

TESTIMONY BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS NEW YORK CITY DEPARTMENT OF BUILDINGS MELANIE E. LA ROCCA, COMMISSIONER MARCH 5, 2020

Good morning Chair Cornegy and members of the Committee on Housing and Buildings. I am Melanie E. La Rocca, Commissioner of the New York City Department of Buildings ("the Department"). I am joined today by Gus Sirakis, the Department's First Deputy Commissioner and Sharon Neill, the Department's Deputy Commissioner of Finance and Administration. Together, we are pleased to be here to discuss the Fiscal Year 2021 Preliminary Budget and the Department's progress in meeting its goals. I will also highlight our work over the past year to further improve construction safety, protect tenants from the use of construction as harassment, and to combat climate change.

The Fiscal Year 2021 Preliminary Budget allocates approximately \$199.5 million in expense funds to the Department. Of this funding, approximately \$160.4 million is for Personal Services, which supports 1,867 positions, and \$39.1 million is for Other Than Personal Services, which primarily supports contractual services, equipment and supplies.

The changes reflected in the Department's Fiscal Year 2021 Preliminary budget are associated with façade inspections. The Department received approximately \$900,000 in additional funding and 12 positions to double its dedicated façade inspection team. The Department takes seriously its responsibility to hold owners accountable for keeping their buildings safe and codecompliant, and to enforce the requirement that all facades be maintained, and that certain facades be inspected periodically. Doubling the dedicated façade inspection team will allow us to strengthen our work in this area and means that buildings will be receiving more proactive

façade inspections. We look forward to bringing these additional inspectors on board as soon as possible.

I would now like to highlight some of the Department's work over the past year. The Department continues to make tremendous progress in improving service to our customers and protecting the public by rigorously enforcing the laws and regulations that govern the more than one million buildings, their many appurtenances, including boilers and elevators, and 50,000 active construction sites under its jurisdiction. Despite the progress we have made, we are going to do more for New Yorkers. We are going to double down on construction safety, hold our licensees and permit holders accountable, ensure that tenants are safe in their homes whether there is construction in their buildings or not, and work to reduce carbon emissions from our buildings, all while providing the best in customer service to those members of the public who conduct business with us.

In Fiscal Year 2019, over 106,000 construction jobs were filed with the Department and we issued approximately 181,000 initial and renewal construction permits combined. There were more construction jobs filed and permits issued in Fiscal Year 2019 than in the previous year. Despite the slight uptick in construction activity, our plan review times remain well below target. The time it took to complete our initial plan review for new buildings, major renovations and minor renovations decreased across the board. We are completing our initial plan review for new buildings in less than 5 days, for major renovations in 5 days and for minor renovations in a little over a day. Our goal is to continue to promptly complete our initial plan reviews and to ensure that customers know what to expect when their plans are being reviewed. We are accomplishing this goal by continuously training our plan examiners and by developing plan-exam guidelines for a wide variety of projects, which help ensure that plan review is efficient and consistent.

The wait time between a development inspection request and an inspection also decreased across the board. The wait time for a general construction inspection was 2 days and was under 3 days for an electrical or plumbing inspection. This progress on development inspection service levels can be attributed to the efficiencies gained from the implementation of DOB NOW: *Inspections*, which allows for nearly all types of development inspections to be scheduled online. This makes

it easier for our customers to schedule inspection appointments, offers more precise inspection scheduling and improves inspection tracking and notifications.

Construction Codes. Thank you for your incredible partnership on this effort as this would not be possible without the support of this Committee and all of the stakeholders who are involved in our code revision process. Together, we have already updated the City's Plumbing Code, and just last week, the City Council approved the most stringent Energy Code in our history. This means we are bringing the best in energy efficiency to our buildings, which results in energy savings for building owners and lower carbon emissions. We are in the midst of revising the balance of the Construction Codes and the Electrical Code, and expect to submit those revisions to the City Council later this year.

In line with our responsiveness as it relates to development, we are responding to complaints from members of the public faster than ever before, despite receiving nearly 104,000 311 complaints last year. We are responding to the most serious complaints, Priority "A" complaints, which are those complaints that relate to conditions that may present an immediate threat to the public, within 7 hours. We are responding to Priority "B" complaints, which capture violating conditions that if occurring, while serious, do not present an immediate threat to the public, within 11 days. As a result of responding to these complaints, and our proactive inspections concerning construction safety and tenant protection, which I will discuss momentarily, we issued nearly 90,000 violations last year. Keeping the public safe is at the heart of what we do and we are committed to holding bad actors accountable for their actions.

Construction safety continues to be a focus of the Department. Construction-related injuries decreased over 20% last year compared to the previous year. This decrease in injuries comes after the launch of our Construction Safety Compliance ("CSC") Unit, which is dedicated to conducting proactive, unannounced inspections of large construction sites citywide. The CSC Unit will have over 70 dedicated inspectors when fully staffed. To date, the CSC Unit has conducted over 29,000 proactive inspections at over 13,000 active construction sites, issuing 3,273 Stop Work Orders and 14,541 violations.

The decrease in incidents and injuries also coincides with the implementation of Local Law 196 of 2017 ("Local Law 196"). Currently, workers at many construction sites are required to have 30 hours of safety training and supervisors at those sites are required to have 62 hours of safety training. When fully phased-in later this year, Local Law 196 will require that workers have 40 hours of safety training. Since the enactment of this law, we have conducted extensive outreach to the construction industry, including directly to the workers who are impacted. Our staff has visited over 1,000 construction sites to conduct direct outreach to workers in all five boroughs. We also ran an educational advertising campaign that targeted construction workers and included television, radio, and subway ads. We also released our Site Safety Construction Map, which is an interactive map workers can use to determine whether a construction site requires site safety training. I am proud to report that our approved course providers have issued nearly 72,000 Site Safety Training Cards and many thousands of OSHA 30 cards to workers, which means that workers are receiving the site safety training required by this law. We are pleased with the compliance we are seeing on the ground. To date, our inspectors have found 289 construction sites, out of over 13,000 sites visited, where 600 workers did not have their required training. This resulted in the issuance of nearly 2,400 violations to owners, contractors and employers, for which over \$1 million in penalties has already been collected.

The Department is also hard at work protecting tenants whether they are living in buildings under construction or not. We have already implemented over a dozen laws aimed at combatting the issue of construction as harassment. The Department is now prioritizing its inspection of Work Without a Permit complaints related to construction work in an occupied building, is requiring more detailed Tenant Protection Plans, is performing more proactive inspections to ensure that Tenant Protection Plans are being complied with, and is auditing more professionally certified applications for work in occupied buildings. This work will continue as the Department is in the midst of implementing a dozen more laws aimed at protecting tenants. Most importantly, these laws will give us the ability to shift the burden of creating and submitting a Tenant Protection Plan to the Department to contractors retained by building owners. Given that contractors are performing the work, they are in a far better position than owners to determine

the means and methods for protecting tenants from construction. This reform will greatly improve the quality of, and compliance with, Tenant Protection Plans.

We are also focused on strengthening our Office of the Tenant Advocate, which serves as a resource to help tenants understand the laws that govern construction, to investigate complaints of construction as harassment, and acts as our liaison to tenants with any Department-related issues. To accomplish this, we have reorganized our Enforcement Bureau. Now, the Office of the Tenant Advocate and the Real Time Enforcement Unit, which is tasked with responding to Work Without a Permit complaints from occupied multiple dwellings, report to our Buildings Marshal. By working in tandem, these units will provide our tenants with the resources they need to navigate the laws that are in place to protect them and respond to any issues they may have expeditiously.

The Department is also prepared to fulfill its obligation to address greenhouse gas emissions coming from buildings. We are well positioned, with the largest energy team anywhere in the country, to support the City's goal of achieving carbon neutrality. In addition to enforcing the Energy Code, enforcing existing laws that require certain buildings to report their energy and water use and to perform retro-commissioning, we are also implementing the historic Climate Mobilization Act. The Climate Mobilization Act includes Local Laws 92 and 94 of 2019, which require all new buildings and existing buildings undergoing certain major roof renovations to install a solar photovoltaic system, a green roof system, or a combination of the two, and Local Law 97 of 2019, which regulates greenhouse gas emissions from large buildings. We look forward to updating the Committee as the implementation of these laws progresses.

We recognize the significant impact that our work can have on the public – whether they are planning a construction project, attempting to resolve a violation, or wanting to find out more about construction work in their community. As such, we are focused on making our work accessible to the public by providing them with resources they can use, conducting outreach directly to impacted members of the public, and going into their communities to provide assistance. I would like to a highlight a number of our efforts in this area:

- We released a real-time map of after-hours construction work so that the public is aware of after-hours construction in their neighborhoods and can easily determine whether the work they see or hear has the proper permits.
- We have started mailing letters to property owners when their neighbor is conducting construction work so that they are aware of that work and any disruption it may cause them.
- We have created a brochure to help our small businesses understand the laws and regulations that apply when they are installing a business sign. So far, we have distributed over 8,000 of these brochures to over 2,000 businesses.
- We recently launched a new initiative to educate small property owners on how to address Department violations and avoid penalties. Now, when a small property owner receives a violation from the Department, we are also mailing them a brochure that advises them of their violation and how to resolve it so that they can avoid incurring penalties. They are also being provided with contact information for our Administrative Enforcement Unit, which can help them resolve a violation.
- We will soon be putting even more information in the hands of New Yorkers so that they
 can better understand the status of their buildings. This includes sharing profiles on
 individual buildings so owners can be reminded of matters that require their attention,
 including outstanding violations and missing compliance filings.
- We are also bringing the Department into your communities to assist your constituents
 with any Department-related issue they may have. Our doors are open in every borough
 on Tuesday nights for Customer Service Night and we have started holding office hours
 in your offices to bring our assistance directly to your constituents.

Thank you for the opportunity to testify before you today. I look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.

We welcome any questions you may have.



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

FY2021 Preliminary Budget Hearing

March 5, 2020

Good morning, Chair Cornegy, and members of the New York City Council Committees on Housing and Buildings. My name is Louise Carroll, and I am the Commissioner of the New York City Department of Housing Preservation and Development (HPD). I am joined by our Executive Deputy Commissioner Baaba Halm, Associate Commissioner for Financial Management Rich Johns, and members of HPD's senior leadership team.

It has certainly been a busy ten months since I came on board as Commissioner last May. Our agency has focused on improving our programs and processes in order to better serve the public, and in some cases, changing course as needed. I am immensely grateful for the talented and dedicated team at HPD who develop innovative solutions to difficult problems while, at the same time, working tirelessly each and every day to continue to deliver the safe, quality, and affordable housing that New Yorkers need and deserve. As you know well, the work our agency does is critical to the residents of this city and a top priority of the de Blasio Administration. HPD is the driving force behind a coordinated interagency effort to create and preserve affordable housing at a record pace; to support owners in order to enforce tenants' rights to live in safe, quality housing; and to engage in community-focused neighborhood planning.

Thank you for the opportunity to testify today on HPD's Fiscal Year 2021 Preliminary Budget and how this funding will help us to achieve our agency's goals. First, I will provide a brief overview of HPD's budget, before describing how the agency will be moving forward in creative and ambitious ways in the coming year. I am then happy to answer any questions you may have.

FY2021 Budget Overview

As you know, HPD's important work requires significant investment from the City and federal governments. HPD's Fiscal Year 2021 Preliminary Budget is approximately \$1 billion.

However, this includes about \$218 million in pass-through funding for NYCHA. So aside from this pass-through funding, HPD's true expense budget is about \$782 million for FY2021.

Of this \$782 million total, approximately \$132 million comes from City funds and about \$649 million comes from federal funds. That means 83% of HPD's expense budget is federally funded. This huge proportion of federal versus City funding in the agency's budget is important because when we seek to save City tax dollars—as we are constantly trying to do—the amount we can save is limited because so many of our programs are restricted by federal requirements City funding, especially City Tax Levy (TL), is critical for flexibility and strengthening areas not otherwise eligible for federal grant funding.

Creating and Preserving Affordable Housing

Through the Mayor's *Housing New York* plan, we are well on our way to meeting the Administration's accelerated and expanded goal of producing 300,000 affordable homes by 2026. 2019 was a record year for new construction as well as for homes serving the homeless and those needing supportive services; we financed more than 25,000 affordable homes, bringing us to a total of more than 147,000 affordable homes created and preserved since the start of the Administration.

Over 40 percent of these homes are affordable to Extremely Low- and Very Low-Income families, and, as the Mayor said in his State of the City address earlier this year, we are committing to building even more homes for the lowest-income New Yorkers. With *Your Home NYC*, the next phase of *Housing New York*, half of all new rental homes we fund going forward will serve families making less than \$50,000 per year. And at least half of those will be for families making less than \$30,000 per year. That means 2000 more homes for Extremely Lowand Very Low-Income households.

In addition to driving our production toward lower incomes, with *Your Home NYC*, HPD is taking an inter-agency approach to tackling some of the city's toughest housing problems.

- Keeping New Yorkers in their affordable homes: Through HPD's preservation work, we have already kept over 245,000 New Yorkers in their affordable homes since the start of this Administration, and in the next two years we project that we will keep at least 75,000 more New Yorkers in their homes and communities.
- Legalizing basement apartments: Now that we've gauged interest and gained insight from our basement apartment conversion pilot program, we will work towards legalizing basement apartments and accessory dwelling units in order to enforce their safety and quality while adding more affordable places for New Yorkers to live.
- Expanding Community Land Trusts and new shared equity models to build neighborhood wealth: We will work with organizations proposing community ownership models that will include enough City-owned land to gain up to 3,000 units of community-owned affordable housing.
- Creating alternatives to security deposits: We will make it easier to offer alternatives to security deposits, starting with city-financed homes.

• Advocating for more renter protections: We are committed to finding solutions to bring renter protections from arbitrary evictions and steep rent increases to the 2.5 million New Yorkers who live in our nearly 900,000 unregulated homes.

Through Your Home NYC, we're working in tandem with other agencies to help New Yorkers get, afford, and keep their homes. These new commitments further the work HPD has already done and will continue to do to address the city's critical need for housing. We are always striving to do more, to do better, and to do our work in thoughtful, creative ways.

For example, last year, we announced plans for 167 affordable homes and a new community medical center that will be constructed using cutting edge modular design. Modular construction brings the latest in innovative design and construction, and we're leveraging this technique to build higher quality homes faster, and at lower cost.

Also, we are looking to our City-owned land for new inspiration. While HPD has turned much of its inventory of City-owned land into affordable housing, we are still left with some small, oddly shaped lots. In order to ensure that we are not letting any opportunity escape us, we held an international design competition called Big Ideas for Small Lots with the American Institute of Architects (AIA) New York Chapter to generate creative housing solutions for these properties. We are working with the finalists to make these ideas a reality and exploring the potential to unlock many more of these challenging lots for affordable housing

But we're not just looking at under-utilized City property. Through our Zombie Homes initiative, we track abandoned buildings in terrible condition because we know they threaten the safety and security of our communities and bring down property values in our neighborhoods. This year, we teamed up with the Center for NYC Neighborhoods and Restored Homes to hold mortgage holders accountable and design new ways to return those homes to productive use.

We are also being responsive to the varied needs of New Yorkers searching for housing. New York is one of the most culturally rich cities in the world, and our housing stock should reflect that diversity. We're working with the winners of our ShareNYC RFP to explore how the shared housing model can create more housing for small households at deeply affordable levels.

Finally, we're making sure that New Yorkers are getting connected to all of the affordable housing opportunities we're working to create. This summer, we will launch Housing Connect 2.0, a new and improved system for New Yorkers applying for our affordable housing lottery. Our goal is to make the process clearer, more efficient, and seamless for both applicants and marketing agents. We look forward to working with our Housing Ambassadors and your offices to make sure New Yorkers know about this valuable resource and have the support they need to truly benefit from the enhanced system.

Ensuring the Quality & Safety of the Housing Stock

Another top priority of our agency is, of course, to protect tenants by ensuring the quality and safety of their housing. Sometimes that means taking aggressive enforcement actions against bad landlords, but other times, it means providing support to property owners who want to do

well by their tenants but may not have the means or the resources to do so. HPD operates in a number of different ways to accomplish this goal:

Every day, hundreds of HPD inspectors are in apartments across the city enforcing the Housing Maintenance Code and issuing violations when landlords are not in compliance. Our Housing Litigation Division also brings cases in Housing Court against owners who do not fix outstanding violations and, when necessary, seeks findings of contempt and incarceration of recalcitrant landlords. Last spring, we went to federal court with the Attorney General to stop the illegal eviction of rent-stabilized tenants in the East Village. And in August, we joined tenants in Greenpoint, Brooklyn as they petitioned to have a court-appointed Administrator take over their building after years of neglect.

HPD's new Anti-Harassment Unit (AHU) also proactively seeks to halt tenant harassment and correct conditions in buildings through the courts. Since its launch in 2019, AHU has performed over 950 building-wide inspections and recommended over 40 comprehensive cases for legal action. The Mayor's Office to Protect Tenants was also established last year, and we are working collaboratively with this office in order to be as comprehensive as possible in our efforts to protect tenants.

In addition to these enforcement tools, we have a number of programs that property owners can take advantage of to improve their properties. This past year, we launched our HomeFix program, which provides funding, technical assistance, and counseling to owners of one- to four-family homes struggling to make needed repairs and otherwise maintain their homes. And, as a part of LeadFreeNYC, we launched an ad campaign in November to inform property owners of the grants and resources HPD offers to help them afford lead remediation. The awareness campaign made it clear that property owners must identify and safely fix lead-based paint hazards in their buildings or face enforcement and penalties. This campaign goes hand in hand with the Council's lead bills recently signed into law, which will help the city crack down on lead paint violations in order to strengthen protections for our youngest New Yorkers.

Engaging in Community-Focused Neighborhood Planning

Finally, the third priority for our agency this year stems from our work to engage residents in neighborhood planning efforts to build and strengthen their communities. Over the last two years, HPD worked in partnership with NYCHA and numerous other government and community-based partners to lead an inclusive and comprehensive process to advance fair housing in New York City. This year, we released the Where We Live NYC Draft Plan, which will guide the City's bold and transformative efforts to dismantle the legacy of segregation and discrimination that stand in the way of opportunity for many people in our communities. The Where We Live NYC Draft Plan includes key goals and strategies, including expanding resources to combat persistent housing discrimination, supporting housing development throughout the city and region, creating more independent and integrated living options for people with disabilities, and many others that will help guide us in this endeavor.

Thanks to our many partners across the City and the 150 organizations that participated in our stakeholder group, we were able to work hand in hand with New Yorkers to solidify our next steps to make this city a more fair and just place to live for everyone. We look forward to

continuing this conversation with New Yorkers and many of you in this room to carry out the plan once it is finalized.

Opportunities to Work Together

Ultimately, all of this work is about fighting to ensure New Yorkers can afford to live and thrive in this City. But it cannot be done alone. We do this work in the face of very real threats from the federal government. Your advocacy to secure a fully funded Housing and Urban Development (HUD) budget is critical. So far, we've been successful in obtaining much needed funding for HUD programs, but the President's recently released budget again proposes draconian, cruel cuts to HUD funding, including a 15% decrease in spending for critical affordable and public housing programs. We will continue to call upon the fierce and steadfast advocacy of the New York City Council, our Congressional delegation, and so many partners here and across the country, to fight back.

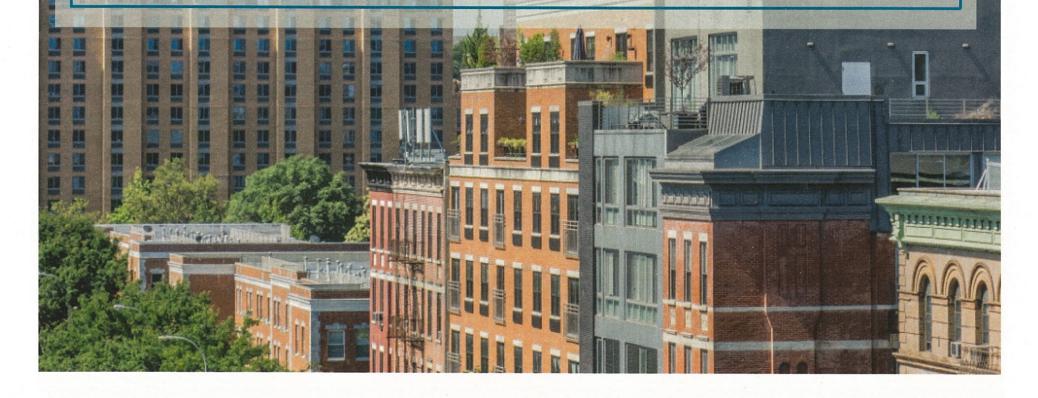
I want to thank the Council for their partnership and I look forward to continuing to find ways to partner on critical legislative priorities and needed reforms; on affordable and supportive housing projects; on advocacy for stronger protections for tenants; and on a whole host of issues vital for the good of New Yorkers and for the future of our city.

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



Department of Housing Preservation & Development

Testimony by Commissioner Louise Carroll March 5, 2020





HPD Fiscal Year 2021 Preliminary Budget

NYCHA funding flows through HPD's budget

FY2021
Preliminary
Financial Plan
\$1 Billion

\$782 million



\$218 million

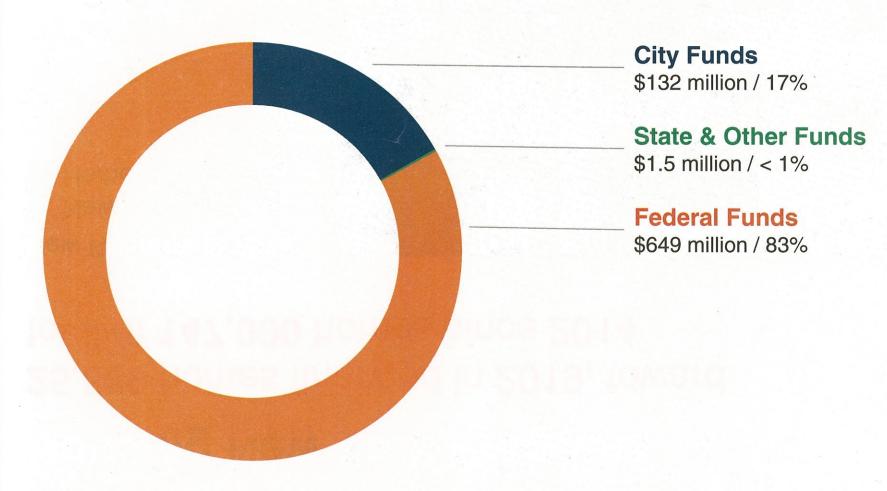






HPD Relies Heavily on Federal Funding

HPD FY2021 Programs & Operations: \$782 Million





Housing New York Progress

25,889 homes financed in 2019, toward total of 147,000 homes since 2014

New Records in 2019

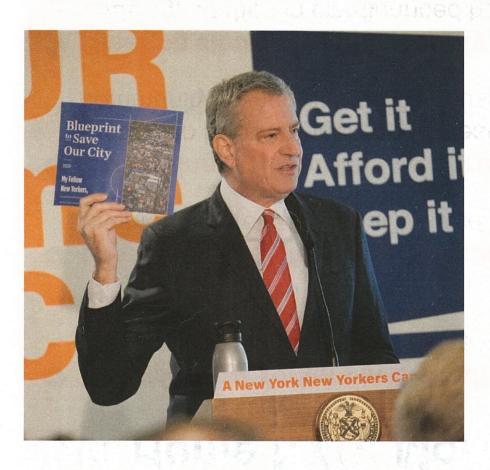
- New Construction
- Homeless Housing





Your Home NYC

The next phase of Housing New York creates more homes for the lowest-income New Yorkers



- 50% of new, City-funded rentals will serve families making under \$50,000 a year.
- At least half of those will be for families making less than \$30,000 a year.



Your Home NYC: More Key Initiatives

- Keeping New Yorkers in their affordable homes. Our preservation work will keep at least 75,000 in their homes over next two years.
- Legalizing basement apartments and accessory dwelling units to enforce safety and quality while adding more affordable homes
- Expanding Community Land Trusts and new shared equity models to build neighborhood wealth and gain up to 3,000 units of community-owned affordable housing
- Creating alternatives to security deposits to reduce barriers to housing, starting in city-financed homes
- Advocating for more renter protections for New Yorkers in unregulated homes



Creative Solutions for Affordable Housing









NYC Housing Connect



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Tools to Protect New Yorkers











A Community-Based Plan for Fair Housing







Opportunities to Work Together







FY 2021 INITIATIVE FUNDING REQUEST:

FIGHTING PREDATORY EQUITY AND TENANT HARASSMENT

ORGANIZING NYC TENANTS FOR THE RIGHT TO STAY IN OUR HOMES & COMMUNITIES

Stabilizing NYC requests \$3,100,000 in initiative funding for the seventh year of its highly successful program to combat the loss of affordable housing at the hands of predatory equity investors, and defend low-income tenants in predatory equity buildings from harassment and eviction.

Stabilizing NYC is a coalition of eighteen grassroots organizations, a legal service provider, and a housing advocacy organization who together combat tenant harassment and preserve affordable housing for the New Yorkers who need it most. Last year, the Council generously awarded us \$3 million to continue our work, allowing us to expand to upper Manhattan and South Brooklyn. This year, we are seeking a slight increase to bring our newest Coalition members on par with the existing members. With the additional increase of \$100,000 we can protect more homes, win more building improvements and strengthen community organizing across the City. In FY2021, we will continue to lead the city and State tenant movement and take on the banks and non-bank lenders who work in concert with Predatory Equity to drive speculation with bad underwriting practices.

STABILIZING NYC MEMBERS INCLUDE:

Manhattan:	CAAAV: Organizing Asian Communities ● Cooper Square Committee ●
	Good Old Lower East Side (GOLES) ● Housing Conservation Coordinators
	 Met Council on Housing
Bronx:	Community Action for Safe Apartments (CASA) – New Settlement
	Apartments ● Mothers on the Move ● Northwest Bronx Community and
	Clergy Coalition ● Banana Kelly Community Improvement Association
Brooklyn:	Fifth Avenue Committee ● Flatbush Tenant Coalition ● IMPACCT
	Brooklyn ● Neighbors Helping Neighbors ● St. Nicks Alliance
Queens:	Asian Americans for Equality (AAFE) ● Catholic Migration Services ●
	Chhaya CDC ● Woodside on the Move
Citywide:	Urban Homesteading Assistance Board (UHAB) ●
	Community Development Project at the Urban Justice Center

STABILIZING NYC'S WORK & IMPACTS:

TENANT ORGANIZING & LEGAL ASSISTANCE

- → We educate and organize tens of thousands of NYC families about their housing rights
- → We build trust, power and social capital among neighbors through tenant associations
- → We help tenants win thousands of repairs every year
- → We assist hundreds of families stave off eviction every year
- → We build the city and state tenant movement-- leaders developed through the SNYC program led the historic campaign to strengthen the rent laws.

Each year, Stabilizing NYC groups form and strengthen hundreds of tenant associations as well as coalitions of tenants across landlord and bank portfolios. Thousands of families learn their rights as tenants and fight back collectively against disrepair, buyouts, evictions and all forms of harassment and displacement. We organize Low English Proficiency tenants in 16 different languages. We target some of the worst Predatory Equity landlords and the banks that finance them. We counsel hundreds of tenants on landlord-tenant issues, and annually represent over 200 tenants in litigation against abusive landlords.

Our work results in a better and well-maintained NYC Housing stock that's kept affordable for our working class families. Tenant organizing creates communities where people with varying levels of vulnerability or marginalization, including immigration status, support each other.

DATA AND POLICY WORK

Annually, we maintain a citywide database of predatory equity landlords, including over 3,000 properties, and developed a database of the 900 buildings owned by target Predatory Equity landlords. Our work has led to the passage & implementation of *Intro 1210*, which created a quarterly "Speculation Watchlist" to help target organizing and outreach efforts.





Stabilizing NYC (SNYC) is a coalition of eighteen grassroots organizations, a legal service provider, and a housing advocacy organization who together combat tenant harassment and preserve affordable housing for the New Yorkers who need it most.

Tenant Organizing & Legal Assistance:

Each year, SNYC groups form and strengthen hundreds of tenant associations and unite buildings by forming tenant coalitions across landlord and bank portfolios. Thousands of families learn their rights as tenants and fight back collectively against disrepair, buyouts, evictions and all forms of harassment and displacement. We organize Low English Proficiency tenants in 16 different languages. We target some of the worst Predatory Equity landlords and the banks that finance them. We counsel hundreds of tenants on landlord-tenant issues, and annually represent over 200 tenants in litigation against abusive landlords.

Our work results in an improved and well-maintained NYC housing stock that's kept affordable for our working class families. Tenant organizing creates empowered communities where people with varying levels of vulnerability or marginalization, including immigration status, support each other by building relationships, learn and exercise their rights, and build agency that has been denied to them.

Movement Building:

During the past six years, SNYC has organized and supported hundreds of tenant associations throughout the city. From this base we have formed over a dozen coalitions across building portfolios, built campaigns to thwart predatory equity tactics through direct and legal action, and forced unscrupulous landlords to make

improvements and provide tenant protections across their portfolios. Investment in the SNYC program has helped build the city and state tenant movement, and leaders developed through the SNYC program led the historic campaign to strengthen the rent laws. These tenant leaders raised their voices and concerns, time and time again, to fight for the rent law reform and the protections they need for their



Tenants at 1050-1064 Carroll Place in the Bronx, part of the Yechiel Weinberger Coalition, at a tenant association meeting

homes and families. On the heels of the rent laws victories in Albany, we seek to gear up for campaigns targeting the speculative investment that fuels displacement. We are committed to making sure that Council Members are fully engaged with SNYC activities and the impacts our campaigns have at district and city levels.

Data and Policy Work:

Annually, we maintain a citywide database of predatory equity landlords, including nearly 3,000 properties, which also tracks the 900 buildings owned by target Predatory Equity landlords. In 2017 the coalition released "The Predatory Equity Story," a Participatory Action Research report that details the lived experiences of tenants in buildings owned by predatory equity landlords. This work led to the passage and implementation of Intro 1210, which created a quarterly "Speculation Watchlist" to help target organizing and outreach efforts.

What is Predatory Equity?

To be considered as a potential SNYC target, buildings must meet at least one of the five following factors:

- A high debt-to-income ratio or low CAP rate, meaning that the building was purchased for a higher price than the rental income can support. Factors include the rental income coming in, the assessed value, recent sale price and the amount of debt and equity taken. This can sometimes lead to foreclosure;
- High levels of turnover both in rent stabilized and non-rent stabilized stock (High turnover leading to loss of rentstabilized units);
- Significant percentage of tenants complaining of harassment, as defined by the City's anti-harassment statute and/or the NYS Rent Stabilization Code:
- Affordable housing becomes unaffordable: landlords tack on illegal fees; tenants experience a loss of rent stabilization; buildings exit regulatory programs such as Mitchell Lama, LIHTC;
- Poor physical conditions (as defined by AEP, Third Party Transfer, Multifamily Distress List or other various HPD programmatic definitions) caused by deferred building maintenance.

Where we focus our work and why:

SNYC pioneered the use of shared data and real estate research as a way to effectively focus our work. We started with a Watchlist of predatory equity landlords in 2015, comprising about 50 landlords who owned 2,500 buildings across NYC. In 2020, this list has grown to encompass 70 landlords and 3,400 buildings across the city. We add landlords to the SNYC watchlist in several ways:

- Tracking real estate press (The Real Deal, the Commercial Observer, etc.) in order to be aware of large portfolio purchases. If a landlord is mentioned that we are unfamiliar with, we will conduct research on their portfolio.
- Noticing trends at the neighborhood level. SNYC coalition groups can recommend landlords for the watchlist that they have direct experience with.
- Utilizing public data such as the Housing Preservation and Development (HPD) Speculation Watchlist and the Department of Finance (DOF) Rolling Sales allows us to track recent sales and investigate them further to identify landlords who are making speculative purchases. Tools like the Building Indicator Project (BIP) and WhoOwnsWhat help us research landlord portfolios to identify potential risk factors such as high debt to income ratios and high violation counts.

We prioritize adding landlords who:

- Own buildings in more than one neighborhood, allowing room for cross-group collaboration
- Have active mortgages on their buildings
- Have potentially taken private equity or other forms of financing to build their portfolio
- Have made multiple purchases/sales in the last 3-4 years
- Have owned the majority of their portfolio for fewer than 15 years

Our impact in Fiscal Year 2019:

The Stabilizing NYC coalition has made borough-wide and citywide collaboration easier for community based organizing groups. It has contributed vastly to the city's ability to combat displacement and has strengthened the tenant movement at large. In FY 2019,

Stabilizing NYC organized tenant assocations in over 200 buildings citywide, representing over 5,000 units of housing.

- TakeRoot Justice represented **200 individual clients** in affirmative legal cases that improved building conditions and stopped overcharges or unjust rent increases.
- The coalition continued to maintain a database of **over 3,000 buildings** owned by Predatory Equity landlords.



Two tenants at 149 Irving Street, owned by Ink Property Group, protest poor conditions and the warehousing of empty units in their building.

The new rent laws and housing speculation

An estimated 150 tenant leaders who were developed through SNYC organizing participated in the Housing Justice for All campaign in 2018-2019. Many of the rent laws loopholes targeted by this campaign were being exploited by Predatory Equity landlords, and the campaign's success definitely dealt a blow to speculation in NYC.

We are already seeing some impacts of the new legislation and have identified a need for ongoing organizing in buildings owned by Predatory Equity landlords. Some of the trends we are seeing or expect to see include:

Predatory Equity business model fails, or landlords seek new speculative owners

We expect to see that some landlords who took on too much debt have trouble paying back investors. Emerald Equities, a SNYC watchlist landlord, has indicated that they are looking to sell their East Harlem portfolio or secure a property tax break for it, according to The Real Deal.

Repairs and conditions fail to be enforced

As SNYC's work illustrates, tenants across the city are living in buildings that are not being maintained by their landlords. The new rent laws present an opportunity for tenants to claim their new rights in order to hold their landlords accountable and win better conditions and services.

Banks lending less to landlords of rent-stabilized buildings

We are seeing indications that the major lenders to Predatory Equity landlords (NYCB and Signature Bank) are pulling back from this market. We don't know yet how long this will last, or if it will drive landlords to seek out nonbank lenders or private equity as an altertative source of financing.

The housing market slowing down

The housing market works in cycles, and we have seen a decline in large-scale portfolio sales in the past year. This pause and temporary decrease potentially opens up opportunities for preservation purchases of buildings at prices that are more affordable than they would otherwise be.

Landlords trying to circumvent rent stabilization entirely

Landlords may aggressively take apartments or buildings out of rent stabilization entirely through the limited ways that are still possible, such as combining apartments, warehousing vacant apartments and letting them fall into disrepair, or possibly demolishing buildings.

Evictions rates have dropped

Due in part to the passage of Right to Counsel, eviction rates have dropped 15% in NYC over the past year. In January, the Legal Aid Society announced that evictions had dropped by over 18% just in the six months since the rent laws passed. We hope to see this trend continue, especially as tenants keep learning of their new rights.

Taken together, these shifts in the housing landscape mean that it is more important than ever for tenants to be familiar with and defend their rights, and that there may be opportunities for preservation purchases of buildings that have been the victims of speculative purchases in the past.

Brooklyn

59 tenant associations 2.238 units

149 Irving Avenue Ink Property Group, 6 units

There are 3 vacant units in this building, and the vacant ones had horrendous leaks that led to dangerous levels of mold, which impacted the tenants' health. With TakeRoot Justice, **tenants filed a 7A case and had a large rally in front of the building**. This building's issues shows the larger problem of the ways that INK engages in predatory equity: buy a building, attempt to force tenants out, and disinvest in the building while some tenants remain.



552 Dean Street:

552 Dean Street: Gilman Management, 8 units

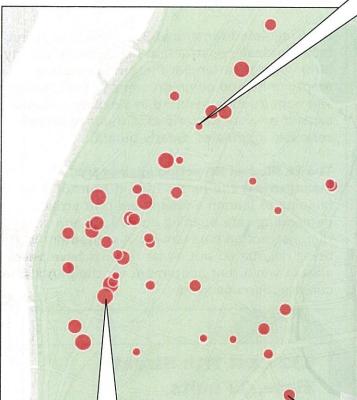
In 2018 tenants from 552 Dean St. came to IMPACCT Brooklyn because their landlord was requesting additional security deposit money, despite them already having paid it. We assisted these tenants to resolve that issue, and now their TA is organizing itself toward taking the landlord to court due to other building-wide issues while frequently participating in policy campaigns.

274 Dean Street: InDev Real Estate, 16 units

After the first tenant meeting, tenants requested their rent histories. Most of the rent histories seemed suspicious; some included jumps in rent of over \$3,000. The tenants began knocking doors in the building encouraging all other tenants to receive their rent histories. They began to lead and organize their own tenant meetings, while also engaging with local elected officials. They have won much-needed repairs, and now they are demanding rent overcharges and to be returned to rent-stabilized status.

Bronx

49 tenant associations 2,662 units



2060 Grand Concourse: David Kleiner, 40 units

The tenant association, part of the David David coalition across the Bronx, has been embroiled in a second HP case with their landlord, culminating in a banner drop covered by News 12 in November, and is demanding repairs and rent reductions. Recently, the power went out in their building, and Northwest Bronx is working to help tenants win all of their demands in an amended settlement.



215 East 164th Street: David Eisenstein, 131 units

In January, 2019 the building was bought by a known predatory actor, David Eisenstein, who immediately ceased honoring their active order from DHCR for a building-wide rent reduction, denied responsibility for court orders in the tenants' active group HP case, removed preferential rents, and started renovating vacant apartments and advertising them at inflated rents with appliances and items routinely denied to long-term tenants.

Through organizing, tenants have won their demands in their group HP case and a ruling from DHCR clarifying the building-wide rent reduction. Tenants are now fighting to ensure that everyone with preferential rents is given correct renewal leases that preserve their current rent, a fight that is crucial in making our historic wins from the 2019 rent laws fight meaningful.

769 Bryant Avenue: Isaac Gutman, 45 units

Tenants at 769 Bryant Avenue formed a Tenant Association in 2018 as they struggled daily, facing over 150 open violations. They applied for a rent reduction and 11 tenants signed on to a group HP. Tenants also continue to put pressure on the building's new super and staff and they were able to win a new garbage system, new lobby keys for all residents and ultimately change the way management treats tenants.

Manhattan

44 tenant associations 1,333 units

722-724 Tenth Avenue: Steve Croman, 27 units

Croman has been a SNYC target landlord for several years. After he settled a harassment suit with the AG's office in 2017, his buildings were transferred to a temporary management company for five years. HCC started working with tenants in the cluster of over 10 Croman buildings in Hell's Kitchen in 2018 when they learned that conditions were not improving under the new manager.

After about six months of organizing, management responded and took action on many of the repairs. The tenants wanted to meet with other Croman tenants and see if they were having similar experiences and share what they had learned in their organizing. This led to Croman tenants in Hell's Kitchen Croman getting organized and involved in the citywide Stop Croman Coalition.

336 West 17th Street: Michael Besen, 16 units

Rent regulated tenants at 336 West 17th street faced intense construction harassment in early 2019 when their landlord began renovating empty units and common areas in their building. The construction resulted in a ceiling collapse caused by work performed without permits, seriously injuring an elderly tenant.

The TA filed an HP action against NYC
Management and held a rally in front of their
building to launch a tenant-led rent strike,
demanding safe building conditions and an end
to construction harassment. A settlement is still
being negotiated but so far tenants have been
able to win a rent abatement for the period that
construction occurred.

632 East 11th Street: Slate, 33 units

632 East 11th St had only 6 occupied apartments when tenants started organizing. Slate management planned to renovate the entire building after pushing out the remaining tenants. Those 6 tenants worked with TakeRoot Justice to develop a demand letter that got them major needed repairs and ensured legal and safe construction.

123 Madison Street: RA Cohen, 8 units

When RA Cohen took over 123 Madison in 2016, all of the 8 families living there were long-term residents and most had lived there for decades. In the past three years, they've seen 3 families displaced from the building and 5 MCI applications. By working with TakeRoot Justice, the tenants contested all 5 MCIs and got tens of thousands of dollars disallowed from potential rent increases.

Queens

24 tenant associations 2,069 units

Zara Tenant Coalition and the fight against Major Capital Improvement (MCI) rent increases

In the Housing Justice for All campaign, Zara tenants led the demands for the elimination of MCIs, because they face among the highest frequency of MCIs in the City. Many of them participated by helping put together forums for thousands of people, coming to strategy meetings, speaking out in front of the press, meeting with politicians and helping educate their neighbors.



88-06 Parsons Boulevard (61 units) and 150-1/11 88th Avenue (96 units): Zara Realty

Several Zara buildings have dealt with their landlord refusing to issue more than one key per apartment without charging a fee, which was frustrating for large families. In 2018, the 88-06 Parsons Boulevard tenants won a case in Housing Court about keys, where the judge ordered Zara to provide keys to all relatives and roommates. The row of buildings from 150-01 to 150-11 88th Avenue also had a big victory with a rent reduction order for lack of keys. Zara had to provide free keys to all the tenants in the complaint and tenants are still fighting for Zara to discount the rents of those months without kevs.

Timeline of the Zara Tenant Coalition

Organizing the Zara Tenant Coalition has been one of the longest-running organizing projects of SNYC. Chhaya CDC, Woodside on the Move (WOTM), Catholic Migration Services (CMS) and Asian Americans for Equality (AAFE) have been working together since 2015 to organize this 43 building portfolio comprising 3,148 units across Queens.

2015.

SNYC Coalition groups in Queens began doing outreach to buildings in the Zara portfolio and started several individual tenant associations.

2017

With the support of SNYC, tenants formed the Zara Tenant Coalition, a space where they could strategize and make collective demands.

Several Zara buildings sued Zara for issues like harassment, fees, keys, and lack of repairs. These legal actions were accompanied by escalating direct action tactics, including rallies that involved over hundreds of tenants from the multiple Zara buildings involved in the ZTC.

After months of rallies, demonstrations, press conferences and lawsuits with hundreds of tenants, the City Commission and State Division of Human Rights launched an extensive investigation into Zara abuses and discrimination.

2019

The Attorney General's office, in conjunction with the office of Governor Cuomo, announced a historic lawsuit of the State of NY against Zara Realty for all their practices and abuses including harassment, fees, deception, keys, and other issues.

Meanwhile, throughout the early months of the year, **several complaints were filed to DHCR by Zara Tenant Associations** in different buildings for lack of keys and other services, with the support of SNYC organizers and legal representation from TakeRoot Justice.

-2016

After months of requests and advocacy from Councilmember Rory Lancman's office, Zara agreed to meet with the organized TAs.

At the time, Zara made a commitment to respect tenant meetings and organizing in the buildings without interference.

-2018

The Commission and Division of Human Rights filed complaints against Zara and sent Cease and Desist letters to Zara ordering them to stop their harassment and discrimination.

Tenants **met with the Attorney General's office** and began discussing taking legal action.

Hundreds of tenants from the Zara Tenant Coalition joined and took leadership in Housing Justice For All, a statewide movement fighting to change the entire system of Housing Laws, mostly through the No More MCIs coalition.

.2020

Three buildings have won building-wide rent reductions in 2020 so far. These will ensure full restoration of services like keys and repairs for hundreds of tenants as well as a rent freeze or rent reduction order for as long as Zara fails to restore all services.

TAKEROOT JUSTICE

Jackie Del Valle Stabilizing NYC Coordinator

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Law, research, and policy for organizing

TAKEROOTJUSTICE.ORG





Testimony to the New York City Council Committee on Housing and Buildings Preliminary Budget Hearing for FY 2021 March 5, 2020

Good afternoon, Committee Chair Cornegy and members of the Housing and Buildings Committee, and thank you for the opportunity to testify. My name is Hannah Anousheh and I am the Community Land Trust Coordinator at Cypress Hills Local Development Corporation.

CHLDC is a non-profit organization based in Cypress Hills/East New York. CHLDC provides comprehensive services to more than 11,000 Cypress Hills and East New York residents each year through its college access, youth education and leadership, workforce development and housing counseling programs. CHLDC has developed 417 units of affordable rental and homeownership units in Community Board 5 and currently owns 278 units in 30 multifamily buildings. CHLDC also developed over 10,000 square feet of storefront commercial space, a 8,000 square foot day care center and a community school.

CHLDC and 14 partner organizations are part of a citywide Community Land Trust (CLT) Initiative that seeks \$1.5 million in City Council discretionary funding in FY2021, to develop CLTs and permanently affordable housing, commercial space, and other community needs, in all five boroughs of NYC. We ask the Committee to recommend funding for the CLT Initiative, in NYC's FY2021 budget.

CLTs are a proven model to combat speculation and displacement, protect public subsidy, and facilitate community-led development. A CLT is a nonprofit that owns and stewards land in the community's interest, and leases use of the land for affordable housing development and other community needs. CLTs ensure permanent affordability of housing through 99-year ground leases that establish income, resale, and other restrictions.

We appreciate the City Council's support of CLTs, including through its FY2020 discretionary funding award for the CLT Initiative. In 2018, CHLDC was awarded 12 lots from HPD through the New Infill Homeownership Opportunities (NIHOP) program to build 2-3 family coop buildings. We want to put the lots into a community land trust. With the FY2020 funding award we were able to hire a community land trust coordinator and begin working with local residents to create a CLT in East New York. Since November, we have been holding CLT workshops twice a month and are building a dedicated and energetic steering committee of residents to move this project forward.

FY2021 discretionary funding will allow us to build on this momentum and move towards incorporating the East New York CLT. After that happens, CHLDC can transfer its lots to the CLT to get it off the ground and the CLT can look towards acquiring more properties to get to a sustainable scale.

Thank you again for the opportunity to testify. For more information or questions, please contact Hannah Anousheh at Cypress Hills Local Development Corporation (hannaha@cypresshills.org, 917-893-8801 ext. 216).



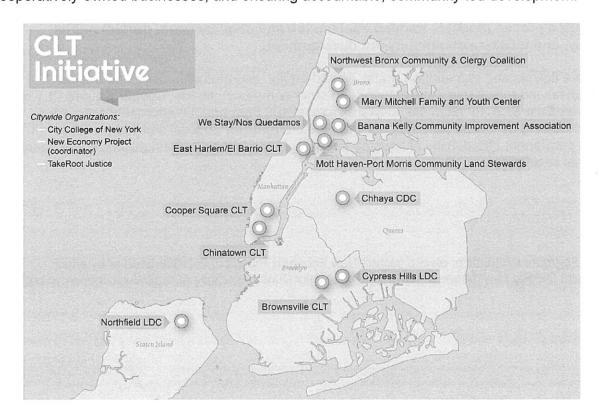
FY2021 Discretionary Funding Request

The citywide Community Land Trust (CLT) Initiative requests \$1.5 million in FY2021 City Council discretionary funding to support development of CLTs and permanently-affordable housing, commercial and community spaces. The initiative combines comprehensive community outreach, education, organizing, and legal and technical support to incubate and equip CLTs to effectively steward land and housing, and combat displacement.

In FY2021, the citywide CLT Initiative will:

- Provide 100 CLT education and organizing sessions, in multiple languages
- Engage more than 5,000 tenants, homeowners, small business owners, and other stakeholders
- Produce a start-up guide and tailored educational material for CLTs
- Provide 30 technical assistance engagements related to CLT incorporation, bylaws, property acquisition, and development
- Develop and train 10 CLT steering committees and founding boards
- Complete feasibility studies and acquire first CLT properties

Long-term goals include creating and preserving thousands of deeply- and permanently-affordable housing units; providing affordable commercial space for hundreds of small and cooperatively-owned businesses; and ensuring accountable, community-led development.



In FY2020, the CLT Initiative received its first discretionary funding award of \$855,000, to seed CLT organizing in 11 NYC neighborhoods. (See attached Mid-Year Report.)

In FY2021, we seek an increase to build on and engage additional groups in this work, reaching more neighborhoods in need of CLTs and truly affordable housing. We will deepen community organizing and community-led planning, develop grassroots CLT leadership, formalize partnerships with nonprofit developers and stakeholders, and support CLTs to incorporate, develop board and membership structures, and acquire property.

What are CLTs?



CLTs are a proven model to combat speculation and displacement, protect public subsidy, and facilitate community-led development.

CLTs are flexible and can support rental, limited-equity, and mutual housing, as well as commercial and mixed-use development and other community needs. Cooper Square CLT on the Lower East Side, for example, stewards almost 400 permanently-affordable homes for families earning as low as 30% AMI, as well as storefronts for 20 local small businesses. CLTs ensure permanent affordability of housing through ground leases that establish income, resale, and other restrictions.

For more information, please contact New Economy Project at 212-680-5100 or by email: Deyanira Del Rio (dey@neweconomynyc.org) or Julia Duranti-Martinez (julia@neweconomynyc.org).



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Oral Testimony

Before New York City Council Committee on Housing and Buildings

Preliminary Budget Hearing

Sonal Jessel

Policy & Advocacy Coordinator

WE ACT for Environmental Justice

Good afternoon Chair Cornegy and the Committee on Housing and Buildings. Thank you for holding the hearing today and for the opportunity to testify regarding the preliminary budget.

I am Sonal Jessel, and I'm a Policy and Advocacy Coordinator at WE ACT for Environmental Justice. Over the past 32 years, WE ACT has been combating environmental racism in Northern Manhattan. I am here as a member of the Climate Works 4 All Coalition and I am testifying today to demand more funding for action to address our climate emergency. As we all know, climate change is an issue that has and will affect all New Yorkers. And its important to always act with a climate justice framework - that climate change impacts low-income communities and communities of color first and worst. For example, the frequency, severity, and duration of extremely hot days as risen significantly in New York City. Low income and neighborhoods of color are the most impacted by the health effects of extreme heat due to a number of reasons such as lack of access to adequate cooling, and higher rates of chronic conditions that increases vulnerability, among many other things.

WE ACT joins the Climate Works 4 All Coalition and stands with NYC community members, labor groups, and environmental justice communities to demand to Fund our Future by funding equitable climate action for all New Yorkers. Last year we passed local law 97, which will move us towards meeting our climate goals. This year we are asking to allocate 1 billion dollars annually to retrofit buildings that were left out of the law to ensure that we fight climate change as aggressively and as equitably as possible. This billion-dollar budget allocation will have an immediate impact on job creation, community revitalization, and the climate.

With this exemplary budget allocation, New York City will be a leader in the fight for climate action not only in the United States but around the world.

WE ACT is enthusiastic to see the successful implementation of Local Law 97. However, we believe we must expand retrofitting to affordable housing left out of Local Law 97 and FUND IT, as NYSERDA funding is inaccessible. People living in affordable housing deserve to have energy efficient homes that will benefit their health and wellbeing while also reducing emissions. Expanding retrofitting and funding it is *key* for ensuring equity in the city's climate change adaptation and



mitigation efforts, especially because prescriptive measures may not happen without financial support.

Allocating more funding to retrofit New York City buildings is an important action because we all know that buildings is the City's number one contributor to greenhouse gas emissions. Funding retrofitting for affordable housing will promote equity in our city's fight to slow climate change and improve people's health. Going back to my example about extreme heat – low-income residents often have hundreds of dollars PER MONTH in utility bills, but only receive a tenth of that PER YEAR in bill assistance for cooling. This is not a just system.

All in all, New York City must be aggressive in action to slow climate change. Local Law 97 is an important and significant step, but we know it is just the beginning. It important that the Committee on Housing and Buildings align Local Law 97 work with other initiatives to combat the climate crisis, like funding affordable housing retrofitting.

Therefore, I join other advocates, experts, and community members to urge the City to allocate 1 billion dollars annually to fund climate action and be leaders in slowing this climate emergency.

Thank you for your time.

Sincerely,

Sonal Jessel

Policy & Advocacy Coordinator WE ACT for Environmental Justice 1854 Amsterdam Avenue, 2nd Floor New York, NY 10031 212-961-1000





Good afternoon Committee Chair Cornegy and members of the Committee on Housing and Building. My name is Taurean Lewis, and I am a 4th generation Brownsvillian. I offer this testimony in support of the citywide Community Land Trust Initiative on behalf of Community Solutions and its local initiative, the Brownsville Partnership, where I am the Community Engagement Specialist. Before I do, I'd like to share a quote with you:

"All power comes from the land, while all absolute power comes from God".

These prophetic words, spoken by Charles Sherrod in the movie <u>Arc of Justice</u>, served as the spark of the Community Land Trust movement that began over fifty years ago. For those unfamiliar with the movie, it is a documentary that speaks about the courageous work of a farm collective, on approximately five thousand acres in Lee County Georgia that advocated for the long term protection of this land to serve as a safe haven for the black farmers that inherited it from their slave ancestors. This campaign, led by Charles and Shirley Sherrod, led to the formation of New Communities, Inc. and became one of the original models for community land trusts in the United States. Today, the land is fully protected and serves as a functioning farm, market and educational institution that is self-sufficient and whose vision can be summed in three words – preserve, farm, culture. At the heart of this inspiring story, it speaks about one community's perseverance to protect one of its most important assets: its land.

Now we all know that New York City is an extremely expensive city for renters and homeowners alike. In Brownsville Brooklyn, where my organization is based, there are real fears of gentrification, as Brownsville is one of the last communities that hasn't been. We are venturing to establish a community land trust, with the support of Enterprise Community Partners, the New Economy Project and HPD - whose vision builds upon the goals and strategies of the Brownsville Plan. Within Brownsville's 1.2 square mile radius, exists 200+ vacant lots, where nearly 900,000 un-built square feet could produce 1,500+ dwelling units. If combined with new community facilities used to support important service delivery around health, education, and workforce development, these sites could produce even more valuable square footage to utilize for its local stakeholders. Despite the ultimate aim of repurposing this land as housing whose affordability is perpetually protected and sustainable, our broader goal is to strengthen the capacity of the community-based organizations that wish to remain in Brownsville and invest in the people that make it the special place that it is to so many, for generations.

This was the vision of our founder, former New York Knick Gregory Jackson, which centered on community mobilization to build the local infrastructure to support the collective problem solving around Brownsville's most complex challenges. Through a new Brownsville CLT, Community Solutions and its community partners would endeavor to influence the ongoing discourse around community development and investment; as our mission and focus is to create and preserve permanently affordable, community-guided housing for extremely low-to-moderate-income households in the Brownsville and neighboring Ocean Hill communities. It would also utilize the CLT local ownership framework to steward key, large scale pipeline projects that 1) promote mixed use corridors; 2) foster neighborhood-level financial empowerment by connecting Brownsville residents to jobs and entrepreneurial opportunities; and 3) improve social and physical connections in the neighborhood in and around its eighteen public housing campuses.

In October 2018, the Brownsville Partnership devoted its annual Hope Summit to kick-off a community education campaign to inform residents of the concept and identify critical values to inform its design, and in February 2019,

a 12 member resident-led advisory board was established, the Brownsville Neighborhood Empowerment Network (BNEN). The group, which will grow to become the formal planning advisory committee for the Brownsville CLT, are experienced in assisting community residents with solving housing-related problems for themselves and others. While building awareness of the land trust throughout the neighborhood, BNEN members help residents act on any issues threatening the stability of their housing.

This peer led approach to housing stability is a distinct and intentional departure from traditional case management and service-delivery models for supporting families.

Achievements of the BNEN include:

- ★ 12 Committed Members
- ★ 13 Meetings Held
- ★ 2 CLT Advocacy Rallies @ City Hall
- ★ 1 Housing Connect Panel Discussion

- ★ 3 Tenants Rights Tabling Events
- ★ 6 Members HPD Certified Housing Ambassadors
- ★ 70+ residents connected to housing through the BNEN Housing Lab

In 2020, the BNEN will work alongside the Brownsville Partnership team to complete the launch of the BVCLT while continuing to educate residents and community stakeholders on community land trusts.

With that being said, we appreciate the Council's support in the FY2020 budget, as Community Land Trusts are a sustainable alternative, crucial to combatting speculation and predatory equity driven tenant displacement. will provide a means to resist the continued movement of publicly-owned lands into the private sector will provide CLT's the opportunity to educate and empower communities to solve local problems and achieve community-driven goals, creating a less exploitative housing system to preserve sustainable affordability.

Your continued support in the FY2021 budget of CLT's would help communities reclaim their most valuable land assets while providing much-needed stewardship and oversight to guide their long-term investment, and also facilitate the opportunity for all 15 partners within the citywide CLT Initiative to leverage-*and possibly expand*-their staff and resources that will enable some to move forward in acquiring property for development. would help communities reclaim their most valuable land assets while providing much-needed stewardship and oversight to guide their long-term investment.

Thank you.

The Brownsville Community Land Trust



EMPOWERING THE COMMUNITY TO GUIDE DEVELOPMENT

MISSION AND OVERVIEW

The Brownsville Community Land Trust (BVCLT) is a proposed membership-based, nonprofit organization whose mission is to **create and preserve permanently affordable, community-guided housing** for extremely low-to-moderate-income households in Brownsville, Brooklyn and neighboring Ocean Hill. The Land Trust will be an independent, powerful, and sustainable entity that **protects current residents and gives the community agency over their future** by involving them in the development process.

The BVCLT will **improve upon the city's current housing and rental programs** by ensuring permanent affordability through a community-controlled trust.









The CLT is being established by **the Brownsville Partnership** with the support of **Community Solutions**. The Brownsville Partnership has a decade of experience working in the community, engaging residents and partner organizations from many sectors in measurably improving the health, safety, and economic prosperity of the neighborhood. The Brownsville Partnership is supported by Community Solutions—a national non-profit organization founded upon a successful twenty-year history of developing supportive housing in New York City. Working together, the two will leverage their staff and resources to bring the new BVCLT quickly to scale and establish the legal and financial framework for its sustainability.

THE CHALLENGE

Brownsville, a 1.2 square mile section of East Brooklyn, is **one of New York City's poorest and most vulnerable communities**. The predominantly African-American community suffers from a history of disinvestment, and now faces the challenges of speculative development and gentrification.

- Severely rent-burdened households have risen by 6.6% between 2000 and 2016.
- Median asking rent rose by 30% between 2016 and 2017 alone. Meanwhile, median household income has not kept pace, actually dropping by 1.7% from 2000 to 2016¹.
- 59% of Brooklyn's families entering homeless shelters come from the five community districts including and surrounding Brownsville².

THE OPPORTUNITY

- Brownsville & Ocean Hill contain 221 distressed properties and 425 vacant lots, 57% of which are city-owned.
- The BVCLT will be unique in that its origin is rooted in community priorities and local empowerment, but the supportive ecosystem and opportunity for growth are backed by city initiatives.
- The City of New York has provided enhanced resources through its "Housing 2.0" plan (to build and preserve 300,000 affordable homes by 2026) and support for locally-directed development with permanent affordability mechanisms formalized in The Brownsville Plan.
- The Brownsville Plan, produced by the NYC Department of Housing Preservation and Development (HPD), is the culmination of a community-driven process to identify neighborhood goals, form strategies to address local needs, and find resources to fill gaps in services.
- The Plan will result in the creation of over **2,500 new affordable homes**, representing more than \$1 billion of investment in housing in the neighborhood. New development on City-owned land will support the goals of improving health, safety, community economic development, and the arts. In addition to housing, the Brownsville Plan coordinates over \$150 million in city investments.
- Community Solutions' role in helping to organize and craft The Brownsville Plan, and ensuring the community's most pressing concerns were included, was instrumental in the City's decision to support Community Solutions' interest to scale and launch a CLT for Brownsville.
- The BVCLT meets the need for a **community-led entity that can responsibly and effectively coordinate land use** in Brownsville. The BVCLT will ensure that the community-voiced aspirations set forth in the Brownsville Plan are respected by future developers and the City.
- The BVCLT intends to leverage its standing in the community, as a prominent interest group, to dictate the
 disposition terms for community land by shaping the goals and objectives of forthcoming City Requests for
 Proposals (RFP) administered by either the State or City of New York.



THE BVCLT'S FIRST PROPERTY

An exciting boon to the land trust effort in Brownsville came this July when Community Solutions and its partners were awarded the rights to develop four vacant lots along Livonia Avenue. This presents the Brownsville Community Land Trust with a unique opportunity—a new, supportive, permanently affordable residential building to be developed concurrently with the BVCLT itself (groundbreaking in early 2021). Site C2 will be the first property ceded to the land trust and will provide an example of responsible, affordable, service-focused housing that future new developments can emulate.





Save the date

March
20
2020

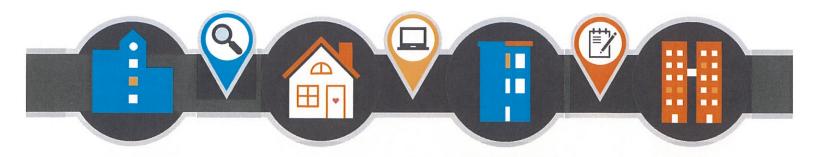
Join your neighbors as we take action together!

Come learn about the emerging **Brownsville Community Land Trust**, the **Brownsville Neighborhood Empowerment Network** (BNEN), and how to keep public land in public hands.

We will be hosting a Cultivation Event at the <u>Greg Jackson Center</u> on **Friday, March 20, 2020 6-9 p.m.**

Visit the BNEN Housing Lab and play a round of Trustville: An educational board game about Community Land Trusts (CLTs). A light dinner will be served.

To RSVP: http://bit.ly/BvilleEmpowerment



BROWNSVILLE PARTNERSHIP HOUSING LAB

"Home is more than a place, it's a feeling. We believe everyone has the right to have a safe, secure and affordable place to live."



MISSION & OVERVIEW

The Brownsville Housing Lab is a new initiative to provide residents of the Brownsville-Ocean Hill community with assistance and adequate access to the most current technology available to apply for Affordable Housing through the Housing Connect Lottery System, preparing for the eligibility process, and connecting with other affordable housing resources and services.



THE CHALLENGES

Brownsville residents are among the most rent-burdened 59% in New York City

100,000 residents

The neighborhood experiences high rates of family homelessness

377 Families

Experienced an eviction performed by City Marshalls in 2018.

Housing Stock

Speculative development and gentrification within the neighborhood and surrounding communities threatens by raising rents and decreasing the neighborhood's affordable housing stock.



THE SOLUTION

Brownsville Partnership's resident-led advisory board known as the Brownsville Neighborhood Empowerment Network (BNEN), will assist in addressing the overwhelming need for quality, affordable housing.

Our team of knowledgeable and compassionate Certified Housing Ambassadors includes both employee and resident volunteers, that will guide people through every step of the "Housing Connect" process to achieve stability.



Location of the Housing Lab

Gregory Jackson Center at: 519 Rockaway Avenue, Brooklyn NY 11212 btw Sutter & Belmont Avenues.



Hours/Days of Operation for Housing Help

Tuesdays, Wednesdays and Thursdays from 11:00 AM - 3:00 PM. Walk-in's Welcome!!



Documents to Bring

Please bring the following for all household members:

- · Social Security number
- · Proof of Income
- · Proof of Address



Schedule an Appointment & Ask Questions

For more information or to set up an appointment please contact:

Taurean Lewis, Community Engagement Specialist 929.252.9295 or bnen@brownsvillepartnership.org



City Council Committee on Housing and Buildings- Preliminary Budget Hearing March 5th, 2020 -

My name is Graciela Blandon and I'm an NYU student here with Climate Works for All, an alliance of community and labor united for a just and sustainable New York. Our coalition is led by young people and I am here to reiterate the calls to action of the youth internationally: we are running out of time to delay the existential threat that is the climate emergency. Its effects are already being felt, and whatever issues you think the City of New York has now, will pale in comparison to the pandemonium wrought by our current negligence to sustainability efforts, Though I would like to assume the good faith of this body and its intentions, my generation is disheartened by the lack of urgency with which resources have been allocated to emergency preventative and restorative measures. I just turned 18 years old and I live in fear that the degree I'm earning will be useless if I'm left to inherit a world without a future. I live in fear for my little brother and my future children as well. I have never been alive during a time in which my representatives have comprehensively addressed the climate catastrophe through aggressive legislation and we are here to demand that you do so. We are here fighting for equity for marginalized communities who have been forgotten in localized efforts to slow climate change and we are here fighting for tenants so that their housing may be sustainable

In sum, we are here to demand that \$1 billion dollars is spent, annually, for ten years, to retrofit affordable housing and public housing left out of Local Law 97. This ambitious *investment* in our community is both the least we can do, and in line with the spirit of New Yorkers: we have never been a population to back down from becoming global leaders. Local Law 97 was only the beginning in NYC's pursuit of aggressive and uncompromising resiliency efforts.

These retrofits must occur equitably across New York City in order to have the strongest impact. Funding from the New York State Energy Research and Development Authority has remained inaccessible to too many for too long; we cannot afford a lack of funding when prescriptive measures still may not even happen without financial support.

For the sake of the city, the planet, and your political careers and moral conscience, I ask that this committee reaffirm its commitment to leading in ecological housing development by allocating \$1 billion annually over 10 years for retrofitting affordable housing in an equitable manner.



New York City Council Housing & Buildings Committee Budget Hearing March 5th, 2020

Thank you for the opportunity to testify. My name is Arielle Hersh and I am here on behalf of UHAB, the Urban Homesteading Assistance Board. For 45 years, UHAB has been creating, preserving, and supporting resident controlled housing. We work with low and moderate income residents in housing cooperatives, known as HDFCs, as well as tenant associations to build democratic participation, leadership, and community through cooperation.

UHAB is part of the Climate Works for All campaign because HDFC communities are on the front lines of the climate crisis. Most HDFC residents are disproportionately impacted by the legacies of redlining, disinvestment, and aging building conditions. Furthermore, many HDFC buildings are in the areas of the city most vulnerable to rising sea levels and increasingly powerful storms like Superstorm Sandy.

We are calling for the City to allocate 1 billion dollars annually to retrofit buildings that were left out of Local Law 97 because we cannot fight climate change without the affordable housing community. The City has already made some strides to fund energy efficiency and retrofit programs for affordable housing, but this is nowhere near enough to match the City's own ambitious climate goals and the reality of the impending climate crisis.

Through our Co-ops Go solar campaign, we've seen the impact access to renewable energy can have low-income homeowners. We've seen them use cooperative decision making to choose solar, and share strategies to keep their homes healthy and affordable. We have seen them invest in not only their futures, but the future of the next generation.

Residents of affordable housing, low income communities, and communities of color should not be forced to foot the bill of a crisis they played little role in creating. In this moment, we have an opportunity to begin to undo the legacy of environmental racism and in New York City. Instead of continuing the status quo, perpetuating inequities, and leaving frontline communities behind, we can create a just transition to renewable energy that focuses on protecting affordable housing, workers, families, and those most impacted by climate change.

We believe that these retrofits must occur equitably across NYC, in affordable housing and beyond. Local Law 97 is a good start, but we must be as aggressive as possible in efforts to slow climate change. The prescriptive measures outlined in this law that are imposed on affordable housing do not go far enough to significantly reduce emissions. These measures cannot happen without financial support—support which will help close the gap between maintaining affordability and increasing energy efficiency. We are not only asking for the money we need to fight climate change, but for programs that will make it easy for owners of affordable housing and residents alike to make these changes and retrofit their buildings.

Residents and owners of affordable housing cannot be left behind in this fight: they are the ones on the frontlines of climate change, and they need to be at the table to guide us through a just transition to a more sustainable New York City. Thank you.



Funding a Just Transition \$1Billion Retrofit Fund for Affordable Housing Energy Efficiency

Testimony to Committee on Housing and Buildings Robert E. Cornegy Jr, Chair

Shelby Frederickson, Graduate Fellow March 5, 2020

Hi my name is Shelby Frederickson and I am here speaking on behalf of Pratt Center for Community Development in support of the Climate Works for All Coalition's call for a \$1 billion retrofit fund to ensure a just transition for the residents of New York City's affordable housing stock.

Recognizing how low income communities and communities of color have been denied access to the benefits of energy efficiency, Pratt Center, since its start more than 50 years ago has been advocating for energy efficiency policies and piloting programs that can ensure these communities are no longer excluded. Not only have these communities borne the burden of years of inequitable energy policy, but without clear and directed action, they now face the potential to yet again be left behind by the Climate Mobilization Act.

The Local Law 97 affordable housing carve-out was designed with the correct intention tolimit displacement pressure on tenants. But without public intervention, all the benefits that come with increasing a building's energy efficiency (beyond basic prescriptive measures) such as reducing the burden of high energy bills, and improving indoor air quality and home health and safety, will not be accessible to the tenants of these buildings. As a city, a limited and inequitable approach is not an acceptable solution. We must put our money where our mouth is and do all we can to fight climate change and help our neighbors improve their quality of life by funding deep retrofits.

We will not meet the goals of "80 by 50" if we do not greatly reduce emissions across ALL building types, no matter how complicated. We cannot rely on the good will of the private sector. We cannot reply on current utility and state incentive programs that have proven to be less than effective in pushing the affordable housing retrofit market forward in NYC. That is why we are calling on New York City to invest \$1 billion annually to retrofit buildings





On the ground - and at the table

NYC Environmental Justice Alliance Public Comment to the Committee on Housing City Council Budget March 5th, 2020

Thank you for the opportunity to testify. My name is Priya Mulgaonkar, and I'm the Resiliency Planner at the New York City Environmental Justice Alliance. Founded in 1991, NYC-EJA is a citywide membership network linking 11 grassroots organizations from low-income neighborhoods and communities of color in their fight for environmental justice.

Today, I am here to testify in support of the Climate Works for All coalition demand for the Climate and Community Development Fund, a \$1 Billion allocation for this year's budget to address energy efficiency in low-income, rent-stabilized, and affordable housing. New York has less than 10 years to limit global warming to 1.5 degrees Celsius, which will require rapid and equitable investment in every building in our city – and an unwavering and substantial financial commitment in the City budget.

We commend the City Council for passing Local Law 97, the Climate Mobilization Act, in 2019, which mandates energy efficiency retrofits in most of our large, polluting buildings. With buildings accounting for 67% of all greenhouse gas emissions in New York City, LL97 sets a bold and necessary mandate to help tackle the escalating risks of climate change and adverse public health impacts.

Yet, however ambitious this legislation may be, the fact remains that it only covers about 50,000 of our city's over 1 million buildings. LL97 exempts rent-stabilized affordable housing from mandatory retrofits, and which are instead given only prescriptive measures, since the costs of retrofits could be passed to vulnerable tenants as Major Capital Improvements (MCIs) and lead to displacement. This will leave a significant portion of New York City's housing stock struggling to achieve energy efficiency and reduce energy burdens.



Good morning. Thank you for the opportunity to speak on behalf of the thousands of New Yorkers who are living in incredibly underfunded NYCHA buildings and low-income housing units. My name is Khush Kam-Au and I am the Campaign Liaison at the Community Service Society of New York. CSS uses a multifaceted approach to attack income inequality in New York. CSS has been at the forefront of this work for more than 175 years, changing our strategy and focus as the times demand. We engage in policy work, legislative advocacy, impactful direct services programs and litigation in order to help create a fairer, stronger New York. As members of JustLeadershipUSA's #buildCOMMUNITIES campaign, CSS wants all communities to be safe, well-resourced, and have a strong sense of stability. CSS's mission – to eradicate poverty and income-inequality by advocating for policy meant to better the quality of life for all, especially our most vulnerable populations – is in-line with #buildCOMMUNITIES demand for an increase in the Housing & Buildings budget for expanded housing rights and improvements made to public housing units throughout the City. We are here today to support that demand.

I want to use my time today to highlight two planks in the #buildCOMMUNITIES platform.

The first is to create, preserve, and maintain true affordable housing throughout New York City that is accessible to all. There are many ways to make sure this happens. One is through removing the barriers people with criminal records and a history of justice-involvement face when finding and keeping housing, by passing the Fair Chance for Housing Act. This Act, which is similar to legislation Seattle and Oakland have implemented, would require questions about prior convictions to be removed from housing applications, so individuals can have rapid access to housing. Without stable housing, no reentry gains are possible. You cannot hold down a job, provide for your family or participate in your community without a home. Another is through investing at least \$1.5 billion in NYCHA for the purpose of taking care of deferred maintenance that plagues NYCHA buildings and for makinglong-overdue improvements. New Yorkers who live in public housing face the consequences of underfunded and under maintained buildings on a daily basis. New York's public housing used to be the pride of the nation. We need to work toward making this a reality again.

Second, I would like to place focus on #buildCOMMUNITIES demand for **expanding and improving services that help people to stay in their homes**. CSS supported and urged passage of Right to Counsel legislation in 2017. Our research since the law's implementation has shown that providing legal representation and assistance to New Yorkers has played a major role in reducing the rates of evictions in those zip codes where Right to Counsel has been rolled out RTC – because it involves attorneys who are experts in housing law – has proven to

be an effective and powerful tool for enforcing the new rent laws, particularly when those laws are being contested in court. Nonetheless, despite its success in its short existence, RTC hasn't been fully extended to NYCHA residents who face administrative hearings that can make or break their right to remain in their homes, and does not cover moderate-income households, who also face issues in keeping their homes. CSS's 2019 Unheard Third survey showed that 30 percent of moderate-income level New Yorkers have experienced one or more housing hardships. We believe that that doubling RTC's qualification threshold to 400% of the FPL can make a significant difference in helping this large group of in-need New Yorkers. Even without expanding eligibility for RTC, much more must be done now to make people aware of its existence. In 2019, CASA- New Settlement and Northwest Bronx Community and Clergy Coalition conducted a survey in RTC-eligible zip codes. They found that only half of the survey's respondents knew about RTC, while others went to Housing Court unrepresented, and unaware of their now-legal right to free assistance from a skilled attorney.

We urge you as decision and law makers to act on these requests as many New Yorkers are in need of housing reform *now*. Thank you for this opportunity to add to the conversation about these vitally important issues as they relate to the budget. Your support could not be more vital and timely.



NYSAFAH Testimony to the New York City Council Housing and Buildings Committee on the FY 21 Preliminary Budget March 5, 2020

Thank you, Chairman Cornegy and members of the Housing and Buildings Committee for the opportunity to testify today on the Mayor's Preliminary Budget.

NYSAFAH is the trade association for New York's affordable housing industry statewide. Its 375 members include for-profit and non-profit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSAFAH's members are responsible for most of the housing built in New York State with federal, state and local subsidies and incentives.

New York City's housing crisis is resulting in skyrocketing rents, homelessness, and overall housing insecurity for many New Yorkers. A recent NYU Furman Center Report titled *State of New York City's Housing and Neighborhoods in 2018* points out that 53% of all NYC households are rent burdened, and for low-income households it is a staggering 77%. A 2019 NYC Department of City Planning report on *Geography of Jobs*, notes that between 2000 and 2017, NYC permitted more than 390,000 new housing units, but during this same period added 643,000 net new jobs. The fact that job growth exceeded housing growth suggests that NYC's economy continues to draw on a regional workforce and housing supply, leaving us with a worsening situation of shortage of housing.

NYSAFAH would like to commend the Department of Buildings on the continued effectiveness of the NYC Development Hub. To build the kind of affordable housing NYC needs to address the housing crisis, we need and fortunately have a process that compliments those goals. NYC Development Hub is a valuable program and a shining example of interagency coordination throughout the planning and review of affordable housing projects.

With an ever-growing need for more affordable housing options across the city, NYSAFAH would like to applaud HPD, Mayor de Blasio, and City Council for their shared vision increase unit production. Along with preserving existing affordable units, the city needs to explore all options and work together with communities to increase the affordable housing supply in land-scarce but transit-rich areas A prime example of the kind of forward-thinking needed is the announcement of a 12,000-unit development of affordable housing at Sunnyside Yards. The largest affordable housing complex to come to the city in decades, this project is set to build strong communities, create jobs.

and invest more in the transit-orientated developments we need to curb New York's housing crisis

It is important to consider the impact of a changing climate on the built environment. At our Annual Upstate Housing Conference last September, NYSAFAH highlighted what the industry is already doing and what needs to be done going forward to create affordable housing stock that achieves high standards of efficiency and resilience.

The affordable housing industry in New York City appreciates a good challenge. Many of our members' projects are already leading the way. For example, Beach Green Dunes Phase II in Far Rockaway, which just opened a few weeks ago, is an example of progress in this area. It is a 127 unit, 100% affordable building that incorporates Passive House standards. In addition, the site's subterranean conditions provide the opportunity to use geothermal technologies to heat and cool the building. The building will also include photovoltaic panels on the roof and on a steel trellis covering the surface parking area.

Similar projects and initiatives are underway. Our industry stands ready to replicate these efforts and improve upon them by working with policymakers and other key stakeholders to make New York and this city a national leader in combatting climate change and providing safe and affordable homes to hardworking families.

In conclusion, NYSAFAH and our members are committed to build the affordable housing needed to meet the needs of our growing population. To achieve these policy goals will require additional funding to meet affordability needs of our communities. We look forward to working with the Administration and Council on this shared priority.

Thank you again for the opportunity to testify today and for your consideration. I welcome any questions or comments you may have.

Contact: Chris Widelo, Director of External Affairs, at christopher@nysafah.org and (646) 473-1206.



City Council Committee on Housing and Buildings- Preliminary Budget Hearing

March 5th, 2020

Thank you for the opportunity to testify. My name is Phoebe Flaherty, I'm an Organizer at ALIGN: The Alliance for a Greater New York. ALIGN is a community-labor coalition dedicated to creating good jobs, vibrant communities, and an accountable democracy for all New Yorkers.

We co-coordinate the Climate Works for All coalition, a coalition of environmental justice groups, labor, and community organizations all working towards reducing emissions to fight climate change through the lens of a just transition. We recently worked with Council Member Costa Constantinides and other members of the City Council to pass the dirty buildings bill, Local Law 97.

We are in the midst of a climate crisis, and we only have a few years left to take aggressive action to slow and try to stop the effects of climate change. According to the Intergovernmental Panel on Climate Change's 2018 report, we could arrive at irreversible climate change as soon as 2030. We have no time to waste.

The city has made a laudable commitment to lower emissions, and has taken aggressive steps to meet those emissions goals through the passage of local law 97, which mandates that most buildings over 25,000 square feet meet emissions reductions goals by different compliance periods leading up to 2050.

However, meeting our broader citywide commitments will require continued effort. We must invest in the implementation of Local Law 97 and go beyond its reach if we are to meet our emissions reductions goals. The Climate Works for All coalition is asking the city council to allocate 1 billion dollars annually to retrofit affordable housing and public housing. Buildings with rent regulated and affordable units were exempted to protect tenants who would face increased costs from displacement. But those buildings make up 50% of residential housing stock, and therefore represent a large percentage of citywide GHG emissions- we cannot allow these buildings to continue to emit emissions at their current rates and still meet our emissions goals. We must also ensure that the benefits of retrofits, from more comfortable homes to decreased localized pollution that leads to asthma and other health issues, occurs equitably across New York City. Tenants of affordable and public housing in New York City deserve clean air and comfortable homes as much as all other tenants.

Without additional funding we are in danger of not meeting our emissions reductions goals, and meeting those goals is crucial to the future of our city and our world. We are asking the City Council and the Mayor to fund retrofits in public and affordable housing in New York City. Fighting climate change must be our top priority now and for the coming years, before it is too late. Thank you.



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Greg Berman. Director

Center for Court Innovation Testimony **New York City Council** Committee on Housing and Buildings **Preliminary Budget Hearing** March 5, 2020

Good Morning Chairman Cornegy and members of the Committee on Housing and Buildings. My name is Viviana Gordon and I am the Deputy Director of the Red Hook Community Justice Center ("Justice Center"), a community court in Brooklyn where I oversee our Housing Resource Center ("Resource Center"). The Resource Center serves litigants in our housing court and tenants of the Red Hook Houses, the largest public housing development in Brooklyn.

The Justice Center is a project of the Center for Court Innovation ("Center") which works to create a more effective and humane justice system. We operate projects in all five boroughs ranging from community-based violence prevention programs to court-based programs that reduce the use of unnecessary incarceration. The Center begins its work by first assessing the full range of needs within communities. Three Center programs in particular - the Red Hook Community Justice Center, the Harlem Community Justice Center, and Legal Hand – work directly with New York City residents who are facing housing instability, whether through the threat of eviction, the need for permanent housing, or living conditions that pose risks to their safety and well-being. I am here to request support from the Council for the three applications we have submitted under the Community Housing Preservation Strategies initiative. This support will strengthen the Center's work with those facing housing crisis.

Both Justice Centers in Red Hook and Harlem operate neighborhood-based housing courts in partnership with the New York State Unified Court System, with Harlem handling both public and private housing cases that arise within two local zip codes, and Red Hook handling exclusively public housing cases from the Red Hook Houses. Finally, our Legal Hand project aids thousands of New Yorkers with housing issues in the communities of Brownsville, Crown Heights, High Bridge, Tremont and Jamaica. Taken together, from our work serving tenants in

both court and in community settings, we have learned a great deal about preventing evictions, enforcing the city housing code for tenants in need of critical home repairs, addressing human needs of litigants, expanding access to justice, and advancing fairness in housing court.

I will share just a few examples of that work:

Eviction Prevention:

As is the case in Housing Courts everywhere, in both Harlem and Red Hook, eviction proceedings in the form of nonpayment cases represent the majority of cases. In all of our work we take a problem-solving and individualized approach to cases, meeting the human and not just legal needs of the litigant. We don't just ask the what, but the why. How did someone end up with rental arrears? If they are in public housing, is their rent being calculated accurately? Beyond arrears, are there other factors contributing to financial strain or instability in the home? We hear stories every day of the extreme challenges and stresses faced by young renters, working parents and fixed-income seniors to pay their rent. To respond to their needs, we have transformed our Red Hook and Harlem Housing Courts into not just a forum for adjudicating their case but a true resource hub. Tenants can receive support with on-site benefits assistance from the Human Resource Administration (HRA) for not only Emergency Assistance (One-Shot Deal), but also SNAP and cash assistance. While assisting tenants to complete NYCHA's annual household income recertification, we are able to help tenants ensure their rent is calculated accurately, maximize deductions, and maintain affordability according to HUD's standards. Our Help Center staff regularly turn to the team of social workers and victim specialists based on-site at the Justice Centers to respond to issues of victimization, domestic violence, elder abuse, mental health, and substance abuse, and provide much needed counseling during a destabilizing period.

Reducing Default Judgements:

Another all too common reason families face eviction is due to default judgements (or non-appearance by tenants) to their court date. We have launched several housing court attendance strategies, including: conducting reminder calls before court dates; giving tenants an organizer folder when they answer petitions for important documents; supplying healthy breakfast snacks at the start of court; making the space kid friendly; and providing extra space for litigants to negotiate. These efforts have contributed to our low rate of default judgements. Last year, only 1 in 25 warrants in Red Hook were issued by default, compared to 1 in 4 citywide.

Code Enforcement:

Our work is altering the reality of housing court as the "landlords home court" an "eviction factory" to a place where tenants seek justice. Housing courts are often not set up to be

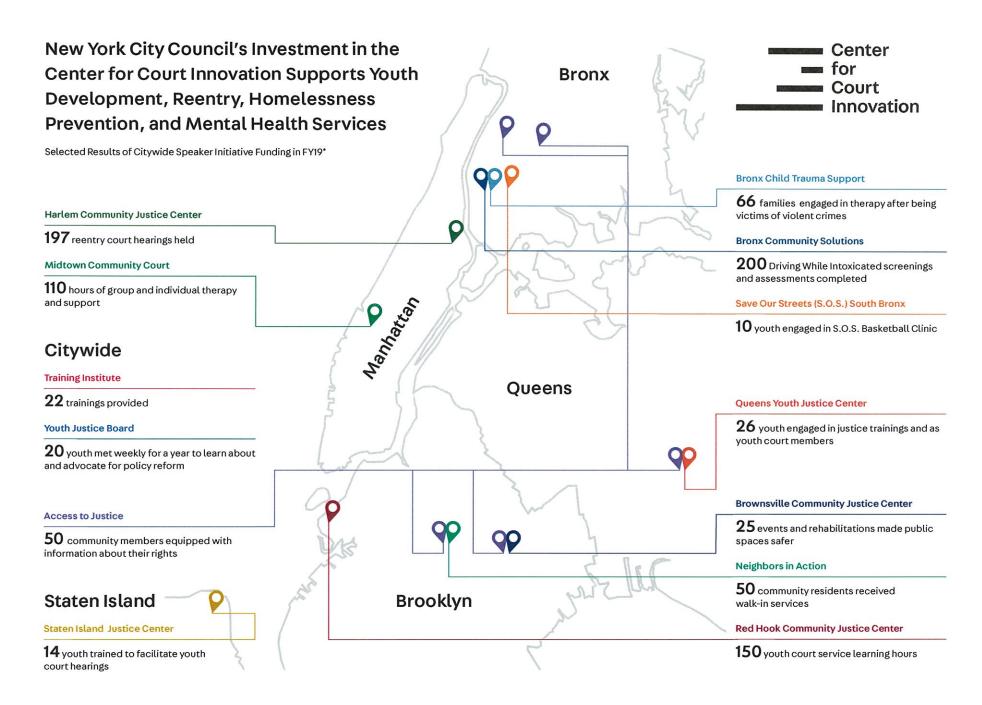
tenant friendly or accessible and yet, for public housing residents, an action or court order is the *only* way to obtain an independent city inspection. In Red Hook and Harlem we have made the housing court experience more accessible. Tenants in Red Hook have increasingly come to court to file Housing Part (HP) Actions on housing maintenance issues, including health hazards of lead paint, mold, and chronic leaks. City-wide, tenant-initiated HP actions comprise less than 6% of court filings. Last year in Red Hook, 212 households filed HP Actions, comprising 34% of all housing court filings and resulting in over 800 cited code violations in the Red Hook Houses which has significant unmet building capital needs. Tenant-driven court actions and access to the housing court process allow households with severe emergency repairs to take NYCHA to court to restore safety and habitability to their homes and provides localized accountability and code compliance to the city's largest landlord. Furthermore, tracking code violations allows Housing Resource Center staff to identify systemic trends such as the need for skilled trade plumbers in NYCHA and the correlation between chronic leaks and lead paint exposure resulting from delays in obtaining plaster and paint trade dates.

The needs amongst Red Hook's NYCHA tenants to prevent evictions and maintain safe, healthy, affordable housing have never been more acute. Although the Red Hook Housing Resource Center already serves more than a thousand Red Hook Houses residents per year, with support from the New York City Council, the Housing Resource Center will be better able to access and support the local community. In Harlem, funding will support critical case management services, as well as necessary community outreach.

Increasing access to justice:

As you know, our Legal Hand project has become a model in the city for increasing access to justice for tenants outside of the courts by bringing justice to the neighborhoods they live in. Legal Hand empowers community residents to support their neighbors with free legal information. Our trained local volunteers at storefront centers directly support eviction prevention, addressing habitability issues and assistance finding housing. There is a substantial need for this kind of non-court based, pre-litigation service. Legal Hand, through our five sites, worked on close to 5,000 housing matters in 2019. That is up from the previous year when we saw 4,273 for the whole year. Assistance can take many forms, including help with navigating the social services system, completing online legal forms, and drafting form letters. A legal services attorney is on-site at each Legal Hand office to train and assist volunteers. Neighborhood workshops run by staff, local partners and legal services organizations address civil legal issues affecting the community. Legal Hand's recruitment and training of community volunteers on civil legal issues supports our understanding of new developments in legal issues and on-going education throughout the community. Council's support will allow Legal Hand sites across the City to on-board more community volunteers to specifically handle housing needs.

With unprecedented displacement within our communities, lack of affordability, and the uncertain future of public housing, New York City residents of all housing types benefit from expanded access to justice, code enforcement and holistic supports now more than ever. The City Council's support has been invaluable to the success of the Center for Court Innovation. The Center looks forward to continuing to work with the Council to reduce incarceration, build housing equity, and to enhance access to justice. We respectfully urge you to continue to support our work through the Community Housing Preservation Strategies initiative and I thank you for the opportunity to speak. I would be happy to answer any questions you may have.



^{*}Outcomes in FY20 and FY21 may differ based on funding allocations. The Center serves close to 77,000 New Yorkers each year.

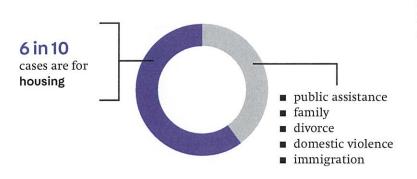
Serving the Housing Needs of New Yorkers



We provide housing support through the following programs:

LEGAL HAND

Trained community volunteers provide free legal information, assistance, and referrals to help clients resolve issues such as:





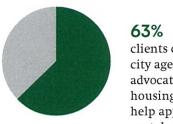
Our programs' Housing Resource Centers help tenants navigate housing court by providing housing, financial, and legal assistance, with a focus on helping to resolve critical repairs and prevent evictions.

HARLEM COMMUNITY JUSTICE CENTER

30% of clients re-entering from prison are homeless, living in a shelter or living in a transitional-house

2,590 services provided this year including:

- repairing complaints
- NYCHA grievance letter assistance
- pro bono counsel referrals
- rent arrears assistance



clients connected with city agencies through advocates to maintain housing stability (such as help applying for rental assistance).

RED HOOK COMMUNITY JUSTICE CENTER

1,268

households served representing 43% of all Red Hook public housing residents.















Tenants see housing court as a means of attaining safe, affordable housing and accessing justice by filing Housing Part Actions:

6% Citywide

34% Red Hook

We help tenants respond to landlord claims, which prevents automatic losses (default):

1 in 4 default citywide

1 in 25 default in Red Hook



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Center for Court Innovation Housing & Major Proposal Summaries

- <u>Center Core-Ask: #91832 \$500,000</u> This is an application to support the continuation of our alternative-to-incarceration, youth-diversion, and access to justice programs across all five boroughs in New York City. The Council's support allows us to serve tens of thousands of New Yorkers with mental health services, family development, youth empowerment, workforce development, and housing, legal, immigration and employment resource services. Our goal continues to be improving safety, reducing incarceration, expanding access to community resources and enhancing public trust in government to make New York City stronger, fairer, and safer for all.
- Housing Help Center #89051 \$100,000 This funding will support the work of Harlem Community Justice Center's Housing Help Center, which seeks to increase housing stability and prevent evictions for individuals living in public and private housing within the housing court's jurisdiction in East Harlem. The Justice Center's catchment area includes five NYCHA housing developments with 7,464 units of housing. High rates of poverty and the lack of affordable housing continue to contribute to extraordinary housing vulnerabilities for East Harlem residents. East Harlem also has the second highest concentration of public housing projects in the city, with much needed capital repairs. This funding will support the hiring of a housing social worker to enhance the Housing Help Center's ability to focus on the housing issues facing East Harlem's most vulnerable populations, including elderly residents in public housing and those in rentstabilized housing. Funding will support case management services, referrals for probono legal services, and community-based housing workshops for community residents and NYCHA tenants. Council funding will also support materials and supplies for community outreach and informational workshops regarding the newly-enacted rent laws in NYC.
- <u>Legal Hand</u>, <u>Housing #89869 \$125,000</u> This is an application to support Legal Hand's expansion of services available to community visitors. The Council's support will allow Legal Hand sites across the City to on-board more community volunteers to specifically handle housing needs. Since 2015, Legal Hand has recruited and trained more than 400 community volunteers who have helped nearly 40,000 community members in Crown Heights, Brownsville, Jamaica, Highbridge, and Tremont with preventing civil legal



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issues from becoming court cases, increasing community legal empowerment, and bridging the justice gap.

• Community Housing Preservation Strategies #91880 - \$60,000 The Red Hook Community Justice Center's Housing Resource Center seeks funding from the Housing Preservation Strategies Initiative to help tenants in Brooklyn's largest and oldest public housing development obtain critical home repairs, attain city inspections to identify hazards and code violations, and find justice and fair treatment in housing court.



NYC COUNCIL COMMITTEE ON HOUSING AND BUILDINGS PRELIMINARY BUDGET HEARING MARCH 5, 2020

This testimony is submitted on behalf of the members of the Community Housing Improvement Program (CHIP). CHIP is a housing advocacy organization whose members own or manage about 5,000 buildings with about 300,000 units of rental housing throughout New York City. Most of our members are small building owners with rent stabilized units.

The intent of our testimony is to bring this committee's attention to the fact that most multi-family properties are small buildings, owned and operated by small businesses. This is especially true in CHIP membership, but also generally holds true throughout New York City's rental industry, especially in the outer boroughs. Unfortunately, small property ownership is becoming a more difficult pathway to financial security for immigrants and the working class because it has been inundated with regulatory obstacles and compliance nightmares. Small owners are small businesses, and every time this committee passes broad brush legislation on the belief that every owner is a hedge fund or publicly traded company, it is driving those small owners out of business.

This committee has been the source of new legislation impacting small rental properties at an unprecedented level. Already in this session (2018 - 2021), Housing and Buildings is responsible for 74 new laws. That is an average of almost 3 new laws per month, putting this committee on track to pass almost 150 new laws for small owners to comply with. To put this in perspective, 114 pieces of legislation came out of Housing and Buildings in the prior session (2014 - 2017), and only 60 two sessions ago (2010 - 2013). We are not here to debate the wisdom or the need for these laws, simply to ask that this committee recognize the significant cost burden being placed on the smaller owner and operators in this field and provide some relief

It is unrealistic to expect any small business keep up with that type of compliance burden. The individual who owns a small 6-10 unit building doesn't stand a chance. They are likely only complying with the obligations they deem important. But even the small family business that owns and operates a few buildings in their neighborhood, maybe 150-200 units total and who has been doing this for decades, is starting to struggle. Even these smaller owners don't have the resources for a big support staff, and the regulatory environment is progressing to the point (if not there already) where there is a need for a larger back office staff to monitor and implement new legislative requirements and deal with the city agencies who enforce and oversee those new laws.

Again, we are not debating the wisdom of the legislation, but simply raising the concern that the pace of legislation coming out of this committee, and the council as a whole, is closing off small property ownership as a pathway to financial stability and creating wealth. It should be of little surprise that operational costs for rental buildings continue to increase at an alarming rate. We believe that not only is this committee's responsibility to ensure that rules of the road are in place so that tenants have access to safe and well-maintained housing, but to ensure that the individuals and small businesses who provide that housing can continue to stay in business.

More than 40,000 buildings with rent stabilized units are small buildings (less than 50 units). Many of those owners are first or second generation immigrants, people of color, and working class families trying to move up the socioeconomic ladder. And most of them in the outer boroughs. These owners must work within tight margins to meet strict requirements of safety while providing quality apartments and running a small business. Yet this committee, and the Council as a whole, continues to squeeze those margins while at the same time decrying the large corporate owners who come in when the smaller owners have had enough.

It's very easy to paint all of the real estate industry with the same brush. But adopting laws at a break neck pace that don't consider the stark difference between smaller owners with community-oriented goals and speculators who are often trying to maximize returns over a short period of time, this committee is enabling the gentrification of small property ownership; pushing out smaller long-time owners who have helped build communities in favor of conglomerates who will treat neighborhoods like balance sheets.

CHIP has three general suggestions for this committee to ease the burden on small property owners:

- 1. establish an owner advocate office in each of the city agencies that property owners interact with the most: the Department of Buildings, the Department of Housing Preservation and Development, and the Department of Finance;
- 2. include cost abatement measures in any new mandates applicable to existing buildings that are not tied to regulatory agreement; and
 - 3. include waivers and/or cure periods for smaller buildings before imposing penalties.

Buildings Committee; March 5

Good afternoon, Committe Member Cornegy and Deputy Leader Chin,

Thank you for the opportunity to address you today.

My name is Teresa Elguera and I am here in support of Climate Works for All's proposal. I come to this hearing as a parent of young climate activists and a middle class homeowner who has had the privilege of affording the installation of solar panels and other energy efficient items in my own home. As the city debates whether to provide additional funds to simultaneously address climate change and preserve low income housing, the logic is irrefutable: both CAN and MUST be done. The city has a lot to gain from such an investment in a variety of ways:

- a. the creation of new green jobs which would train and employ people to participate in a green economy as they work to address the climate crisis
- b. The preservation and improvement of low income housing and mitigating ever increasing homelessness by keeping costs down
- c. Reaping economic gains from the investment in infrastructure

As a homeowner, I can confidently tell you that every investment in energy efficiency saves me money. We reduce our costs and don't need to raise the rent on our friends upstairs. With the support of funding by district to tackle this problem systematically with larger groupings of buildings, the savings would be even greater.

By allocating 1 billion annually over the next ten years you have the opportunity to take a moral stance and sustainable stance on both climate justice and homelessness in our city.

I urge you to take such a stance and allocate the funding.

Thank you for your time. Teresa Elguera Washington Ave Brooklyn, NY 11205 Tresatres@gmail.com



Testimony of the New York Immigration Coalition Joint Hearing of the Committees on Health and Hospitals New York City's preparations for Coronavirus/COVID-19

Seongeun Chun, MPH

March 5, 2020

My name is Seongeun Chun and I am the Senior Manager of Health Policy at the New York Immigration Coalition (NYIC). The NYIC is an advocacy and policy umbrella organization for more than 200 multi-ethnic, multi-racial, and multi-sector groups across the state working with immigrants and refugees. Thank you to Committee Chairs Mark Levine and Carlina Rivera, and all members of the Committees on Health and Hospitals, for the opportunity to submit this testimony. I want to say a special thanks to Carlina Rivera for your statement in mid-February encouraging New Yorkers to fight back against coronavirus and prejudice.

We at the NYIC are thankful to New York City and New York State officials for urging New Yorkers to stay calm and address the coronavirus as the public health issue that it is. This is in stark contrast to the Trump administration, which is calling for a closure of the southern US border and relying on antiquated lies about immigrants. The implementation of the administration's "public charge" policy comes at the worst possible time as fear and confusion unnecessarily drive families away from needed health services to serve Trump's racist and classist agenda. This is the time when our immigrant communities need to be encouraged to get the health services they need, regardless of immigration status. Existing Council initiatives like Access Health NYC, which support community-based organizations in getting the word out about these rights and access points, are all the more important in this context. Thank you to Councilmember Levine for championing this initiative.

In New York City, fear and disinformation have led to real consequences for our immigrant communities, including physical attacks, plummeting business at Chinese restaurants, and racist bullying against Asian students. Even the media is perpetuating stereotypes and anti-immigrant sentiment.



The fear of contracting coronavirus has an ugly cousin: xenophobia. I have been a recipient of this poisonous behavior as a passenger on the subway, as a parent, and as a caretaker to my elderly immigrant parents. Riding the subway has been a hostile experience. Just two days ago during my morning commute, a white woman glared at me when I sneezed. She muttered a racist slur telling me to go back to where I came from. This incident reminded me yet again of the devastating impact that anti-Asian racism has on immigrant communities. We urge the Council and the administration to be proactive as voices of calm and reason on the public health front and on speaking out against xenophobia during this critical time.

Coronavirus is also impacting New York public schools, in particular immigrant students. As the Department of Education continues to address this evolving situation, there are a few key considerations for immigrant youth and families. Critically, system-wide communication with families and messaging within school communities should consistently make clear that discrimination will not be tolerated. In addition, schools must make sure they are prepared to rapidly share out time-sensitive information with immigrant families in the language they best understand in the event of school closure or any similarly urgent update. As an immediate step, schools should consult with their language access coordinators and field language access coordinators, as appropriate, to make sure they can manage high demand for urgent services.

Any plans for communicating with parents or strategies around supporting student learning during school closure must take into account that immigrant families often lack access to technology. If relevant, age-appropriate strategies to support student learning at home should include approaches that any family can implement no matter their home language, family budget, or level of computer literacy.

Coronavirus fears are also complicating 2020 Census planning. It is imperative that we take active measures to ensure coronavirus does not suppress voter turnout in any of the upcoming elections. With less than 10 days before the first day of early voting for the Special Election for Queens Borough President, we request clarity on the New York City Board of Elections' (BOE) disease prevention protocols at poll sites, including but not limited to the sanitation of voting booths, tables, machines, and other items that will be shared. Additionally, we request improved poll worker trainings in relation to coronavirus.



Aside from taking sanitary precautions, we ask both the BOE and the NYC Campaign Finance Board to lead the charge to ensure there are adequate community education and communication to encourage participation in the elections either in-person or through absentee-voting.

Councilmembers are the trusted sources and have a huge role to play in calming the public. We ask that you help to stop the spread of coronavirus by encouraging New Yorkers to take public health precautions, not perpetuate racist stereotypes. Thank you for the opportunity to share this testimony today.

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I represent: Center for Court Innovation
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