15 earlier report based on, you know, the greater
16 accuracy of the—a new source.

17 CHAIRPERSON DROMM: So in that report I
18 think DOF said that this is still a progress—a work
19 in progress. What did you mean by that?

20 MICHAEL HYMAN: We're trying to look for
21 more additional data sources. I mentioned we're now
22 working with AARP who has information on income of,
23 you know, their membership. So, it's really trying
24 to refine the data to be a little more accurate. You
25 know, we think we're making improvements. We think

2 the methodology of using the administrative data is
3 an improvement over using HVS data, but we're still
4 looking for other data sources that will make it more
5 accurate.

6 CHAIRPERSON DROMM: Are you considering
7 any new approaches for people living in rent
8 controlled and Mitchell-Lama apartment units?

9 MICHAEL HYMAN: Well, it's a combination
10 of having the data try to, you know, again we do
11 outreach citywide, but to look in particular
12 neighborhoods where the underutilization may be most
13 significant, but then I think it really comes down to
14 new kind of processes that we're putting in place to
15 help people apply and to learn about the program. So,
16 we do extensive outreach. I mentioned a few, which
17 are only a tip of the iceberg, and we do believe that
18 this summer when we launch this new Tenant Access
19 Portal it will be a valuable tool. It will be a tool
20 that can—people can electronically upload
21 applications and documentations with assistance of
22 advocates and relatives. We believe that will be
23 helpful and due in some part it's just streamlining
24 and making the process easier.

2 CHAIRPERSON DROMM: So, DOF reported that
3 the tenants with existing preferential rent
4 agreements saw little incentive to enroll in the
5 programs as their rent amounts were lower than the
6 amount they would pay if their rent were frozen at
7 the legal regulated rent. At the time of the report
8 only 4.1% of current SCRIE and DRIE recipients had a
9 preferential rent agreement. How did DOF determine
10 that only 4.1% of SCRIE and SCRIE recipients had a
11 preferential rent agreement, and is D-O-DOF
12 collecting preferential rent data?

13 MICHAEL HYMAN: Well, I believe the data
14 came from the HCR data that we have access to, which
15 has building and—and excuse me—apartment specific
16 information. You know, as I mentioned, the big
17 effort now is to try to encourage people with the new
18 change in the Rent Stabilization Law to enroll in the
19 programs so we do expect over time that's going to go
20 up.

21 CHAIRPERSON DROMM: Do you do any
22 outreach on the change with regard to the
23 preferential rent change in the law?

24 MICHAEL HYMAN: Well, the first step is we
25 have issued bulletins to educate people as to what

2 the benefit is. I think it's really more just it's
3 incorporated into the outreach strategy. As we go out
4 into communities we make sure it's known to the
5 populations that even if you have a rent preferential
6 agreement you're now stepping your self interest to
7 enroll the program.

8 CHAIRPERSON DROMM: So, what type of
9 documentation would those who are receiving
10 preferential rents need to supply to you in order to
11 get the benefit of the program?

12 MICHAEL HYMAN: Um, I believe now under
13 the rent stabilized system the rent—I should rate
14 that time table, but the preferential rent is now
15 their legal rent. So, as they do the applications,
16 they should be stating what their legal rent is,
17 which can be the preferential rent.

18 CHAIRPERSON DROMM: Would that be
19 included on the lease?

20 MICHAEL HYMAN: I think. I'm sure how is
21 really?

22 SHIELA VOYARD: (off mic) Yes.

23 MICHAEL HYMAN: Yes, yes.

24 CHAIRPERSON DROMM: And when they, before
25 the law went into effect somebody who had a

2 preferential rent would have that in a lease as well
3 or would it stay also the preferential and then the
4 legally allowed or you know how that worked in the
5 past?

6 MICHAEL HYMAN: It would be true to your
7 system. You would have your legally allowed rent,
8 which have additional increase on top of it and the
9 preferential rent was an agreement between the
10 landlord and the tenant.

11 CHAIRPERSON DROMM: Okay, so with this
12 change do you think that DOF is going to need to
13 update any of its systems or how would that work
14 internally with DOF?

15 MICHAEL HYMAN: Well, we're incorporating
16 the changes into our current systems and as we—I
17 think a lot of it is just in updating the outreach
18 strategies to make sure the populations that are
19 eligible are fully aware of it and take advantage of
20 it, but I think our system should be able to handle
21 it.

22 CHAIRPERSON DROMM: Okay, alright. I'm
23 going to turn it over to Council Member Chin. She
24 has additional questions, and then if we have time,
25 I'll do a second round.

2 CHAIRPERSON CHIN: Thank you, Chair
3 Dromm. We've also been joined by Council Member
4 Gjonaj. Oh, and Council Member Rosenthal. Um, DOF
5 stated in its 2018 report that it attended or hosted
6 429 events in Fiscal Year 2018. It also states that
7 the city purchased digital advertisement on Google
8 and Facebook and then to go with print advertisement
9 in AM New York, El Diario and Metro New York.
10 Additionally, DOF said that it used the agency's
11 website and social media platform to build public
12 awareness of the rent freeze program. So, how does--
13 how did DOE determine which publication or print
14 advertisement to publicize the Rent Freeze Program?

15 MICHAEL HYMAN: Well, I-I don't--

16 CHAIRPERSON CHIN: You only focused on
17 those few.

18 MICHAEL HYMAN: Okay, I'll have our
19 outreach person.

20 SHEILA VOYARD: Um, I don't have all the
21 details for that, but I know that we try to look at
22 local newspapers because we understand that a lot of
23 the population that's not coming forward to apply
24 into the programs there may be some other reasons
25 like a language barrier or they may not fully

2 understand what the requirements of the programs are.

3 So, we looked at local newspapers that, you know,
4 could help us spread the word in those communities.

5 CHAIRPERSON CHIN: But also did you—I
6 mean across the city we have so many immigrant
7 neighborhoods, and we have so many ethnic newspapers,
8 and radio stations and TV stations. A lot of them are
9 free, and if you buy an advertisement you might be
10 able to also access some of their free program. Did
11 you utilize any of these ethnic newspapers?

12 SHEILA VOYARD: So, the—the marketing
13 campaign was done at the City Hall level. So, we—we
14 had some input in terms of where it could—where we
15 could advertise these, and—and ethnic and local
16 newspapers were definitely part of the—the
17 recommendations made, but again, I don't have the
18 full details about, you know, the—the actual approach
19 of how we reached those particular neighborhoods, but
20 on a consistent basis, we reach out to ethnics and—
21 ethnic and local newspapers to advertise our
22 enrollment events when we're doing them in
23 partnership with elected officials in certain
24 communities that we have a partnership with them.

2 MICHAEL HYMAN: And with that we're happy
3 to take any of your ideas so--

4 CHAIRPERSON CHIN: Yeah, I-I don't think
5 it's enough just to publicize the outreach events. I
6 mean you talked about at least 427 events attended or
7 hosted by DOF. Do you have an idea what the number
8 of attendees or the people who show up to those
9 events?

10 SHEILA VOYARD: So, for Fiscal Year 2018,
11 we had over 34,000 attendees that we touch at these
12 events.

13 CHAIRPERSON CHIN: And how many like on
14 average when--when you go to some of these events?
15 What is the largest one and what is the smallest one?

16 SHEILA VOYARD: Um, well, it varies a lot
17 depending on the neighborhood and the type of
18 promotion that is done to promote the events, but the
19 largest events I would say, over 150 people we had in
20 Fiscal Year 2018 in Central Brooklyn. We'll do
21 outreach events there at the Central Library and that
22 event was attended by well over 150 people.

23 CHAIRPERSON CHIN: I think that, um, you
24 know my suggestion in terms of for a lot of the
25 immigrant populations or seniors that do read the

2 local paper or the ethnic paper that really take
3 advantage of it. If you do—you publicize the event
4 and then when the event happens you take a lot of
5 pictures and you could write about it and that's
6 another coverage, but even just on a regular basis to
7 engage them because it's--a lot of it is also free
8 publicity, and especially when it's such an important
9 government program that you should be able to take
10 advantage of it, and really next time show some
11 clippings, you know, some of the results that you
12 were able to get. I've seen the Rent Freeze Program
13 advertisement on the subway in the past, but we
14 haven't, you know, haven't seen it any more. So
15 sometimes the-the advertising or the program has to
16 continue so that people can continue to be aware
17 especially their new, you know, new guidelines or
18 determination. There is one issue that I wanted to
19 go at. It's this whole redetermination. It was at
20 another hearing that for the first time I heard, um,
21 from—from one, you know, the panel. He's going to
22 testify later about that people can get a
23 redetermination, you know, if their situation changes
24 in terms of their income. So like in fiscal year 2019
25 how many applications did DOF receive for SCRIE and

2 DRIE redetermination application? How many were
3 granted and how many were rejected and why?

4 MICHAEL HYMAN: I'm going to ask Bibi
5 Parmar, who's the head of our Operations.

6 BIBI PARMAR: Good morning. Um, I think
7 we'll have to take that question back and look at our
8 applications data, but it's definitely readily
9 available and we can provide that after the hearing.

10 CHAIRPERSON CHIN: Well, this is the--this
11 is an example: If a recipient has a permanent loss
12 of 20% or more of their combined household income as
13 compared to the income reported in their last
14 approved SCRIE or DRIE application, they may apply
15 for a redetermination of their frozen rent by filing
16 a redetermination application with DOF.

17 BIBI PARMAR: Right. That's correct and
18 so to make the process a little bit easier, we also
19 combined our Benefit Takeover Application because by
20 and large, um, the redetermination--it happens in
21 parallel with benefit takeover applications when one
22 of the primary applicants passes away. So, on the
23 Benefit Takeover Applications there is simply a check
24 box so there was--we eliminated the need to file a
25 separate application and addition to the--in addition

2 to the Benefit Takeover Application. So, we're just
3 trying to make it a little bit easier for the process
4 to be seamless.

5 CHAIRPERSON CHIN: Well, that's one
6 example but if someone actually, you know, full time
7 like a caregiver, working full time and now they have
8 to work part-time or someone whose income has gone
9 down, do you publicize this redetermination because
10 I—that was the first time I heard that people can do
11 that, and I think that makes a difference if some of
12 the recipients if their income went down I mean went
13 up or whatever, if they can get a redetermination
14 that would make a difference.

15 BIBI PARMAR: Yes. A part of our
16 Application Redesign process that we undertook in
17 2016 added a lot of additional information to our
18 applications, and so there's a frequently asked
19 questions section, which addresses redeterminations
20 and the criteria if there's a 20% permanent loss in
21 income.

22 CHAIRPERSON CHIN: Okay. Well, I hope
23 that—I mean that should be something that should be
24 publicized more. In the renewal process in Fiscal
25 Year 2019 how many applications did DOF receive and

2 process for initial and renewal for the SCRIE and
3 DRIE benefits? How many were granted, and how many
4 were rejected and what are some of the reasons for
5 the rejection?

6 BIBI PARMAR: Okay. For SCRIE initial
7 applications in Fiscal Year 19 we received 7,392
8 initial SCRIE applications, and sorry, 1,700–1,786
9 DRIE applications, and roughly 60% of those
10 applications are approved. Part of the reason for
11 the denials are failure to submit documentation or
12 just simply not eligible for the program. Um, one-
13 third of the income criteria we see as probably our
14 largest reason for denial followed by income of
15 \$50,000. Some of the things that applicants perhaps
16 overlook is that household income is—is part of the
17 income calculation. So, while the senior or persons
18 with disability may have lower income, but other
19 household members and may have income that put them
20 over that put them over the threshold. Um, for—you
21 asked for renewal applications. So, we processed
22 over 25 almost 26,000 SCRIE renewal applications, and
23 over 6,000 DRIE renewal applications, and the
24 application approval rate is over 95%.

2 CHAIRPERSON CHIN: Okay, do you have a
3 breakdown of the long and short form Renewal
4 Application receive by DOF in Fiscal 2019?

5 BIBI PARMAR: Yes. Roughly about 40% of
6 renewal applicants are qualified for-to use the short
7 form renewal.

8 CHAIRPERSON CHIN: 40% are using the short
9 form?

10 BIBI PARMAR: Correct.

11 CHAIRPERSON CHIN: In your testimony, um,
12 Deputy Commissioner, you talked about-you mentioned
13 that, and you talk about they have to have five
14 consecutive applications. I mean if the short form
15 is easier is somebody already applied, was approved
16 and how they're renewing it, why couldn't they just
17 all use the short form?

18 MICHAEL HYMAN: Well, the point of the
19 short form is really to easily the documentation part
20 of the process so that that the idea is once you're
21 in the program for that many periods your income is
22 relatively stable, your situation is relatively
23 stable so that, you know, we can comply with the law
24 without requiring documentation that really is not
25 going to have much value. Whereas, if somebody in

2 the program for a shorter period of time, it can—the
3 documentation is what's legally required. So, part
4 of this was part of a law change to make it a simpler
5 process for people who are in relatively stable
6 situations to have the short form.

7 CHAIRPERSON CHIN: Well, consider moving
8 that.

9 MICHAEL HYMAN: I do.

10 CHAIRPERSON CHIN: Think about shorter,
11 right--

12 MICHAEL HYMAN: That is.

13 CHAIRPERSON CHIN: --so that doesn't have
14 to wait five years or--or to make it as simple as
15 possible so that more—I mean seniors most of their
16 incomes are pretty stable. So, I think it—it really—
17 we should definitely make the process easier. Now,
18 HPD also do the SCRIE program for Mitchell-Lama and
19 HDFC. So, what is the—how do you work with HPD in
20 terms of doing the outreach? Do you also do outreach
21 to Mitchell-Lama programs and--or you just leave that
22 to HPD or you work together?

23 SHEILA VOYARD: No, we do as well because
24 we also manage the DRIE program for disabled
25 individuals in those buildings. So to the extent that

2 we have an enrollment event in one of these
3 buildings, we would invited HPD to partner with us so
4 that they can take on the SCRIE applications and then
5 we can manage the DRIE applications. So, we work
6 with them to staff the outreach events to these
7 buildings.

8 CHAIRPERSON CHIN: So, do you have any
9 data from HPD in terms of how effective their
10 outreach or the number of applications that they—they
11 process?

12 SHEILA VOYARD: No, I don't.

13 MICHAEL HYMAN: We can contact them and
14 request details. We have the number of enrollees, but
15 the, um, I don't know if we have details on all their
16 outreach events.

17 CHAIRPERSON CHIN: But do you have the—
18 Okay, so, you can help us get that. Do you have the
19 enrollee for the HPD program or is that part of your
20 total program?

21 MICHAEL HYMAN: It is part of the total.
22 I think we have the count. Do you have that Bibi

23 BIBI PARMAR: I do. Here.

24 CHAIRPERSON CHIN: Council Member, have a
25 question?

2 MICHAEL HYMAN: So, what's the, um,
3 what's the total?

4 BIBI PARMAR: That's the total and we
5 don't have the total.

6 MICHAEL HYMAN: We, um, we can find it
7 now or we can get it to you?

8 CHAIRPERSON CHIN: Hm?

9 MICHAEL HYMAN: I can't—I don't see it
10 right off hand. We do have that number. I will get
11 you the total. I believe it's— I don't want to guess.
12 Do you have it?

13 CHAIRPERSON CHIN: If not, you can get it
14 to back--

15 MICHAEL HYMAN: I will get back to you.

16 CHAIRPERSON CHIN: --to us because I
17 assume you work together on the same Rent Freeze
18 Program.

19 MICHAEL HYMAN: We do. As Sheila
20 mentioned and especially where we're promoting DRIE
21 and SCRIE as part of the one event, we do work with
22 HPD. They do administer the Mitchell-Lama part of
23 it, but we do have the data. I just don't have it at
24 my fingertips. We'll get back to you with the
25 specific numbers.

2 CHAIRPERSON CHIN: Yes, you're the one
3 that administers the tax.

4 MICHAEL HYMAN: Well, we administer the,
5 you know--

6 CHAIRPERSON CHIN: Abatement.

7 MICHAEL HYMAN: --about the Mitchell-
8 Lama, but what we can do is get you the--we can
9 contact HPD about more details on their outreach
10 events, but we can get you the pure enrollment
11 number.

12 CHAIRPERSON CHIN: Okay, our colleague
13 also have questions?

14 CHAIRPERSON DROMM: Okay, thank you,
15 Chair Chin. We are now going to go to Council Member
16 Powers followed by Council Member Rosenthal who have
17 questions, and I want to say we also were joined by
18 Council Member Moya, and now we are also joined by
19 Council Member Gibson.

20 COUNCIL MEMBER LOUIS: [off mic] And me,
21 too. Okay, sorry about that.

22 CHAIRPERSON DROMM: Okay, and we also
23 have questions by Council Member Louis after
24 Rosenthal.

2 COUNCIL MEMBER ROSENTHAL: My apologies.
3 Um, nice to see everyone. Thank you for coming and
4 testifying on this incredibly important topic. I
5 guess I want to start by just sort of making sure I
6 understand what's happening with DRIE and SCRIE. Am
7 I right in understanding that the state will have to
8 renew July—in July 2020 the current increase to
9 \$50,000?

10 MICHAEL HYMAN: That's correct.

11 COUNCIL MEMBER ROSENTHAL: And, um, will—
12 I guess I have two questions with that. Will the
13 city be—do you have any concerns that the state might
14 not renew?

15 MICHAEL HYMAN: I mean it's on our
16 legislative agenda. I think we should all be pushing
17 for it. I don't have any reason to believe the state
18 would not extend it. I mean a lot—a part of the tax
19 law has sunset, and the state likes to thrill of
20 extending our laws, but I think since it's a city
21 funded program, we just need to be active and make
22 sure they do it.

23 COUNCIL MEMBER ROSENTHAL: Okay, when did
24 it become a city funding program? Wasn't it state?

2 Didn't the state cover the increase for one moment in
3 time?

4 MICHAEL HYMAN: Hey did for one moment in
5 time. So, basically when it was first increased to
6 \$50,000 and the legislation that did that it did have
7 a provision that the state would cover the, um, costs
8 for the, um, increase, and--and city costs or
9 increased program costs, but the--in the subsequent
10 year as part of their budget they included a one-time
11 dollar amount they gave the city, and then they
12 discontinued funding, and that dollar amount I
13 believe was much lower than the actual cost to the
14 city, but now it's--it's no longer any state
15 reimbursement.

16 COUNCIL MEMBER ROSENTHAL: And do you
17 have a sense if the money is in the budget, well,
18 would the--

19 MICHAEL HYMAN: I think the baseline
20 expectation is that the--

21 COUNCIL MEMBER ROSENTHAL: Yes.

22 MICHAEL HYMAN: -\$50,000 ceiling will
23 continue.

24 COUNCIL MEMBER ROSENTHAL: Yep, and I
25 think this question was already asked, but if you

2 could just remind us how much does the city spend in
3 the increment?

4 MICHAEL HYMAN: On the increment. That I
5 will have to get you. I have the total program costs
6 from our tax expenditure report, but let me get back
7 to you to the components.

8 COUNCIL MEMBER ROSENTHAL: Okay, thank
9 you. What's--what's the total cost again?

10 MICHAEL HYMAN: Let's find the document.
11 Um, I think it--I don't want to guess. Let me--let get
12 back to you. I do want to give you a precise number.
13 I do have the tax expenditure estimate with me. I'll
14 find it.

15 COUNCIL MEMBER ROSENTHAL: Okay, thank
16 you.

17 MICHAEL HYMAN: Oh, here it is.

18 COUNCIL MEMBER ROSENTHAL: Okay.

19 MICHAEL HYMAN: So, the SCRIE costs in
20 Fiscal 19 was \$142 million and DRIE was \$25 million.

21 COUNCIL MEMBER ROSENTHAL: Hm. Okay, um,
22 so I'm wondering about the Tenant Access Portal.

23 MICHAEL HYMAN: Uh-hm.

24 COUNCIL MEMBER ROSENTHAL: Is that
25 currently accessible to people with disabilities?

2 MICHAEL HYMAN: It, um, well it's going
3 to be launched in the summer--

4 COUNCIL MEMBER ROSENTHAL: Sorry, yes.

5 MICHAEL HYMAN: --but it will be ADA
6 compliant. Um, so, we're--we're and we're reviewing
7 issues now to make sure that it is. So, when it's
8 launched in the summer we expect it to be ADA
9 compliant as well just generally available to the
10 public.

11 COUNCIL MEMBER ROSENTHAL: So, as I've
12 learned about compliant that bar is really low. Um,
13 so what I'm wondering is if you're going to be--what
14 your interaction is going to be with the Mayor's
15 Office for People with Disabilities whether or not
16 you're going to be, you know, having people with a
17 range of disabilities come in and beta test it. I'm--
18 I'm wondering is your commitment to the ADA level or
19 is your commitment to actually making it work for
20 people with all different kinds of disabilities?

21 MICHAEL HYMAN: Well, we're going to be
22 working with MOPD to go through the issues. I don't
23 have specific answers, but we are going to go
24 through. I mean it could be one of those issues that
25 we're going to talk to them about what they see as

2 the main needs so that we can launch, you know, in
3 the summer and then we can also enhance a little bit
4 over time, but the first step is just to get their
5 feedback.

6 COUNCIL MEMBER ROSENTHAL: Right. So,
7 right now for—for me that's an inadequate answer. Um,
8 I think what I'd like to see and if—if we could
9 include this in our questions and assume you can get
10 back to us with the, um, your road map for how you
11 are going to beta test this for people with all
12 different kinds of disabilities, and a commitment to
13 go above and beyond the very low bar of ADA
14 requirements.

15 MICHAEL HYMAN: I—I think I should
16 mention if you give us the question, we'll consult
17 with MOPD and we'll get back to you, and show you our
18 plan.

19 COUNCIL MEMBER ROSENTHAL: Uh-hm. I guess
20 I'm looking for a little bit more than consulting
21 with MOPD. I'm looking for taking their advice and
22 running with exactly what they're asking for--

23 MICHAEL HYMAN: Uh-hm.

24 COUNCIL MEMBER ROSENTHAL: --and I would
25 like to see the road map of how you're doing that

2 before the summer's implementation. This is just too
3 important for people with disabilities.

4 MICHAEL HYMAN: You make a very good
5 point, and I, you know, at this point, like I say is
6 we understand that. The commitment needs to be
7 there, but we also do need to go through the
8 mechanics and understand the specifics. So, I think
9 as you suggested if you give us the question, we'll
10 give you back and then you could respond to our
11 comments.

12 COUNCIL MEMBER ROSENTHAL: Have I
13 sufficiently give you the question?

14 MICHAEL HYMAN: I mean as you said that
15 you wanted a road map of what we're doing. I need to
16 go back and consult with MOPD --

17 COUNCIL MEMBER ROSENTHAL: Sure.

18 MICHAEL HYMAN: --or other people.

19 COUNCIL MEMBER ROSENTHAL: Sure. Is it--is
20 that sufficient? Do you need to get a letter from me
21 or this is good?

22 MICHAEL HYMAN: I think it's okay if we
23 use it. I just know we usually get questions
24 afterwards, but I hear you.

2 COUNCIL MEMBER ROSENTHAL: This is the
3 question.

4 MICHAEL HYMAN: Got you.

5 COUNCIL MEMBER ROSENTHAL: Okay.

6 MICHAEL HYMAN: We'll transcribe it.

7 COUNCIL MEMBER ROSENTHAL: Thank you, um
8 and then I just want to confirm for people with
9 disabilities the current amount or if we were—if the—
10 if the \$50,000 number were to sunset, what would it
11 go back to for people with disabilities? (background
12 comments) What was the old amount?

13 MICHAEL HYMAN: I'm must going to give
14 you the specific amounts.

15 CARL LASKE: Do have the--? It was round
16 20 and 29 estimate, though (off mic)

17 MALE SPEAKER: [off mic] 29 is based on
18 But that was based on—I was told it goes up from
19 there. (sic)

20 MICHAEL HYMAN: Right.

21 COUNCIL MEMBER ROSENTHAL: Based on the
22 eligibility for Social Security? Um, which I think
23 is \$9,000 maybe. Okay. Um, so I'm just—I just want to
24 double down on the critical importance for people
25 with disabilities that we maintain the minimum income

2 at \$50,000, um, in order to make sure that they're
3 getting the—the rent coverage they need.

4 MICHAEL HYMAN: Yeah, we agree totally.

5 COUNCIL MEMBER ROSENTHAL: Okay. Thank
6 you very much. Thank you, Chairs.

7 CHAIRPERSON DROMM: Thank you. Council
8 Member Louis followed by Council Member Gibson.

9 COUNCIL MEMBER LOUIS: Good morning
10 everyone. I have two quick questions. Um, we—you
11 spoke a lot about the Tenant Portal and the Customer
12 Service Center. So I wanted to know if you could
13 describe the particular forms of outreach that will
14 be used to inform residents of those two programs,
15 and if they would be provided in different languages?

16 SHEILA VOYARD: So our enrollment events
17 are all service enrollments. So when we meet with
18 applicants we try to let them know about all of the
19 programs and/or—yeah, all the programs that we have
20 available for them. So, the enrollment events are
21 definitely one way that we're doing that. We also
22 will be putting that on our website. We also do
23 social media promotion for these initiatives once we
24 launch, and also in partnership with the elected
25 officials we run a program called the Train-the

2 Trainer Program where we, um, we train Council staff
3 and other elected officials staff so that they could—
4 they could be aware of these changes in new programs
5 that we implement. So, we are also—we'll also be
6 counting on the Council and other elected officials
7 to help us spread the word, and we'll be getting them
8 up to speed at the Train the Trainer initiatives that
9 we have.

10 COUNCIL MEMBER LOUIS: So, there's no
11 other form of marketing campaign that will be done
12 for the programs starting later in the year?

13 SHEILA VOYARD: So, the—the, um, Tenant
14 Access Portal as mentioned, is going to launch in—in
15 the summer. So, between now and then we are still
16 working out the details of the program and also how
17 we are going to outreach to promote this to the
18 tenants. We also have inserts and/or letters that we
19 send out to the SCRIE and DRIE recipients on a
20 monthly basis. We will also be including information
21 about this new program or this new system for them
22 and these inserts so that the current applicants will
23 have knowledge of it, but we are still working out
24 the, um, details on how—what other ways we are going
25 to promote this to the population that perhaps it's

2 not in the—in the program just yet, but we expect
3 that again outreach events are going to be a big part
4 of it our Train the Trainer initiatives. We also
5 have a network of about 167 community based
6 organizations that we work with. So we would also
7 get them involved in this process, and we'll be
8 counting on these partners to help us get the word
9 out for these programs as well.

10 COUNCIL MEMBER LOUIS: Thank you, and
11 were you able to implement the recommendation of the
12 Ombudsperson from the 2018 report and if so, what
13 were the issues with implementing any of those
14 recommendations?

15 SHEILA VOYARD: Do you have the specifics
16 of the recommendations?

17 COUNCIL MEMBER LOUIS: No, I'm asking
18 because that was what was presented to us so there
19 were recommendations that they provided. I wanted to
20 know if you guys ever implemented those
21 recommendations, and if so, did you have any issues
22 with that?

23 MICHAEL HYMAN: I think we are going to
24 have to get back to you with a response to your
25 question.

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2 COUNCIL MEMBER LOUIS: Okay, thank you.

3 CHAIRPERSON DROMM: Okay, thank you. We
4 have questions now from Council Member or I should
5 say Chair of the Subcommittee on Finance, Chair
6 Gibson followed by Council Member Vallone.

7 COUNCIL MEMBER GIBSON: Thank you, thank
8 you to our chair of Finance. Thank you Chair Dromm
9 and Chair Chin who is always a champion for our
10 elders and seniors. Thank you so much for being here
11 today and I represent Bronx County, and so I-I
12 certainly have to ask the question looking through
13 your testimony in terms of the four of the five
14 boroughs that saw an increase in enrollment from 2014
15 to 2016. I wanted to understand a little bit more of
16 the root causes of why the enrollment for both SCRIE
17 and DRIE decreased for Bronx County, and many of my
18 colleagues asked about the ongoing outreach efforts
19 and my office has certainly been a partner with the
20 Department of Finance and the Department of Aging.
21 And certain I offer as Bronx Council Member to help
22 in making sure that residents in the borough of the
23 Bronx, seniors and those who have a disability are
24 applying for SCRIE and DRIE. And so I certainly
25 encourage you, as many of us do we visit senior

2 centers all the time. Seniors are out there and many
3 of them know about SCRIE and DRIE but some of them
4 just don't apply, and so I want to understand the
5 outreach efforts. How can we get them to apply? I
6 would love to see the Department of Finance
7 physically in senior centers more. I think that would
8 be great. Seniors are also at churches a lot. We go
9 to church all the time, and that's another outlet
10 where you can find many residents as well as
11 community centers. I think for all of us we have to
12 be creative. We have to meet seniors where they are,
13 and if we can do that, I think you would see the
14 numbers turn around. So, I just wanted your thoughts
15 on why you thought and believe that there was a
16 decrease in the Bronx in SCRIE and DRIE.

17 MICHAEL HYMAN: I don't know
18 specifically, but you are raising a lot of good
19 points. I mean I do think that part of it is reaching
20 people where they are most likely to be located and I
21 think one of the big changes—not changes, but
22 enhancements to outreach in recent years has been
23 more of a case management approach. So, people are
24 confused by the process of all that they need
25 information. They have more of a person who will walk

2 them through the steps in the process rather than
3 just giving them some cold education. Um, so I think
4 we—we just need to consult more and—and, you have
5 great ideas about to expand outreach, but I don't
6 know specifically. I don't know. Does anyone have
7 any ideas on the Bronx per se? I don't know if we
8 have a specific answer to why a Bronx decline other
9 than as you said, the more important issue is
10 strategies to reverse that and to increase
11 enrollment.

12 COUNCIL MEMBER GIBSON: Okay, so I have a
13 suggestion. Many of our senior providers all have
14 contracts with DFTA. We could try to form a working
15 group in the Bronx. We can work with organizations
16 like RAIN, Neighborhood Shop, Presbyterian senior
17 services, Mid-Bronx, Hope of Israel. These are all
18 senior centers that really encompass the Bronx. They
19 have multiple locations all throughout the borough,
20 and across all communities, and working with those
21 senior center directors on more outreach efforts in
22 the centers I think that would be a great place to
23 start, and then secondly, um, working with
24 organizations like AARP, and many others, Live On New
25 York. They have members that come from the Bronx and

2 they make their presence known here during budget
3 time every year, and I think if they understood that
4 there was a challenge that we faced in the Bronx, and
5 we needed to get more clients enrolled in the program
6 I think you would see a more robust effort, but I
7 think what we would appreciate as elected officials
8 is we're happy to work with you, but certainly we
9 would expect the Administration to take the lead and
10 the City Council will partner with you. And then
11 also, on the other angle, I served as an Assembly
12 Member so I certainly know how Albany works, and as
13 you prepare your advocacy in Albany to make sure that
14 the legislation, the law rather is reauthorized.
15 Certainly the earlier the better. I do not want this
16 languishing until June. I understand that the
17 Legislature is going to leave earlier this year.
18 They're not working the third week of June. They're
19 going to leave the first week of June, and so I don't
20 want us to wait until the last minute because this is
21 important and it has to be on the radar of our
22 legislators in Albany, and certainly the City Council
23 will work with you. We're putting together our
24 Council priorities as it relates to the state agenda,
25 and I certainly think that this will be one of those

2 items on it because I think we were very, very happy
3 when we raised the threshold to \$50,000 because it
4 does recognize for many seniors particularly a couple
5 that has a substantial retirement and pension,
6 they're not rich, and we need to recognize that. As
7 the cost of living increases we have to adjust that
8 eligibility as such so that many of those clients
9 that are right at the cusp or a little bit over
10 remain eligible for the program. What I would also
11 love to see—I'm full of ideas—I would love to see as
12 the Administration does around Universal Pre-K, 3-K,
13 Vision Zero, and Thrive NYC. These are major
14 signatures, and you see them in public service
15 announcements, subways, bus stations, bus shelters.
16 You see them on the NYC kiosks. So, we should also
17 be making sure that we promote SCRIE and DRIE on the
18 kiosks. Everyone uses kiosks, young people, everyone
19 and I think if we continue to promote it then people
20 will start to understand that the program is
21 available to them. I think a lot of seniors don't
22 necessarily think they're eligible, and there's a
23 hesitancy on—on applying for it, but I always say
24 even if you think you're not eligible apply anyway
25 because you never know, and that's been my message

2 and the message of my colleagues. So, I would love to
3 work with you, the Department of Finance and DFTA on
4 how we can get the enrollment numbers up particularly
5 in Bronx County.

6 MICHAEL HYMAN: Okay.

7 COUNCIL MEMBER GIBSON: Okay, thank you.

8 MICHAEL HYMAN: Thank you.

9 COUNCIL MEMBER GIBSON: I'm full of ideas
10 today.

11 MICHAEL HYMAN: Great.

12 COUNCIL MEMBER GIBSON: Thank you so much.
13 Looking forward to working with you, and thank you to
14 all of the advocacy groups who always make sure that
15 the City Council understands the importance of
16 programs like SCRIE and DRIE that would really not
17 only freeze their rent, but continue to provide them
18 with affordable housing as we know is so desperately
19 needed in the city. So, I thank you all and I thank
20 you to our chairs. Thank you Chair Dromm and Chair
21 Chin. Thank you.

22 CHAIRPERSON DROMM: Thank you, Chair
23 Gibson, and before you got here today we had a little
24 bit of a discussion around the SCRIE and DRIE Task

2 Force. Would you be able to tell us how many members
3 of the Task Force might come from the Bronx?

4 SHEILA VOYARD: I don't have the details
5 on that right now, but we can get you that.

6 CHAIRPERSON DROMM: Okay, so that would
7 be really important to the discussion, and I think
8 that having some representation there for those
9 under-served communities is really very important so
10 we'll follow up with that. We have questions now-
11 well before I say that, let me just say we've been
12 joined by Council Members Deutsch and Treyger, and
13 now we have questions from Council Member Vallone and
14 then if we have a second round followed by Council
15 Member Rosenthal.

16 COUNCIL MEMBER VALLONE: Thank you very
17 much to both of our chairs and good morning to our
18 amazing advocates. It's always the best in the city
19 when we fight for our seniors. So, I see in the
20 testimony, Commissioner, so really important
21 information. One of my rallying cries for almost 30
22 years of doing elder law is making sure my seniors
23 have the person able to represent them, and most do
24 not. So, with a simple document a power of attorney
25 or something, but you put in your testimony an

2 interesting comment when you're going to release to
3 Tenant Access Portal that a family member or another
4 individual to apply for benefits will be able to do
5 so on his or her behalf. How is that going to
6 happen?

7 MICHAEL HYMAN: Well we though it was
8 also important that a senior citizen has assistance
9 when they need it in order to—to navigate the
10 process. I think as part of the Portal there will be
11 an—I don't think it needs a power of attorney. I
12 think it's going to be an authorization for someone
13 to allow someone to, um, fill out information or
14 submit information on their behalf, but I have to—of
15 course I'm not sure. Do you know—can you recall the
16 legal aspects?

17 CARL LASKE: I don't think—I think you're
18 right.

19 MICHAEL HYMAN: We'll have to get back to
20 you with the actual legal parts of it, but basically
21 as a mechanical thing, when you sign up on the form
22 you can authorize someone to be your—the person that
23 will submit information for you, and also receive
24 information back from us maybe follow-up questions.

2 COUNCIL MEMBER VALLONE: Well that—that
3 would be a tremendous benefit, but—but understanding
4 that process also has to be done correctly so we can
5 get the information correctly out on how to do that,
6 how to designate someone. Will that person be in
7 conflict with the power of attorney? Will the power
8 of attorney trump the person whose authorization?
9 Obviously one of the lawyers remaining on the Council
10 these are the things that pop into my head. So, we
11 have to flesh that out. I also want to make sure that
12 we utilize that. That's a wonderful tool if it's
13 done correctly, if we can get that authorization for
14 someone to help them with the portal and be that
15 designated person so that we can go into the centers,
16 we can be the voice and explain: Okay, all you have
17 to do is fill out this authorization, and I as your
18 son or you as the spouse or you as the guardian can
19 now assist a senior. But we—we definitely have to be
20 clear on that process--

21 MICHAEL HYMAN: Right.

22 COUNCIL MEMBER VALLONE: --so we can get
23 that, so we can flush that out and work on it.

24 MICHAEL HYMAN: Yes and we can also, um,
25 walk you through the process before it's actually

2 released so we can get feedback on it. So, maybe it
3 might be useful to have like a session where your
4 staff was to kind of go through issues, and walk
5 through the mechanics of the process and give you a
6 demo of the new system.

7 COUNCIL MEMBER VALLONE: Well, the
8 process is one thing, but my question to you was
9 whether the authorization is going to be online of
10 it's power of attorney.

11 MICHAEL HYMAN: Well, the-

12 COUNCIL MEMBER VALLONE: Once you get the
13 answer to that then, I'll--

14 MICHAEL HYMAN: Right and I'll get you
15 back those when we answer that question.

16 COUNCIL MEMBER VALLONE: Perfect and then
17 I have just two quick question on Intro 397. So, um,
18 the co-chairs and I we have a bill. We're trying to
19 make it a little easier. So, Intro 397 requires that
20 the administration of SCRIE and DRIE including for
21 the Mitchell-Lama and HDFC apartment units, which are
22 currently administered by HPD be transferred to the
23 Department of Finance. Does the Department of
24 Finance support that change?

2 MICHAEL HYMAN: We have no current plans
3 to do that. I think that's something that will have
4 to be analyzed both from an operational point of view
5 and for what best serves the customers. So, um, we
6 can look into it, but we don't have a position in
7 that. There's nothing on the table at our end to try
8 to move the, um, Mitchell-Lama SCRIE into DOF, but
9 it's something that can be analyzed and looked at for
10 cost benefit analysis and also most importantly, what
11 will serve the, um, recipients the best.

12 COUNCIL MEMBER VALLONE: Well, clearly
13 that's the plan, and I think we're going to have to
14 come up with a plan because the bill is moving. So
15 the bill is going to require it one way or another.
16 So, I would suggest that we get our position so that
17 we can better tailor the bill so that it's not
18 creating an unduly burdensome. We want to make this
19 as always more streamlined and a better process. So,
20 um, with the bill being-taken out to the hearing, you
21 can expect it to move forward. So, we should get an
22 answer on that. Any word from HPD on what they may
23 take a position on that?

24

25

2 MICHAEL HYMAN: I don't have that. I
3 don't know right now, but that's something we'll have
4 to consult with them.

5 COUNCIL MEMBER VALLONE: Okay, thank you
6 to both my co-chairs. Thank you to Chair Dromm.(sic)

7 CHAIRPERSON DROMM: Thank you very much.
8 Council Member Rosenthal.

9 COUNCIL MEMBER ROSENTHAL: I just want to
10 circle back to something to make sure I really
11 understand what's going on. So, it's my
12 understanding that the current DOF proposed rules as
13 currently written go back to--to back to the original
14 SSI limits below the \$50,000, and I-I just want to
15 know is DOF prepared to amend those rules as soon as
16 when, if hopefully they will, the state renews the
17 legislation July 1st.

18 MICHAEL HYMAN: Our legal person.

19 CARL LAKSE: Yes, absolutely we'll amend
20 it depending on what the state does. I believe
21 currently the rules do provide for the \$50,000
22 threshold at this point, though.

23 COUNCIL MEMBER ROSENTHAL: Let's go back
24 and double check that. It's my understanding that as
25 currently drafted they go back to the old limits at

2 that date so it's just worth triple checking if
3 that's okay?

4 CARL LASKE: Alright, absolutely.

5 COUNCIL MEMBER ROSENTHAL: Um, so and
6 then just to triple check about what you're planning
7 to do to make sure these laws are renewed. In
8 addition to it being part of your legislative agenda,
9 do you have specific actions that the Department of
10 Finance or the Administration is planning to do to
11 engage the State Legislature, and how can the City
12 Council be helpful getting back to Council Member
13 Gibson's question?

14 MICHAEL HYMAN: I think we're all
15 supportive of the extension. As far as strategy,
16 we're going to defer to our Intergovernmental Affairs
17 Office for the best that any part of it is working
18 with the Council to make sure to show the State
19 Legislature that there's a united city effort. But,
20 um, we'll have to defer to IGA people.

21 COUNCIL MEMBER ROSENTHAL: That's great
22 and I mean I think the reason—I think those two
23 questions go hand in hand in the sense that if our
24 language currently reverts it back it sort of shows a
25 willingness to go back, and so my hope is—is that the

2 way the language is written it assumes that it will
3 go forward.

4 MICHAEL HYMAN: We're triple checking.

5 COUNCIL MEMBER ROSENTHAL: Thank you very
6 much. Appreciate it. Thank you Chairs.

7 CHAIRPERSON DROMM: Okay, thank you.
8 We're going to go back to Chair Chin.

9 CHAIRPERSON CHIN: Okay, thank you, Chair.

10 I have a question in terms of the, um—in Fiscal Year
11 2019 the Mayor's Management Report the MMR it was
12 reported that the average time to process SCRIE and
13 DRIE applications increased in three categories.
14 SCRIE initial application processing increased by two
15 days. DRIE initial application processing increased
16 by 1.3 days, DRIE renewal application process
17 increased by .7 days. So, according to DOF, the
18 increase in application processing was attributed to
19 the merging of the SCRIE and DRIE with the Senior
20 Citizen Homeowners Exemption Program, the SHE Program
21 and the Disability Homeowner Exemption Processing
22 Unit. So, how many staff member are currently
23 working in the Processing Unit?

24 SHEILA VOYARD: So currently we have 20—
25 20, um, processors that have been cross-trained, um,

2 in processing all senior and disabled programs, and
3 so what has allowed us to do is to in peak periods be
4 able to—to have a team that would be able to handle
5 increases in volumes of applications.

6 CHAIRPERSON CHIN: So do you anticipate
7 the application processing time to improve for Fiscal
8 Year 2020?

9 BIBI PARMAR: Absolutely. They already
10 have.

11 CHAIRPERSON CHIN: Already have. That
12 sounds good so it means that seniors don't have to
13 wait three days and people with disabilities don't
14 have to wait extra days to get processing.

15 CHAIRPERSON CHIN: So, you think we could
16 push that back?

17 BIBI PARMAR: It's actually very back. So
18 right now currently for initial and renewal
19 applications we're at about five days to receive a
20 first determination.

21 CHAIRPERSON CHIN: So before in the last
22 report it was increased by three days. So people had
23 to wait eight days?

24 BIBI PARMAR: Right, so it's—it's--
25

2 CHAIRPERSON CHIN: Now you're back to the
3 regular

4 BIBI PARMAR: It's—it's showing a
5 downward trend, yes.

6 CHAIRPERSON CHIN: Okay, that—that sounds
7 good because otherwise you would have to advocate for
8 more staff for you during the budget process. Okay,
9 um, so also how many in your—how much are you
10 spending on developing the Tenant Access Portal?
11 What's—what's the budget for that?

12 MICHAEL HYMAN: Well, it is an in-house
13 effort so we would have to look to see. It's not like
14 there's additional budget funding for it. It's done
15 by our current IT and Operational staff. I can get
16 you more specifics, but it's not like an additional
17 budget cost.

18 CHAIRPERSON CHIN: That sounds good. Okay.

19 MICHAEL HYMAN: One of those rare items.

20 CHAIRPERSON CHIN: (laughs) And then
21 lastly, since I chair the Committee on Aging, of your
22 427 events, how many of those are done in senior
23 centers or NORCs Naturally Occurring Retirement
24 Community?

2 BIBI PARMAR: I don't have the exact
3 numbers, but do a number of them at NORCs. The
4 senior centers the prior fiscal years we used to do
5 lot of senior centers, but found that, you know that
6 population is highly saturated already. They already
7 have knowledge of the program, and then DFTA also
8 contracts with our service providers at those centers
9 to provide information and enrollment assistance to
10 those folks. So, in terms of best utilizing our
11 resources, we have been working with the NORCs and at
12 other locations as mentioned in the testimony earlier
13 to find those eligible populations that need
14 additional help, but don't have that help as the
15 senior centers have.

16 CHAIRPERSON CHIN: Great. Thank you. Thank
17 you, Chair.

18 CHAIRPERSON DROMM: Okay, thank you. Just
19 a few more follow-up questions. You mentioned earlier
20 that you have access to income information because
21 you administer income taxes. To what extent are you
22 permitted to use that data for SCRIE AND DRIE or for
23 other programs outside of the Income Tax
24 Administration?
25

2 MICHAEL HYMAN: That's a very good
3 question. With our--real restrictions especially
4 when we're using IRS data because we don't want to
5 lose access to our IRS data. So, we can use it for
6 general summary data level analysis. We're not able
7 to use it directly to say if the income of this
8 person is X, we can go to that person and say we
9 looked at the IRS data. So, we basically use it to
10 try to target neighborhoods and smaller geographical
11 areas, but there are restrictions on the use of the
12 data.

13 CHAIRPERSON DROMM: Okay. According to
14 DOF's website, the agency will open a temporary
15 assistance center in Queens, and one in Brooklyn from
16 January to March 2020 to provide assistance to
17 individuals looking to learn and apply to the Rent
18 Freeze Program. What led DOF to decide to open these
19 centers?

20 MICHAEL HYMAN: I'll give the general.
21 Generally, we're trying to target the period of
22 greatest utilization and the areas where we see the
23 need for the resources. It's somewhat also like
24 pilot. We'll see how it works, but I think it's
25 really because that is a key period for not only

2 SCRIE but applying for SHEHE (sic) So, part of it was
3 to have resources available in the peak periods.

4 CHAIRPERSON DROMM: Do you have
5 translation services available at those locations?
6 [applause]

7 SHEILA VOYARD: Yes, we have a number of
8 staff members that speak other languages, and then we
9 also use Language Line to provide language services
10 to anyone that that doesn't, um, that's not able to
11 speak English, but also understanding that they—they
12 need the services in their language so we do.

13 MICHAEL HYMAN: And what about opening
14 centers in other boroughs like the Bronx, Brooklyn
15 and I guess Manhattan?

16 SHEILA VOYARD: So, we currently already
17 have services year-round in Manhattan, and also in
18 Staten Island. The satellite offices are opened in
19 Queens and Brooklyn during the peak periods like
20 Michael mentioned, and so the other, um, areas are
21 highly supported by the outreach events that we—we
22 host to bring the services locally to the applicants.

23 CHAIRPERSON DROMM: Okay. According to
24 the 2019 Annual Report of the SCRIE and DRIE
25 Ombudsperson—Ombudsperson, in July 2019, DOF launched

2 a Customer Contract Center for SCRIE and DRIE
3 participants to speak to live representative
4 regarding their benefit and application status
5 inquiries. How many inquiries has DOF received to
6 date at the Contract Center?

7 MICHAEL HYMAN: It has been a highly
8 successful vehicle for resolving issues that 311
9 can't resolve. Unless—does somebody have that data
10 readily available or we can get back to you. You
11 have it Bibi.

12 BIBI PARMAR: No. Yeah, we'll get back to
13 you.

14 CHAIRPERSON DROMM: Okay and do you have
15 any idea what types of inquiries are coming in and
16 are there any trends or, you know, constant questions
17 that you're getting about the programs?

18 MICHAEL HYMAN: I don't know off hand
19 unless you, Sheila.

20 SHEILA VOYARD: And generally the
21 question always is on the status of the application.
22 If they have not heard from us they want to know
23 where they are in the process. So, that's usually
24 the number one question, but outside of that, um,
25 seniors generally have particular issues going on in

2 their household. So, this avenue provides an
3 opportunity for hem to be able to explain or let us
4 know any household situations that are not covered in
5 the application. So, the Customer Service Center is
6 able to help in those regards.

7 CHAIRPERSON DROMM: Okay, so if somebody
8 contacts 311 in the hours between like 8:30 and 4:30
9 are they transferred to the Contact Center? What if
10 they contact 311 with questions about the Contact
11 Center or for the Contact Center outside of those
12 hours, how is that handled?

13 SHEILA VOYARD: I'm not entirely sure
14 what happens after hours. 311 has access to our
15 basic system for finding out case related information
16 so they can provide basic information as to the
17 status or any documents that we need to complete the
18 application process, but I'm not sure what happens
19 after hours.

20 BIBI PARMAR: [off mic] It's the voice
21 mail.

22 SHEILA VOYARD: Huh?

23 BIBI PARMAR: [off mic] it's the
24 voicemail service.

2 SHEILA VOYARD: Sorry, it's a voicemail
3 service.

4 CHAIRPERSON DROMM: So, we can leave a
5 message?

6 SHEILA VOYARD: Yes.

7 CHAIRPERSON DROMM: Do you know how many
8 messages it can accept?

9 SHEILA VOYARD: That I'm not sure.

10 CHAIRPERSON DROMM: Okay, 'cause we'd
11 like to know that also

12 MICHAEL HYMAN: Okay.

13 CHAIRPERSON DROMM: Well maybe you can get
14 back to us on that as well. Okay, I actually think
15 that's about it, and we're going to, um, thank you
16 for coming in and giving testimony. We'll follow up
17 with any questions later on. Thank you very much.
18 We're going to call up our next panel.

19 MICHAEL HYMAN: Thank you.

20 CHAIRPERSON DROMM: Rocky Chin for AARP;
21 Kim Lessner, Live On New York; Peter Kempner,
22 Volunteers of Legal Service; Alex Riley, Legal Aid
23 Society; and Christopher Evans, Legal Aid Society.
24 [pause] Okay, should we start here with Rocky Chin?

2 ROCKY CHIN: Good morning Chairpersons
3 Chin and Dromm, and I want to also thank (coughs)
4 City Council Member Rosenthal and Vallone for being
5 here. I know there are other Council Members here. My
6 name is Rocky Chin. I'm a member of AARP, New York's
7 Executive Council and we have a good number of our
8 members here today braving the cold weather. We
9 always do want to show up at these events. So, thank
10 you for having this oversight hearing. On behalf of
11 our nearly 750,000 members age 50 and older in New
12 York City, I want to thank you for giving us the
13 opportunity to testify at this Rent Freeze—on the
14 Rent Freeze Program, and as we've heard, there's a
15 lot happening and we intend to continue to be also
16 the voice of 50 plus in making sure these things are
17 followed through. So, thank you. Seniors are a
18 growing group that is extremely challenged by rising
19 costs in a well—is a well known fact. A report
20 commissioned by AARP with the Center for an Urban
21 Future found the number of older adults in the New
22 York City increased 12 times faster than the city's
23 under 65 population, and that group is more diverse
24 than ever. Immigrants now account for 50% of New
25 York City's 65 plus population. Many older New

2 Yorkers are living on fixed incomes and having
3 trouble paying their rent. Multiple AARP surveys
4 showed that affordability is indeed a major concern
5 for older New Yorkers. Fifty-four percent of
6 respondents to one AARP survey reported housing
7 affordability as a major concern. That number shot
8 up to 67% among Hispanic respondents; 62% of Boomers
9 and Gen X respondents expressed anxiety over their
10 ability to afford housing in the future, and 61% of
11 Gen X and Boomer voters said they are considering
12 leaving New York State to retire somewhere else
13 because of the lack of affordability. Last year AARP
14 New York teamed with the Asian-American Federation,
15 Hispanic Federation, NAACP, and the Urban League to
16 release a report titled: Disrupting Racial and
17 Ethnic Disparities? Solutions for New Yorkers 50
18 Plus. One of the key findings was that the "cost
19 burden" status of older African American, Black, Asia
20 Americans, Pacific Islanders, Hispanic and Latinx New
21 Yorkers and their vulnerability to gentrification and
22 displacement. As the city's population continues to
23 age, these concerns are likely to grow. We need to
24 use all the tools we have—tools we have to ensure we
25 have appropriate and affordable housing for older New

2 Yorkers now and in the future. So, that's why we
3 also are thrilled when the income eligibility for
4 SCRIE and DRIE was raised to \$50,000 making thousands
5 of more households eligible for the program.

6 Furthermore, the Housing Stability and Tenant
7 Protections Act of 2019 incentivized many more
8 individuals to apply for the program. But according
9 to the 2018 report by DOF, the enrollments in SCRIE
10 is just over 50% and, of course, we've heard all the
11 questioning as to why that is so low. Clearly much

12 more needs to be done, we'd like to add our vast
13 number of volunteer AARP Members to join with the
14 City Council and our elected officials in increasing
15 that number. We'd like to express our support for
16 measures that would allow tenants to apply for SCRIE
17 and DRIE at any point throughout the year as opposed
18 to waiting—awaiting the next lease renewal. That

19 should help. However, other proposed measures
20 concern us including limiting who could act as a
21 tenant representative in order to assist tenants with
22 the application process and limiting tenants to only
23 one SCRIE/DRIE application per year. There are many
24 people who can and need to act as tenant
25 representatives, and many reasons why a person can be

2 denied including mistakenly submitted incomplete
3 applications. We shouldn't penalize qualifying
4 SCRIE/DRIE applicants for needing help or making
5 mistakes in the application. Thank you for the
6 opportunity to testify today.

7 CHAIRPERSON DROMM: Thank you very much.
8 We'll go to the next person the panel, and then come
9 back for questions. Thank you You may begin.

10 Thank you. Thank you Chairs Chin and
11 Dromm and the full committee for the opportunity to
12 testify today. My name is Kim Lerner and I'm the
13 Program Director for Live On New York's Benefits
14 Outreach Program. For over 40 years Live On New York
15 has been supporting community-based organizations
16 throughout the city that provide core services to
17 older adults to allow them to thrive in their
18 communities. With a base of more than 100 community-
19 based organizations, Live On New York's members
20 provide services including senior centers, congregate
21 and home delivered meals, affordable senior housing,
22 caregiver supports, NORCs and case management.
23 Through policy efforts Live On New York advocates to
24 increase funding and capacity for our members to meet
25 the needs of older adults in their communities. To

2 better support older adults and our members Live On
3 New York also administers a citywide benefits
4 outreach program that assists older adults in the
5 communities where benefits are most under-utilized.
6 Through this program we educate thousands of older
7 New Yorkers each year including those who are
8 homebound and screen and enroll those who are
9 eligible for SCRIE, DRIE and a number of other
10 benefits. Our team works tirelessly to help older
11 adults through the application and re-enrollment
12 processes, and witnesses first hand the positive
13 impacts of these programs. DOF and their wonderful
14 staff has been an incredible partner particularly in
15 our work with SCRIE and DRIE, and it is because of
16 this partnership we would like to provide testimony
17 today. First, we are grateful for the programs—for
18 the support these programs have received from both
19 the Administration and the City Council. In 2014,
20 through a joint city and state effort, the income
21 eligibility for SCRIE and DRIE, as we've talked
22 about, was raised from \$29,000 to \$50,000. As a
23 result, thousands of more households were eligible
24 for the Rent Freeze Program. While the enrollment
25 rate has increased since the eligibility increase, a

2 2018 report by DOF indicated that the overall
3 enrollment it rated (sic) in 2016—in 2016 was only
4 56.2%. For this reason, continued and increased
5 outreach efforts are necessary. The importance of
6 early awareness of the benefit cannot be over stated
7 as the SCRIE and DRIE programs are unique in that
8 their benefits compound over time. Said another way,
9 the earlier an individual enrolls in the program, the
10 more they will benefit from it. And most importantly,
11 SCRIE plays a critical role in allowing older adults
12 to age in place. Most recently Live On New York was
13 thrilled to advocate for and see the passage of the
14 new Preferential Rent Laws in the Housing Stability
15 and Tenant Protections Act of 2019. Previously,
16 those with preferential rent were disincentivized
17 from enrolling in SCRIE as their rent would be frozen
18 at the market rate, often times increasing a tenant's
19 rent by hundreds of dollars. With this new law
20 preferential rent amounts have been made permanent
21 and must now be treated as the new legal base rent
22 for that unit. This protection now incentivizes many
23 more individuals to apply for the Rent Freeze Program
24 and, therefore, outreach efforts must be strengthened
25 and reinvigorated to bring awareness through this

2 beneficial change. Last fall DOD proposed a number
3 of amendments to SCRIE and DRIE. Live On New York
4 viewed most of these changes as positive such as
5 improving the process of succession right and
6 allowing tenants to apply for SCRIE or DRIE at any
7 point throughout the year as opposed to waiting to
8 the next lease renewal. However, there were a few—
9 there were a number of recommendations that were
10 cause for concern. Live On New York was particularly
11 worried about DOF limiting those who may be deemed a
12 tenant representative in order to assist tenants with
13 the application process. Many of these individuals in
14 need of the SCRIE or DRIE program already face
15 significant barriers to the application process, and
16 the job of advocates such as ourselves is to walk
17 them through the process successfully. For this
18 reason, Live On New York believes that the provisions
19 should include anyone listed as a tenant
20 representative as consistent with other benefit
21 applications of the city. Another proposed amendment
22 would limit tenants to only on one SCRIE/DRIE
23 application per year. We believe this proposed
24 change would be particularly harmful to the many
25 tenants who are eligible for the program, but are

2 denied due to mistakes on the application or the
3 inability to compile the required documentation. Our
4 team has helped a number of individuals successfully
5 reapply for the program after having it first been
6 denied due to an incomplete or incorrect application.
7 Because time is of the essence in this program as
8 previously stated, this rule would effectively
9 penalize tenants for making errors on applications by
10 not allowing them—by not allowing them to re-apply
11 for another year. Live On New York was grateful for
12 the opportunity to provide feedback to DOF on these
13 proposed changes to SCRIE and DRIE and we are hopeful
14 that the recommendations outlined will be given
15 serious consideration in advance of the final rule
16 promulgation. Live On is committed to working with
17 our partners at DOF, DFTA and all city agencies as
18 well as members of the City Council to provide
19 outreach, education and enrollment assistance to New
20 Yorkers in need of this critical program. We look
21 forward to our continued partnership and outreach
22 opportunities as we ensure that every tenant who is
23 eligible for this program receives its full benefits.
24 Thank you again for this opportunity to testify.

2 CHAIRPERSON DROMM: Thank you very much.

3 Next, please.

4 PETER KEMPNER: Good morning. My name is
5 Peter Kempner. I'm the Legal Director and Elderly
6 Project Director at Volunteers of Legal Service. Our
7 Elderly project conducts regular free legal clinics
8 at senior centers and NORCs around the city. We
9 provide technical support for community-based
10 organizations serving low-income seniors by answering
11 legal questions their clients face. We provide
12 training to community-based organizations and seniors
13 regarding proper end of life planning. We publish
14 and Advocate's Guide to SCRIE, a guide to Burial
15 Assistance and Funeral Planning for New Yorkers in
16 need, and we access the pro bono legal services of
17 the Private Bar by training, supervising and pairing
18 them up with low-income seniors seeking to have their
19 life planning documents done—drawn up and executed.
20 This allows seniors who can't afford to hire an
21 attorney to get powers of attorney, help their
22 proxies, living wills, wills and other advanced
23 directives done free of charge, and—and as Council
24 Member Vallone pointed out, these documents
25 especially the power of attorney are critical for

2 seniors to be able to access benefits including SCRIE
3 and DRIE to allow them to stay in their home and be
4 able to age in place with dignity and respect. We
5 thank the Council Committees on Aging and Finance for
6 holding this hearing today. Aside from needing
7 advanced directives, which is our—our core work, the
8 seniors who are coming to us at our—at our senior
9 centers and our clinics the number one issue they
10 face is housing instability, and—and SCRIE and DRIE
11 really allows them to afford the rent after they see
12 a huge drop in income after retirement. With SCRIE
13 and DRIE the city would face an exacerbated
14 homelessness crisis among the elderly and disabled,
15 and we must do everything in our power to not only
16 preserve and extend these—the outreach of these
17 programs, but also to make improvements that will
18 strengthen and advance the goals of ensuring that the
19 elderly and disabled New Yorkers could age in their
20 communities. One of the major limitations right now
21 with the SCRIE and DRIE programs are that it's
22 limited to seniors and the disabled who live in rent
23 regulated apartments. For many who reside in smaller
24 buildings or in newer construction the result is that
25 the exact kind of housing instability that was trying

2 to be avoided by these programs. They're—they're not
3 eligible to receive the rent freezes and, therefore,
4 they're subject to the landlord's rent increases at
5 any time. Extending the Rent Freeze Programs to
6 tenants of unregulated units can accomplish the goals
7 of—of—of housing stability for these populations and
8 we could set maximum rent guidelines much along the
9 lines of what is already being done in Section 8
10 Voucher programs and other rental subsidy programs.
11 And so this extension could also bring thousands more
12 people housing stability. Another limitation is the
13 absence of retroactivity of the applications for the
14 programs. As pointed out by—by Live On New York,
15 these things do compound over time and sadly we know
16 that many seniors don't learn about their SCRIE
17 eligibility for years if not decades after they first
18 become eligible, and their rent has increased greatly
19 over that period of time. To be able o retroactively
20 apply the rent freeze to when they first became
21 eligible for the program would greatly benefit--the
22 ability to roll back would put money back into the
23 pockets of low-income tenants who often live benefit
24 check to benefit check every month. The other thing
25 about the SCRIE and DRIE program that actually

2 differs from a lot of the other rental subsidy
3 programs is that isn't a cap on how much rent
4 somebody pays relative to their income. Right now
5 what the law says is that some body will pay no less
6 than 30% of their income or the amount of the last
7 rent before they become approved, and so this results
8 in many people pay 50, 60, 70, 80% of their income
9 towards their rent instead of putting a cap, instead
10 of a floor of 30% for these programs. It's really
11 the opposite of what we see in other rental
12 assistance programs like Section 8, Public Housing,
13 HASA recipients and others where a tenant's share is
14 capped at 30%, and so that would again make a huge
15 difference. We have certainly seen many seniors at
16 our clinics that say why should I bother getting
17 SCIE, my rent is already, you know, well over what my
18 income in, and they don't benefit from this at all.
19 The other thing I'd like to point out is that with
20 respect to what Council Member Chin was talking about
21 as far as re-determinations are concerned. When for
22 instance on member of a married couple passes away,
23 and there's a huge loss in income, at the next
24 recertification that household is putting their
25 income to the Department of Finance. Department of

2 Finance should immediately flag to say this is more
3 than a 20% drop and not require a separate form, and
4 I understand what the Administration is say where
5 there needs to be a transfer of head of household
6 from the person who is deceased to another spouse who
7 is left, but often times it's sometimes just another
8 family member who passes away and not the head of
9 household, and they won't be putting that form to
10 transfer who is primary on the benefit, and-and so
11 instead, at every reapplication, at every
12 redetermination of every recertification if the
13 Department of Finance flags that there's a 20% more
14 drop in income they should make an automatic
15 redetermination instead of putting the onus on the
16 low-income elderly and disabled New Yorkers who are
17 putting in applications and-and-and recertification
18 for this application for this benefit rather to be on
19 their shoulders. It should be on the shoulders of the
20 agency instead. Um, and so I think with these
21 improvements we could greatly increase the reach of
22 these programs and the impact of these programs on
23 the community and housing stability. Thank you for
24 this opportunity testify. We look forward to working
25 with the Council and the Administration to ensure

2 that New York City is best able to serve our seniors
3 in need. Thank you.

4 CHAIRPERSON DROMM: Thank you. Next,
5 pleas.

6 ALEX RILEY: Good morning Chair Dromm and
7 Chair Chin. Thank you very much to the committees for
8 holding this hearing. My name is Alex Riley. I'm the
9 Director of the Elder Law Practice of the Civil
10 Practice of Legal Aid Society. Legal Aid Society is
11 the nation's largest non-profit law firm handling
12 about 300,000 matters every year. I'm joined today by
13 my colleague Chris Evans who's a retired British
14 Solicitor--if I got that right--who volunteers out of
15 our Brooklyn Office for the Aging, and the only work
16 that he does with us is assisting clients, applying
17 for and--and renewing their SCRIE and DRIE benefits.
18 He's done many hundreds of these, and in a moment I
19 hope he'll--hope he'll share a couple of thoughts that
20 he has had having been on the front lines for several
21 years with us. So, I agree with everything my--my
22 colleague Peter Kempner just said including with
23 respect to his last point about redeterminations, and
24 I will mention that in a moment. Um, one thing I
25 should say is that the--the packet of materials that I

2 prepared for the committees, I shouldn't worry that
3 this is all testimony. It's actually just a few
4 pages of testimony, but the--the attachments are a
5 couple of the SCRIE forms at issue because in my
6 testimony I make reference to particular aspects of
7 them and also a copy of the comments that I submitted
8 to Department of Finance last month with respect to
9 their proposed rules. So, generally speaking we have
10 been fairly pleased with the way the Department of
11 Finance has administered these programs over the last
12 several years. We're very pleased to hear that they--
13 they developed this portal that's going to be coming
14 out I guess in several months. They created a print
15 guide. They've been generally responsive to us when
16 we make specific requests n behalf of clients to sort
17 to fix problems. I mean generally speaking we've been
18 pleased with the work that they have done, but we--we
19 do have some areas in which we recommend improvement.
20 The first thing I'll mention is what Mr. Kempner
21 mentioned with respect to redeterminations and that
22 Council Member Chin brought up before it appears the
23 Department of Finance has the ability to identify
24 cases where the SCRIE beneficiary or DRIE beneficiary
25 is entitled to a redetermination. So, why the onus

2 is on the older disabled person to apply for this is
3 a mystery and that's not the only problem. In
4 addition as Council Member-Chair Chin mentioned
5 before, there's virtually no publicity about this. I
6 mean Chair Chin herself didn't even know that this
7 option existed until quite recently, and-and this is
8 not surprising because if you look at for example one
9 of the representatives of the Department of Finance
10 earlier mentioned that I believe that the
11 redetermination concept is mentioned in the FAQ
12 section. Well, first of all, the initial Rent Freeze
13 Program application doesn't mention redeterminations
14 at all. So, when you first apply for the program you
15 have no idea, if you read the application and all of
16 its information that if your income reduces by 20% or
17 more in the future, that redetermination is an
18 option. So, the redetermination is discussed in the
19 long form renewal application, but it occurs on the
20 very last page o the 13-page application packet, and
21 the question-the FAQ that appears there does not What
22 if my household income drops? And that should be the
23 question. What is says is: What are my options if I
24 have a permanent loss of income. The rule says that
25 you get a redetermination if your household income

2 drops. So, the—the frequently asked questions the way
3 it's phrased is totally misleading. So, the—the
4 information should be included in the initial
5 application prominently. It should be more—much more
6 prominently placed in the renewals and the frequently
7 asked questions should be rephrased. By the way the
8 short form renewal application, which applaud DOF for
9 having created does not mention redeterminations at
10 all. So, if you don't know about it, how on earth
11 would you know, to apply? In any event, as Pete
12 Kempner mentioned really, you know, it shouldn't be
13 no matter how much publicity is done the
14 redetermination should not be required as an
15 application by the beneficiary. The Department of
16 Finance should be able to handle this without
17 initiation by the applicant of beneficiary. Council
18 Member Chin had a number of queries I believe for the
19 Department of Finance, some of which are included in
20 my written testimony around this. We'd be interested
21 to know how many determinative—redeterminations
22 applications did the agency receive? How many did
23 they approve of those that were rejected? What were
24 the reasons? What was the average reduction in
25 tenant to pay amount that occurred following

2 successful redeterminations? And why is it that the
3 Department of Finance does not take the initiative on
4 it's own to-to process these without an application.
5 Next we think the Department of Finance should do a
6 better job educating SCRIE and DRIE beneficiaries and
7 applicants about the definition of household. The
8 household includes anyone relative-related to the
9 tenant who lives in the apartment. It dose not
10 include a boarder, somebody who is paying rent to the
11 primary tenant, and as we know, housing is so
12 expensive in the city. In order in their apartments
13 many older people bring in a-a boarder or room mate,
14 but the-there's a lot of confusion around this, and
15 you'll notice that the definition of household does
16 not appear anywhere in the application itself. It
17 does appear in the frequently asked questions
18 section, but if you just look at the application the
19 definition is not there at all. In addition if you
20 look at the first page of the application, the
21 question-the-the reference to-sort of implied
22 reference to household is the following: This
23 question appears at the very beginning. Was the
24 combined income for everyone living in your apartment
25 less than \$50,000? That's the wrong question because

2 if you have a roommate in your apartment who makes
3 \$100,000 a year, but only pays you \$300 a month in
4 rent DOF only counts that \$300. DOF doesn't care how
5 much the roommate makes in income, but this question
6 would lead you to believe that it does. So, that is a
7 question that really ought to be revised. In a
8 moment I believe Chris Evans will talk about, um, the
9 renewal process and challenges that older and
10 disabled people have even with using the short form.
11 So, I won't steal his thunder on that. I will make
12 one very minor point, which appears as a footnote in
13 my testimony to Council Member Vallone's point about
14 powers of attorney, the—the SCRIE documents all the
15 forms actually get the terminology wrong. They keep
16 referring to a person as a power of attorney, but
17 there's no such thing as a person who's a power or
18 attorney. It's an agent. So, the DOF if it's going
19 to revise its forms, they might as well actually get
20 the—the terms rights. Um, finally with respect to
21 the proposed rules that were—were—there was a hearing
22 about this at DOF a couple of month ago. I won't go
23 into all those details, but the last attachment to
24 the written testimony that I've submitted includes
25 the comments that we submitted to the DOF on that.

2 One of the most concerning aspects of those proposed
3 rules is that whereas for many years the SCRIE and
4 DRIE beneficiaries' rent would be frozen at the
5 amount in effect prior to the time of application.
6 What the DOF has proposed is that the—that rule be
7 eliminated and that the rent be frozen at the rent
8 currently in effect. We have no idea why they did
9 this, but this would make over time a substantial
10 difference in the actual amount of benefits that an
11 applicant would receive from the program because the
12 frozen rent would actually be higher. So, if I could
13 ask, um, Mr. Evans to talk a little bit about his
14 front line experience with applications and renewals.

15 CHRISTOPHER EVANS: Thank you to the
16 committee and Chair Dromm and Chair Chin for allowing
17 me to speak. I would say that I endorse all the
18 comments made by Alex Riley. My first experience
19 being involved as an outreach worker with Community
20 Service Society, and more recently I've spent now six
21 years assisting through the Legal Aid Society and
22 more recently as Camber Legal Services in Flatbush.
23 So, I have quite a wide range of clients come and see
24 us, and I handled over 700 applications in Brooklyn
25 alone. So, and for a number of those people English

2 is not their first language. So, my experience is
3 like I would say about renewals in particular. I
4 think on first applications people tend to have
5 assistance, legal advice or assistance. A lot of
6 people when they do renewals do not have any
7 assistance unless they're--they're fortunate enough
8 to find their way to one of the advice centers such
9 as the ones I assist at. But we were given some
10 evidence by the Department of Finance personnel area
11 and although the numbers of people receiving the
12 benefits are increasing--I think it was 20%--they
13 pointed out that there was obviously people are
14 dropping out of this scheme also, and I think that's
15 my main concern. They said people dropped out for
16 reasons of death, moving, accommodation and increased
17 income, and I'm sure those are all true. I would say
18 my experience is the failure to provide documents is
19 the single largest reason why people are coming off
20 the scheme because if they--if they aren't helped
21 (coughs) with advice to explain to them what they
22 need to provide, and to understand that and to
23 interpret the questions sent by the SCRIE and DRIE
24 office of the Department of Finance, and sometimes
25 they just can't cope with the process, and they're

2 not receiving any other legal assistance from anyone
3 else. Some of the questions raised by the Department
4 of Finance are formulated in a way that are frankly
5 challenging. They are—they are standard response
6 text included in the forms, difficult to read and
7 often they say things like: Produce all the IRS
8 returns for all members of your household and this—
9 these questions are sent to people who don't file
10 IRS returns regularly or at all because they are not
11 obliged to. So they don't know what to do. They
12 commit saying they are going to do an IRS return or
13 whatever, and I find a lot of people need hand-
14 holding through that process on this very basic
15 level, and as a result of people being denied SCRIE
16 coming off the SCRIE for failure to provide
17 documents, I'm now handling more and more appeals to
18 the Department of Finance to get people back onto the
19 SCRIE and DRIE system, and because they've been timed
20 out literally for failure to provide something that
21 they didn't know what they had to provide or how to
22 do it. So, I would simply say that in practice there
23 are quite a lot of problems despite overall as I say
24 we do consider the Department of Finance has made
25 useful changes in the format of its forms and its

2 process, but it is still very much a time critical
3 process. You apply, they send a letter. You have to
4 reply to it. If you don't they send another letter,
5 and they turn you out, and it just says: You have
6 failed to comply with the process. It doesn't
7 actually say what you failed to do. So, it is quite
8 a challenging process for seniors particularly as
9 they get older, less able to read, less able to even
10 open and deal with mail. As I say, particularly for
11 those who English is not their first language and I
12 would invite the committee to make a point of
13 addressing in these editions (sic) Thank you very
14 much.

15 CHAIRPERSON DROMM: Hey. Council Member
16 Vallone has some questions.

17 COUNCIL MEMBER VALLONE: Thank you to
18 the panel. We always appreciate your comments and
19 look to those for future clarification bills. I think
20 we have some really good ideas there, and I'm happy
21 we all work with you to do that making the forms as-
22 as clear as possible it can only help. I think we all
23 struggle with just about any form that comes out of a
24 city agency. So, we thank that aid. Although I would
25 give you as a point of reference not to mention that

2 Chair Chin doesn't know something. There is not
3 anyone in this Council that knows more about it than
4 Chair Chin knows about on aging. So, I always defend
5 you to that Margaret. If she doesn't know it then
6 it's the agency's fault for screwing us up in the
7 first place. That's what I say, but I also Peter love
8 the idea of extending the protections to the
9 unregulated apartments. I believe that's the unsung
10 story of what's happening to our seniors and pretty
11 much everyone that is struggling to remain in an
12 apartment if we truly want to make a dent and stop
13 homelessness and stop the senior crisis, then we need
14 to extend these protections of SCRIE and DRIE to
15 everyone, and if we're going to look at budget
16 priorities, this is one that will have an impact, and
17 a lasting impact on the city, and I think that's
18 something we should really take a look at. So, I
19 just wanted to make those couple of comments and
20 support our chairs. Thank you very much.

21 PETER KEMPNER: And can I say in response
22 to that if you look at some of these neighborhoods
23 that were talked about that were being under-served
24 by SCRIE and DRIE a lot of these are neighborhoods
25

2 with two and three-family homes that wouldn't
3 otherwise be covered.

4 COUNCIL MEMBER VALLONE: Exactly. Thank
5 you Peter.

6 CHAIRPERSON DROMM: Council Member Chin or
7 Chair Chin.

8 CHAIRPERSON CHIN: Thank you. Council
9 Member Vallone, I really did not know. (laughter)
10 Because I don't think it was in the outreach
11 materials. So, I'm glad that now we all know that
12 there is a redetermination process, and I thank you
13 all for you advocacy and your great work. I think
14 that some of the points that you raised about how we
15 can really simplify, you know, the application and
16 making sure people understand. And even the whole
17 about the household income, and roommates, and I
18 think we really have to work together to make sure
19 that that correct information get out there so people
20 know that they can qualify and they should apply, and
21 really getting the assistance that they need because
22 every year all the Council Members we get a list from
23 the Council, which is—comes from the Department of
24 Finance to tell us who of our constituents didn't
25 renew, and we spend time calling them to find out yes

2 some passed away and some, you know, didn't fill out
3 applications or they didn't have the documentation
4 that they need, but we got to make sure that the renew
5 process is easier so that people can continue to get
6 their benefits, and one thing we will advocate with
7 the DOF is like why do you have to wait, you know, to
8 be in the program for so long to entitle you to a
9 short renewal form. So, we should really get them to
10 kind of shorten that time that once you renew then
11 you should be able to continue to use the short form,
12 and to get the, um, the explanation clearer. I think
13 that's something that we can definitely continue to
14 advocate for, and thank you all for your great work.

15 CHAIRPERSON DROMM: Yes, and we'll follow
16 up with the questions about redetermination as well
17 when we write to the Administration after to the
18 hearing. So, thank you all for coming in, and we're
19 going to bring up our next panel.

20 PETER KEMPNER: Thank you.

21 CHAIRPERSON CHIN: Thank you.

22 CHAIRPERSON DROMM: Thank you. Okay.

23 Provati Devi (sp?) and Larry Wood. (background
24 comments/pause) okay, okay. I want to get started. I
25 know there's going to be a third panelist and we'll

2 introduce her after she fills out the form, but we
3 might as well just get started now. (background
4 comments/pause) okay.

5 LARRY WOOD: God after-good afternoon.

6 Thank you for this opportunity to testify. My name is
7 Larry Wood. I'm the Director or Organizing at
8 Goddard Riverside Community House. It's a settlement
9 house on the Upper Wes Side and we operate in several
10 senior centers in all programs and home delivered
11 meals a variety of senior services, and a lot of
12 other services to our community as well. As you know
13 as was reference earlier today the Housing Justice
14 through out Coalition fought and we won significantly
15 strong rent laws last year, which was great to help
16 preserve affordable housing, stop inordinate rent
17 increases, vacancy allowances, but if you currently
18 have a rent-high rent burden nothing last year
19 changed for you. You're still in danger of
20 homelessness, a medical crisis, an emergency of some
21 sort, and has been referenced earlier by others,
22 seniors who enter the SCIRE or disabled men and women
23 who enter the DRIE program, have their rents frozen
24 at the level they enter the program. Many of them
25 entered at really high rent burdens. Provati who's a

2 senior active on the Upper West Side in her packet
3 there's a New York Times article in there profiling
4 five tenants who have really high rent burdens.
5 Provati is one of them. Kay is another. They are
6 both seniors I've worked with. Kay is now homeless.
7 She was spending more on her rent than her income.
8 Her rent was frozen, but it was just a matter of time
9 before she lost her home, and now she's in the
10 shelter system. This is something that has to change
11 with SCRIE. You talked a little about
12 recalculations, but there's been examinations that
13 are looking at new legislation that would roll back
14 the rent so seniors were not paying more than a third
15 of their income toward, their rent. It's critically
16 needed. It needs to be priced out. I understand it
17 would be an increase of expenses to the program, but
18 it could be cost effective at keeping people out of
19 the shelter system. Provati will tell you about her
20 own particular circumstances. It's there in the Times
21 article, but a senior who's living on \$20,000 a year
22 paying 50% of their income means they have \$10,000 a
23 year to live on. A senior making \$50,000 or at least
24 having that household income if they're paying 50% at
25 least they have \$25,000 to live on. So, I think we

2 really have look at the lowest income seniors those
3 with the highest rent burdens to get this type of
4 reform enacted first, and then to see really price it
5 out to see if we can make it uniform across the board
6 so everybody's rent can be rolled back to an
7 affordable level and keep those seniors in their
8 homes. So, I just urge a costing out of what this
9 reform could make, and Daniel Donnell, Assembly
10 Member Daniel Donnell, has legislation on the state
11 level that he's introduced this year. It's Assembly
12 8749. We've been in touch with Senator Liz Krueger's
13 office and we'd love to talk to some Council members
14 about sponsoring something on the local level. Thank
15 you.

16 CHAIRPERSON DROMM: Please your name for
17 the record. Can you just do that for me.

18 LARRY WOOD: Sure, it's Larry Wood,
19 Director or Organizing at Goddard Riverside Community
20 House.

21 CHAIRPERSON DROMM: Okay, thank you,
22 Larry. Next, please.

23 Okay, alright. I hope you hear. You can
24 hear it?

25 CHAIRPERSON DROMM: Yep.

2 PROVATI DEVI: Okay. I'm Provati

3 Devi(sp?) and as a recipient of this program I thank
4 you for the opportunity to testify. First and
5 foremost the rent freeze of this program is not
6 enough to keep us in our homes. See the attached New
7 York Times article for details of my own impoverished
8 circumstances. This program needs to roll back the
9 rent to a third or better 30% of a person's income.
10 Other rent subsidy programs work this way and are
11 effective in reducing rent burdens and providing
12 affordable housing. Reforming Ree (sp?), which I'll
13 explain that in this manner would be cost-effective
14 in keeping recipients with very high rent burdens in
15 their homes and out of the shelter system. Now, we
16 need legislation to reform these programs
17 accordingly. To this end copies of petitions and
18 hundreds of signatures have been collect-collected
19 for your perusal. However, not to ignore the way the
20 Department of Finance operates. The DRIE/SCRIE
21 application does not contain a box below address,
22 mailing address if different from above. That needs
23 to be added. Every time I renew I have to deal with
24 this, and it's a simple thing that can be replaced.
25 My second point is RE should really the name of this.

2 It is all that is needed for the heading. Why you
3 qualify should be inside the application. Disabled
4 people can be highly discriminated against. About 13
5 years ago a judge inappropriately asked about my
6 invisible disabilities in court. These labels are
7 something to think about. All you need is RE and the
8 reasons for it within. Thank. You.

9 CHAIRPERSON DROMM: Thank you very much.
10 Next, please. I'm sorry for the confusion over your—

11 No, that's okay. I think it was before we
12 switched rooms.

13 CHAIRPERSON DROMM: Yes.

14 I should have checked.

15 CHAIRPERSON DROMM: Okay, thank you.

16 ALEXIS BRANDIS: Thank you. Thank you,
17 Chairs Chin and Dromm. My name is Alex Brandis. I am
18 a Policy and Advocacy Manager at Medics Home
19 Neighborhood House. Thank you again for the
20 opportunity to testify today at this oversight
21 hearing examining the administration of the Rent
22 Freeze Program. The Legal Advocacy Department at the
23 Neighborhood House has helped thousand of people from
24 78 different zip codes receive Rent Freeze Program
25 benefits. As advocates we have concerns about the

2 recently issued proposed rule for the Rent Freeze
3 Program and adopting the program to ensure people
4 remain eligible in light of changes in state and
5 federal law. Regarding the proposed rule while we
6 were encouraged by DOF's attempts to make the Rent
7 Freeze Program more accessible in a few respects we
8 noted several instances where the proposed rule would
9 be more restrictive than current practice. Our
10 principal concern include requiring documentation
11 that is unnecessary and difficult for clients to
12 obtain, limiting the number of applications a client
13 can submit in a calendar year, financially punishing
14 tenants for problems created by their landlord
15 and DOF, prohibiting clients from receiving city FEPS
16 and SCRIE simultaneously, increasing the tenant's
17 rent and incentivizing the landlord to act against
18 the tenant's ability to maintain SCRIE. A full
19 description is included in our written comments.
20 Additionally, we are concerned about DOF's failure to
21 provide sufficient notice about the proposed rules to
22 advocates. Regarding recent legislation at the state
23 and federal level, the Housing Stability and Tenant
24 Protection Act of 2019 made several changes that have
25 implications for Rent Freeze Program recipients. DOF

2 needs to make changes to ensure tenants have the
3 correct rent, landlords are not receiving excess tax
4 abatement credit and tenant who qualify based on
5 their legal regulated rent are grandfathered into the
6 program. The Tax Cuts and Jobs Act of 2017 caused a
7 revision of several tax forms including Form 1040.
8 The new Form 1040 has IRA distributions combined with
9 pensions and annuities. While IRA earnings, pensions
10 and annuities are accountable income for the Rent
11 Freeze Program, IRA distributions are not. In two
12 cases we are aware of DOF wrongfully denied clients
13 because of IRA distributions. DOF failed to realize
14 this was not a countable source of income because of
15 the new Form 1040. As there are likely many more of
16 than these two clients who have been wrongfully
17 denied DOF needs to determine which clients were
18 denied based on IRA distributions and retroactively
19 restore benefits. We appreciate the Council's
20 investigation of these pressing matters and are
21 hopeful that with action by the Council the concerns
22 described can be addressed. Thank you again for the
23 opportunity to testify.

24 CHAIRPERSON CHIN: Thank you for your
25 testimony. I think we agree with you about the rent

2 rollback. I mean Live On has been advocating for
3 this. So there state legislation. We can see how we
4 can coordinate, and to make that happen, and then we
5 heard other testimony

6 PROVATI DEVI: Can I just go back in your
7 office?

8 CHAIRPERSON CHIN: Yeah, we'll talk
9 afterwards. Definitely. We can work on it together
10 with our state elected.

11 CHAIRPERSON DROMM: Uh-hm, and thank you
12 for the list of recommendations as well. I was
13 reading through it as you were speaking and I'm still
14 reading and we'll take it into consideration. Thank
15 you.

16 ALEXIS BRANDIS: Thank you.

17 CHAIRPERSON DROMM: Yeah, okay, thank you
18 everybody. Okay, we've been joined by Council Member
19 Eugene, and I believe this hearing is adjourned at
20 12:37 in the afternoon. [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 January 25, 2020