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COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
THE COMMITTEE ON GOVERNMENTAL OPERATIONS 1

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND
BUILDINGS JOINTLY WITH THE
COMMITTEE ON GOVERNMENTAL
OPERATIONS

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June 6, 2023
Start: 1:36 p.m.
Recess: 4:39 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Pierina Ana Sanchez,
Chairperson of the Committee on
Housing and Buildings

Sandra Ung,
Chairperson of the Committee on
Governmental Operations

COUNCIL MEMBERS:

- Shaun Abreu
- Alexa Avilés
- Charles Barron
- Tiffany Cabàn
- David M. Carr
- Eric Dinowitz
- Oswald Feliz
- Crystal Hudson
- Sandra Ung

1 COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 2

3 COUNCIL MEMBERS: (CONTINUED)

4 Gale A. Brewer
5 Carlina Rivera
6 Shahana Hanif
7 Lincoln Restler

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1 COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 3

3 A P P E A R A N C E S

4 Lucy Joffe
5 Assistant Commissioner for Housing Policy at the
6 New York City Department of Housing Preservation
7 and Development

8 Dr. Elyzabeth Gaumer
9 HPD's Chief Research Officer

10 AnnMarie Santiago
11 HPD's Deputy Commissioner for Enforcement and
12 Neighborhood Services

13 Colin Kent-Daggett
14 Senior Community Organizer with St Nicks
15 Alliance

16 Rolando Guzman
17 Deputy Director for Community Preservation at St
18 Nicks Alliance

19 Jackie Del Valle
20 Take Root Justice

21 James Lloyd
22 Director of Policy for the New York State
23 Association for Affordable Housing

24 Adam Roberts
25 Policy Director for the Community Housing
Improvement Program, CHIP

Oksana Mironova
Community Service Society of New York

Karim Walker
Safety Net Project at the Urban Justice Center

Bleys LaPierre
Tenant Organizer with the Goddard Riverside Law
Project

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2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 4

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

4 Anna Baker-Heans
5 Tenant Organizer with Met Council on Housing

6 Sue Susman
7 President of the Tenant Association at Central
8 Park Gardens

9 Elizabeth Haak
10 Resident of Madison Realty Capital

11 Patricia Loftman
12 President of the Park West Village Tenant
13 Association

14 Paula Segal
15 Take Root Justice

16 Roberto Rodriguez

17 Elise Golden
18 Community Land Trust Campaign Organizer at the
19 New Economy Project

20 Kaneen (SP?)
21 Resident of building owned by HUB NYC

22

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3 SERGEANT AT ARMS: This is a sound check for the
4 Committee on Housing and Buildings jointly with the
5 Committee on Governmental Operations. Today's date
6 is June 6, 2023 and being recorded by Danny Huang in
7 the Chambers.

8 SERGEANT AT ARMS: Good afternoon everyone and
9 welcome to today's New York City Council Hearing for
10 the Committee on Housing and Buildings joint with
11 Governmental Operations. At this time, we ask that
12 you silence all cell phones and electronic devices to
13 minimize disruptions throughout the hearing. If you
14 have testimony you wish to submit for the record, you
15 may do so via email at testimony@council.nyc.gov.

16 Once again that is testimony@council.nyc.gov. At any
17 time throughout the hearing, please do not approach
18 the dais. We thank you for your cooperation. Chair,
19 we are ready to begin.

20 CHAIRPERSON SANCHEZ: Thank you Sergeant. Good
21 afternoon. I am Council Member Pierina Sanchez,
22 Chair of the Committee on Housing and Buildings. I
23 want to thank you all for joining today's hearing to
24 discuss Vacant and Neglected Properties in our City.
25

3 We're also joined by the Committee on
4 Governmental Operations. Thank you Chair Ung for
5 joining us today.

6 I would like to acknowledge my colleagues who are
7 present from the City Council, Council Member Brewer,
8 Council Member Feliz, and potentially some members on
9 Zoom but we shall see.

10 By 2030, New York City needs to produce over
11 500,000 units of housing, including deeply affordable
12 and supportive housing to keep pace with demand and
13 stem the tide of losing residents to suburbs and
14 other parts of the nation. As we discussed and do
15 our part to further possible solutions to this
16 challenge, we also need to ensure that we are
17 utilizing the spaces and units that we have available
18 today.

19 Given the shortage of available housing for many
20 New Yorkers, it may come as a surprise to hear that
21 there are vacant lots and empty apartments throughout
22 our city. Per HPD, there were 800 city owned vacant
23 lots, vacant units alone. Not to mention properties
24 that were held by private owners.

25 In 2018, the City Council passed Local Law 29 to
require that HPD conduct a census of all vacant and

3 abandoned properties every five years, which may
4 include zombie homes. The most recent Local Law of
5 29 Census was conducted in 2020 and a Take Root
6 Justice freedom of information request, reported that
7 the census identified 2,569 likely vacant buildings
8 and 14,372 likely vacant undeveloped lots. A big
9 kudos to the Housing Not Warehousing Coalition
10 without whom these bills would not have been passed.

11 These are vacant lots in properties that could be
12 better used as affordable housing opportunities,
13 rather than staying vacant for any period of time.
14 Inviting further neglect, impacting neighboring
15 property values, falling in disrepair and effecting
16 neighbors.

17 The foreclosure crisis 15 years ago also created
18 an influx of foreclosed upon homes after predatory
19 mortgages left many homeowners with no choice but to
20 go through the foreclosure process. Since then, at
21 various levels of government, we have made strides to
22 keep track of these properties and make sure that
23 they are not left vacant to become what are now known
24 as zombie homes. The annual number of foreclosures
25 has decreased by over 50 percent since the subprime
mortgage crisis and the state moratorium on

3 foreclosures during the pandemic paused foreclosures
4 through January 2022. But since that moratorium
5 lifted, foreclosure filings are back on the rise and
6 the number of filings is still below – and though the
7 numbers of filings is still below prepandemic
8 numbers, we need to be wary of any rise in
9 foreclosure, especially as reports and bank failings
10 like Signature Bank can send shock waves through the
11 mortgage market and ultimately the housing system.

12 Since the passage of the Housing Stability and
13 Tenant Protection Act of 2019, there have also been
14 reports and concerns about warehousing empty rent
15 stabilized apartments that could be used to house
16 tenants. While capturing the number of vacant rent
17 stabilized apartments at any moment is a challenging
18 task and the reported numbers have varied. Today, we
19 look forward to hearing from the Administration
20 regarding how the more detailed findings of the 2021
21 Housing Vacancy Survey or HVS can illuminate our
22 understanding of this issue.

23 The HVS is conducted by the US Census Bureau on
24 behalf of our city regularly to aid our city in
25 determining our city's vacancy rates. At our
Executive Budget hearing, the Administration

3 testified about the twin challenges of securing
4 stable housing for FHEPs Voucher holders and keeping
5 rent stabilized housing in good repair. To which end
6 they have proposed a new program Unlocking Doors,
7 aimed specifically at rehabbing vacant rent
8 stabilized units that will rent to voucher holders.
9 Regardless of the precise number of empty rent
10 stabilized units, any affordable housing unit that is
11 not being used to house New Yorkers is of concern to
12 this Committee.

13 Any vacant unit that can be made available for
14 renting, should be leased up as quickly as possible
15 and New Yorkers should be placed and be able to live
16 in safe homes. Vacant apartment units much like
17 vacant buildings or lots can fall into further
18 disrepair impacting neighboring tenants and building-
19 wide systems. Building owners should be taking steps
20 to ensure their units are in good condition whether
21 or not they are vacant. The longer the units are
22 unavailable and neglected, the harder it is to rehab
23 units and bring them back into the rental market. To
24 that end, we will hear proposed Introduction 352 A
25 sponsored by Council Member Restler in relation to

3 registration of vacant commercial and residential
4 properties.

5 Intro 195, sponsored by Council Member Rivera in
6 relation to the inspection of unoccupied dwelling
7 units that may be effecting the health and safety of
8 adjacent residents and additionally, as we continue;
9 this is the partner part, as we continue to confront
10 the housing crisis, this Council has repeatedly
11 called for increased capital investment to the tune
12 of \$4 billion annually for the production and
13 preservation of affordable and supportive housing
14 including permanently affordable models like
15 community land trust. One response we have heard
16 from the Administration is that more flexibility is
17 needed in the HPD and HDC's financing authority and
18 to that end, we are hearing Resolution Number 563
19 sponsored by me calling on the State Legislature to
20 pass and the Governor to sign S 2985 in relation to
21 the Housing Affordability Resilience Energy
22 Efficiency Investment Act of 2023. Also, formerly
23 known as Affordability Plus.

24 Lastly, we will be hearing Intro. Number 743
25 jointly with government operations chaired by Council
Member Ung and the bill sponsored by Council Member

3 Salamanca in relation to requiring certain city
4 employees to identify themselves during encounters
5 with the public. I'd like to thank my staff
6 [00:06:45], Kadeem Robinson and my district team as
7 well as Housing and Buildings Committee Staff Taylor
8 Zelony, Mark Chen, Jose Conde, Andrew Bourne, Dan
9 Kroop, Brook Frye and Reese Hirota. I will now pass
10 it to Chair Ung to say a few words.

11 CHAIRPERSON UNG: Good afternoon, I'm City
12 Council Member Sandra Ung, Chair of the Committee on
13 Governmental Operations. I want to thank everyone
14 for planning and participating at this hearing about
15 Vacant and Neglected Properties.

16 I want to thank my Co-Chair Council Member
17 Sanchez and her staff for all their hard work in
18 putting this hearing together. I'd like to welcome
19 my colleague who are joining us today Council Member
20 Hanif.

21 In addition to the Oversight and the Bills
22 already discussed by Chair Sanchez, we'll also be
23 hearing Intro. 743 sponsored by Council Member
24 Salamanca, which is being heard by the Government
25 Operations Committee. This bill will require that
city employees, who can issue summons or notices of

3 violation when questioning people, provide a business
4 card with identifying information upon request. If a
5 business card is not available, employees who could
6 instead provide a hand written card or provide the
7 identity information verbally. The NYPD already has
8 a similar requirement under the Right to Know Act and
9 this law will expand the identification requirement
10 to cover employees who question a person and their
11 employees I official capacity.

12 I'm hopeful that this bill will help to provide
13 accountability for city employees that issue
14 summonses or notices of violation transparency for
15 those New Yorkers that receive such notices. I look
16 forward to discussing this bill in greater detail
17 with the Administration and with that, I'd like to
18 thank the members of the public as well as the
19 representatives for all the agencies coming to
20 testify today. I want to thank Mark Chen, Taylor
21 Zelony, Andrew Bourne, Jose Conde, CJ Murray, Erica
22 Cohen for the central staff for their work in putting
23 this hearing together.

24 Finally, I'd like to thank my own Chief of Staff
25 Alexander Hart and my Communications Director Shay

3 Miller for their assistance. And now, I'll turn it
4 back over to Chair Sanchez.

5 CHAIRPERSON SANCHEZ: Thank you so much Chair
6 Ung. I'd also like to acknowledge that we've been
7 joined by Council Member Avilés, Rivera, Hanif, Carr,
8 Abreu and Dinowitz. I'd now like to recognize
9 Council Member Rivera for her remarks about her
10 legislation.

11 COUNCIL MEMBER RIVERA: Thank you so much and I
12 just want to say how proud I am of this body and of
13 my colleagues and to align myself with your comments
14 and your remarks.

15 Good afternoon, I'm Council Member Carlina Rivera
16 representative for District 2. I want to thank Chair
17 Sanchez again for the opportunity to speak briefly
18 about my bill Intro. 195 that will be heard at
19 today's hearing and for Chairing this very important
20 hearing at a time when where we really needed to have
21 this conversation. I want to thank all of the
22 advocates who will also be testifying today,
23 including advocates and neighbors from District 2, a
24 community with a long history of activism
25 particularly around housing and that has always stood
up to ensure that we are moving social change along,

3 positive social change and realizing the impact that
4 that has on families everywhere.

5 The purpose of Intro. 195 is to create rules to
6 protect tenants living in buildings with warehoused
7 units and until we end warehousing for good, this is
8 at the very least what families deserve. Protection
9 from their representatives and their government. In
10 the middle of a housing crisis, tens of thousands of
11 apartments are reported to be vacant leaving families
12 without homes and creating unsafe conditions for
13 neighbors. No matter what the number is, the number
14 that you'll hear today or that you read in the paper,
15 it is clear from advocacy in my community and beyond
16 that there is warehousing going on that is keeping
17 habitable apartments off the market.

18 Vacant units may subject surrounding occupants to
19 dangers posed by vermin, fire hazard, garbage
20 accumulation, water leaks, gas leaks, insufficient
21 protection from cold, insufficient protection against
22 fire and mold. Additionally when not properly
23 secured against breaking vacant units, may subject
24 occupants to increase likelihood of theft and violent
25 crime. This legislation would require landlords to
keep all unoccupied dwelling units in good repair,

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3 allow tenants to call 311 to report issues in vacant
4 apartments and require a 12-point inspection of
5 problem vacant apartments to ensure units are secured
6 against potential dangers to other residents in that
7 building. I want to thank you again for the time and
8 for hearing this bill and to all advocates in the
9 room and to the Administration for being here today
10 to answer our questions. Thank you.

11 CHAIRPERSON SANCHEZ: Thank you so much Council
12 Member Rivera. I will now turn it over to our
13 Committee Counsel to administer the oath.

14 COMMITTEE COUNSEL: Thank you. Please raise your
15 right hand. Do you affirm to tell the truth, the
16 whole truth and nothing but the truth before this
17 Committee and to respond honestly to Council Member
18 questions?

19 PANEL: Yes.

20 LUCY JOFFE: Good afternoon Chairs Sanchez and
21 Chair Ung and members of the Housing and Buildings
22 and Operations Committees. I am Lucy Joffe,
23 Assistant Commissioner for Housing Policy at the New
24 York City Department of Housing Preservation and
25 Development. I am joined by my colleagues Dr.
Elyzabeth Gaumer, HPD's Chief Research Officer, and

3 AnnMarie Santiago, Deputy Commissioner for
4 Enforcement and Neighborhood Services. Thank you for
5 the opportunity to be here to discuss the topic of
6 vacant and neglected properties as well as the
7 legislation being heard today.

8 Almost exactly one year ago, HPD shared with the
9 Committee the 2021 New York City Housing and Vacancy
10 Selected Initial Findings. Based on the requirements
11 of state law, the Council considered those data –
12 apologies, technology shift.

13 Based on the requirements of state law, the
14 Council considered those data and other available
15 information, and determined that New York City
16 remains in a state of housing emergency. As in all
17 previous cycles of the NYCHVS, the only survey
18 specifically designed to measure vacancy in New York
19 City, we reported a net rental vacancy rate.

20 The citywide net rental vacancy rate was 4.54
21 percent. Of the 3,644,000 total homes in New York
22 City, there were 103,200 vacant units available for
23 rent across all types of rental housing. That
24 vacancy rate only considers units that are actually
25 available for rent. This is a critically important

3 distinction that has been misunderstood in recent
4 months.

5 Because of the importance of our rent stabilized
6 stock and because it has, in particular, become a
7 focal point in the discussion of vacant units, I want
8 to focus there for a moment.

9 Of the 3,644,000 total homes in New York City,
10 just over one million are rent stabilized. That
11 means roughly one-third of our total housing stock is
12 rent stabilized. 4.57 percent of the rent stabilized
13 units, or approximately 45,970 units, were vacant.
14 This only includes vacant units that were on the
15 market and available for rent. This represents less
16 than 1.5 percent of our total housing stock.

17 Of the more than one million rent stabilized
18 units total, 42,860 vacant rent-stabilized units were
19 off the market and not available for rent, equivalent
20 to just over four percent of all rent stabilized
21 units. This figure is not included in the
22 calculation of the net rental vacancy rate. This
23 category includes units that are under renovation,
24 those that are rented but not yet occupied, and a
25 number of other reasons. This total category of
units, those off the market for any reason, also

3 represents less than 1.5 percent of our total housing
4 stock.

5 The vacant and available and vacant not available
6 data represents a snapshot in time. These do not
7 necessarily represent long-term vacancies. Only a
8 subset of the units that are vacant and not available
9 could be described as warehoused units, which are not
10 currently on the market and which the owner does not
11 intend to put back on the market.

12 While the vacancy rate is incredibly important,
13 both in terms of its legal implications and as an
14 indicator of the health of our housing market, we
15 shared a number of findings from the 2021 NYCHVS
16 which reveal areas of significant concern about the
17 state of low-cost housing available to low- and
18 moderate-income New Yorkers here in the city that we
19 should be taking very seriously.

20 The median rent for all rental apartments was
21 \$1,500. The medial rent for all units available for
22 rent was \$2,750. This distinction and the wide gap
23 between those numbers means that most people
24 currently living in a typical New York City apartment
25 who end up needing to move, could be looking at units

3 that cost over \$1,000 more per month than they are
4 currently paying.

5 Digging into these numbers should raise more
6 alarm bells. The net rental vacancy rate was less
7 than one percent for units renting for less than
8 \$1,500. That's fewer than 10,000 units that were
9 available to rent in this price range when our 2021
10 NYCHVS was in the field. This is the lowest vacancy
11 rate among units in this price range that we've seen
12 in more than 30 years of the NYCHVS.

13 Looking at this another way, the median rent of
14 all units that were available for rent was \$2,750.
15 To be able to afford that typical unit that was
16 available for rent, a New York City household would
17 have to earn at least \$110,000 a year, more than
18 double what most New York City renters earned in
19 2021. It's important to remember that \$2,750 is the
20 median of units available for rent in 2021, that
21 means that half of all available units were renting
22 for more than that.

23 Since the time we presented both the vacancy rate
24 and these data about the state of low-cost housing in
25 the city, these data have been misconstrued and
compared incorrectly to other data sources. This

3 debate is unfortunately not grounded in the data. We
4 do not have a lot of vacant units. We do not have a
5 lot of low-cost vacant units. The dearth of units
6 available for rent on any given day in our city is
7 one of the main problems in our housing market. This
8 is why it is incredibly difficult, especially for
9 low- and moderate-income New Yorkers to find a new
10 home they can afford if they have to move. That
11 shortage puts further upward pressure on the rents of
12 available apartments.

13 Some, however, have specifically argued that
14 there are significant numbers of low rent, poor
15 quality rent stabilized units that are being held off
16 the market for long periods of time. This is
17 incorrect. Of the 42,860 rent stabilized units that
18 were not available for rent in 2021, 12 percent,
19 5,060 units had already been rented but the tenant
20 had not yet moved in.

21 24 percent, that's 10,100 units were awaiting or
22 undergoing renovation at the time of the interview.
23 Significantly, these units had not been vacant for a
24 long time. We measured that too, typically only for
25 one month or less.

3 Of these 10,100 units, the vast majority were
4 being renovated at the time of the interview, 8,810
5 units. These units had a median legal rent of
6 \$2,036. Only 1,290 rent stabilized units were empty
7 and awaiting renovation, which data show generally
8 happens very quickly. Most of these 1,290 units had
9 been vacant for less than a month at the time of the
10 survey. These units had a median legal rent of
11 \$2,676.

12 11 percent, 4,740 units had been vacant for 12
13 months or longer with no other reason given for why
14 they were off the market. The median legal rent for
15 these units was \$3,233. That's more than double the
16 median rent of all rent stabilized units. It is also
17 higher than the median cost of even the market rate
18 rentals that were currently available for rent at the
19 time of the survey. These are not homes that would
20 be affordable to low-income New Yorkers. If these
21 units were to come online, a New York City household
22 would have to earn at least \$130,000 to afford that
23 home.

24 When we drill down to rent stabilized units that
25 have been vacant and off the market for 12 months or
more or in need of repairs and at a low-legal rent,

3 which we measured as less than \$1,000, there were
4 just 2,477 units. That's less than one-quarter of
5 one percent of all rent stabilized units in New York
6 City. In the context of our entire housing supply,
7 that's less than one-tenth of one percent.

8 We need more housing, especially low-cost and
9 affordable housing to alleviate the pressure in our
10 housing market. We need to reduce the obstacles so
11 we can move New Yorkers into available housing more
12 quickly. To do that and to ensure that we have
13 housing of all types in all neighborhoods across the
14 city. We need continue partnership at both the local
15 and state levels.

16 With the state legislative session ending on
17 Thursday, we urgently need action from our partners
18 in Albany to enact a housing agenda to allow us to
19 preserve and more low-cost and affordable housing
20 efficiently, effectively, and equitably. We need to
21 create a new construction tax incentive as well as a
22 new reformed J-51 program, to facilitate commercial
23 and basement conversions and the Housing
24 Affordability Resiliency Energy Efficiency Investment
25 Act and we are grateful for the Council's support in
hearing Resolution 563 here today.

3 The current housing crisis demands that together
4 we achieve the goals set out in the Housing and Get
5 Stuff Built blueprints and Where We Live NYC, our
6 fair housing plan. We hope the Council will support
7 our push for a housing agenda in Albany.

8 I'll turn now to the legislation being heard
9 today. Introduction 195-A proposes to create a new
10 enforcement process targeted to apartments that are
11 not occupied. As we've discussed in depth today, we
12 have very few vacant apartments in the city. The
13 number of vacant and low-quality units represent a
14 miniscule fraction of our housing market. In our
15 experience, units that are vacant are generally not a
16 hazard to neighboring tenants and in many cases, are
17 vacant because an owner is in the process of
18 renovating or correcting conditions prior to putting
19 the unit back on the market. In cases where
20 conditions in vacant units are affecting the quality
21 of occupied units, HPD's existing process will result
22 in violations being issued, which often requires the
23 remediation of underlying conditions including pests
24 and mold, which may necessitate addressing conditions
25 in other apartments vacant or occupied.

3 Requiring HPD to create a process focused
4 specifically on a small percentage of the 2,500 poor
5 quality low-cost units that have been vacant for 12-
6 months or longer, would divert critical resources
7 away from HPD's enforcement while not creating any
8 measurable increase in supply of safe and affordable
9 housing. HPD does not support Intro. 195-A as
10 written but we are happy to have further
11 conversations with the Council about the best way to
12 achieve the goals of the bill.

13 In regards to Introduction 352-A, the
14 Administration is still reviewing the amended
15 legislation. But on initial review, we have major
16 concerns this bill will confuse and potentially deter
17 owners from submitting their registration, which is
18 system created with the specific purpose of obtaining
19 basic contact information so we know who owners are,
20 can cite violations to them directly and contact them
21 in emergencies.

22 As the city's affordable housing agency, we
23 believe deeply in our agencies mission and are
24 committed to using all of the tools at our disposal
25 to house New Yorkers safely, stably and affordably.
Every potential home that could be brought online

3 could house a New York City household and that's
4 something we take incredibly seriously. But a
5 strategy that is focused on one-tenth of one percent
6 of our housing market is not an effective one for
7 housing New Yorkers and risks distracting us
8 collectively from the really important work at hand.

9 We are incredibly grateful for the productive
10 work we as an agency have been able to with this
11 Committee specifically and with this Council broadly
12 to address the housing needs of New Yorkers. We look
13 forward to that continued and productive partnership.
14 Thank you for the opportunity to testify today and we
15 look forward to your questions.

16 CHAIRPERSON SANCHEZ: Thank you. Thank you so
17 much for that, for your testimony. A lot of really
18 interesting facts to dig in there. Before I proceed,
19 I'm just going to hand it over to Council Member
20 Restler or introductory remarks on his legislation.

21 COUNCIL MEMBER RESTLER: Thank you so much Chair
22 Sanchez. It's always a pleasure to be with you and
23 Chair Ung, appreciate both of your leadership. What
24 is clear to me is that the City of New York does not
25 have a handle on vacancies. And when you look at the
city's data from Housing and Vacancy Survey to DSCR's

3 analysis, to private landlords analysis to reports
4 from brokage firms, we have no idea how many vacant
5 apartments there are in New York City at any given
6 time and we're guessing and it's the lack of clear
7 data that is a serious problem. We know there's a
8 lot. We know there are tens of thousands of vacant
9 apartments in New York City. The most recent Housing
10 and Vacancy Survey estimated at 88,000 vacant rent
11 related apartments in the City of New York.

12 At a time when we have a housing crisis, when one
13 in three families in New York City is paying a
14 majority of their income in rent, which is utterly
15 and totally unsustainable but if you go up to our
16 Chairs district in the West Bronx a majority of
17 tenants are paying a majority of their income in rent
18 each and every month, which is a shame.

19 We need to make sure that we are maximizing every
20 single vacant apartment as quickly as possible but
21 it's not just about our vacant residential units.
22 It's our commercial real estate. We know that
23 there's been a substantial increase in commercial
24 real estate but we don't know how much vacant office
25 space there is in New York City in any reliable way.
We rely too much on the private sector on the real

3 estate industry for what they report and it's just
4 not quality data. We should be tracking it ourselves
5 as the City of New York so that we can devise the
6 right policy solutions, the right mixture of carrots
7 and sticks, have all of the tools at our disposal so
8 that we can maximize each and every available space,
9 each and every available square foot of space for
10 families in need.

11 At a time when the mayor is housing migrants in
12 jails, in warehouses, in school gymnasiums. The fact
13 that we have so many tens of thousands of vacant
14 units not to mention the thousands of vacant NYCHA
15 units in his control. The thousands of vacant
16 supportive house of units that are in his control.
17 It is a shame. It is an absolute shame, so we need
18 better data. Intro. 352 will help us have that data
19 so that we can devise the policy solutions we need.
20 Thank you very much Chair Sanchez and always good to
21 see the folks at HPD.

22 CHAIRPERSON SANCHEZ: Thank you so much Chair
23 Restler. I'd now like to hand it over to my Co-
24 Chair.

25 CHAIRPERSON UNG: Thank you. I know there's much
to be discussed today, so I'll be brief about my

3 questions. Currently, does HPD have a formal policy
4 requiring inspectors provide identification upon
5 request?

6 ANNMARIE SANTIAGO: Thank you Chair. Good
7 afternoon. Yes, HPD inspectors are required as part
8 of our policy to display their HPD ID during
9 inspections.

10 CHAIRPERSON UNG: Good to know, great. And
11 there's one quick follow up question. Is someone
12 wishes to file a complaint against the HPD inspector,
13 what's the process for doing that?

14 ANNMARIE SANTIAGO: So, we do have borough
15 offices where people can call. We do also receive
16 complaints through 311.

17 CHAIRPERSON UNG: And what would be the follow-up
18 after that?

19 ANNMARIE SANTIAGO: Depending upon the nature of
20 the complaint, it could be reinforcing the policy
21 with the inspector, specifically in the case that
22 you're asking.

23 CHAIRPERSON UNG: Excellent, great thank you so
24 much. I'll turn it back over to Chair Sanchez.

25 ANNMARIE SANTIAGO: You're welcome.

3 CHAIRPERSON SANCHEZ: Okay, thank you. Thank you
4 so much. So, I'll ask just a few questions and then
5 turn it over to my colleagues before coming back as
6 usual.

7 First, I just want to start with the second page
8 of your testimony where you really dig into the
9 numbers that are born out of the Housing Vacancy
10 Survey administered in 2021. My first question is,
11 when is the next Housing Vacancy Survey coming?

12 LUCY JOFEE: We appreciate that question. We are
13 currently in the field for the 2023 NYCHVS. If any
14 New Yorkers receive a knock at their door, we
15 certainly hope that they will answer and participate
16 in this really important survey.

17 CHAIRPERSON SANCHEZ: Thank you. Thank you so
18 much. Alright, you all heard that. Please open your
19 doors and talk to the friendly folks from the census
20 borough who are coming around to ask about your
21 housing conditions.

22 Okay, so I mean I think there has been a lot of
23 debate and conversation around these numbers and I
24 really appreciate you all drilling down and sharing
25 the insights from the Housing Vacancy Survey because
in October of 2019, the city reported that there

3 60,000 rent stabilized apartments that were vacant.

4 There have been reports of up to 90,000 units being

5 vacant but today, you shared some very important I

6 think observations. One is that of the units that

7 are vacant there are higher cost rentals. Can you

8 just expand upon that just one more time to delineate

9 of the vacant units that are available versus not

10 available. What are we looking at in terms of

11 affordability of those available and not available

12 units?

13 ELYZABETH GAUMER: Sure, thank you very much.

14 So, as you know, I serve as the head of the New York

15 City Housing and Vacancy Survey on behalf of the city

16 and work closely with our partners at the Census

17 Bureau and have now done that for several cycles.

18 I'll just reiterate please, the 2023 is only in the

19 field for another two weeks or so, so it's really

20 very important.

21 So, thank you for your question. As my colleague

22 Assistant Commissioner Joffe explained, within this

23 universe of rent stabilized units that are not

24 available for rent or were not available for rent at

25 the time of our '21 survey, 11 percent of them were

just under 4,700, just over 4,700 excuse me, have

3 been vacant for 12 months or longer with no other
4 reason given, right? We all know that vacancies have
5 very complicated stories, can have very complicated
6 stories, although the vast majority of them stay off
7 of the market for a very short period of time. This
8 is a small but very important segment that has been
9 empty for a long period of time but as you pointed
10 out in your question, these are significantly more
11 expensive than what we I think generally think of as
12 the rent stabilized stock in New York City.

13 So, the median legal rent for these units that
14 had been empty for 12 months or more, was \$3,200,
15 which is very, very, very, high legal rent.

16 CHAIRPERSON SANCHEZ: Thank you. Thank you yeah,
17 I will often sound like a broken record talking about
18 how the housing crisis does not impact all New
19 Yorkers equally and this is just one fact, one way to
20 look at the numbers which bears that out, right?
21 That there is a severe shortage of the low-cost
22 rentals but not a severe shortage at all of the
23 higher cost rentals. So, thank you for that.

24 So, just taking a step back, you know we're
25 hearing legislation today around registering vacant
apartments and vacant commercial spaces but we do

3 have the Housing Vacancy Survey. So, just from the
4 agencies perspective, what is and what are the most
5 legitimate sources of information that we have today
6 and are there any gaps in information that you see
7 from where you sit?

8 LUCY JOFFE: Thank you for that question. The
9 New York City Housing and Vacancy Survey has been the
10 gold standard for decades. We do it in partnership
11 with the Census Bureau as you all are aware. We
12 believe that this is the only survey specifically
13 designed to measure vacancy in New York City. We are
14 extremely confident in this data and rely on it
15 heavily both for engaging and providing as data for
16 this Council and making the very important
17 determination every several years about whether or
18 not we remain in a state of housing emergency. Also,
19 for policy making, it's used by experts across the
20 city as well as nationally. This is a data source
21 that is incredibly rich and we are incredibly lucky
22 for the legacy of this data.

23 Our data was misconstrued by a number of sources
24 this past fall. It was compared to data sources that
25 are not measuring the same thing and we have never
suggested that we have insufficient data to weigh in

3 on this topic. We are very confident in the numbers
4 we presented today.

5 CHAIRPERSON SANCHEZ: Thank you so much. I'm
6 going to continue but I want to just recognize my
7 colleague Council Member Cabàn who is here and I'm
8 going to turn it over to colleagues for questions and
9 then I'll come back. Council Member Brewer.

10 COUNCIL MEMBER BREWER: Thank you very much. One
11 of the questions I have, does your number include the
12 tenant interim lease? Because I just went to a
13 meeting in Harlem. I mean, there's thousands of
14 units that are not occupied. Does it include the TIL
15 numbers?

16 ELYZABETH GAUMER: So, the New York City Housing
17 and Vacancy Survey includes every kind of housing as
18 part of our sample. Our statutory mandate to measure
19 the net rental vacancy rates includes all forms of
20 rental housing.

21 COUNCIL MEMBER BREWER: Well, some of them are
22 rental and some of them are co-ops, so that would
23 include some but not all of the Article 11's, right?
24 It would not include Article 11.

25 ELYZABETH GAUMER: It includes both sides of
that. Our sample is based on every residential

3 address in the city, so for our net rental vacancy
4 rate calculation, it only includes vacant and
5 available for rent or rental and occupied, which some
6 of which as you pointed out are in condos or co-ops
7 or even -

8 COUNCIL MEMBER BREWER: Article 11, yeah.

9 ELYZABETH GAUMER: So, but the numbers that we
10 presented today do not exclude any class of property
11 but the numbers that Assistant Commissioner Joffe
12 presented are specific to rent stabilized units.

13 COUNCIL MEMBER BREWER: Okay, and Commissioner,
14 does that include rental control because it's the
15 difference between rent stabilized and rent control.

16 ELYZABETH GAUMER: A very important distinction,
17 thank you for making that. Rental controlled is not
18 counted in our vacancy rate because there are no
19 vacant rent-controlled units, right? So, it is of
20 course a very important part of the data we collect
21 about our city's housing and we have watched the
22 supply of rent-controlled units very closely for many
23 decades. But when a tenant leaves a rent-controlled
24 unit, it is no longer rent-controlled and therefore
25 cannot be vacant in that same status.

3 COUNCIL MEMBER BREWER: Okay, I mean, the reason
4 we want - there's two reasons we want this bill.

5 First of all, how do you - I know, how do you
6 actually do - you go field visit, meaning that you go
7 knocking on doors to see where there are vacancies,
8 is that correct? With the Housing Vacancy Survey?

9 ELYZABETH GAUMER: Uh, yes, an actually quite
10 lengthy protocol that we use and we do this
11 consistently for every single one of our sampled
12 units in a given survey.

13 COUNCIL MEMBER BREWER: But why wouldn't you want
14 another sort of backup, which would be the tenants
15 who live in the building to also be able to tell you
16 or tell an app or 311 or dashboard or somehow, which
17 is what our bill calls for to be able to also back up
18 what you're stating. That you stated 47,000 for 12
19 months or more. I mean most owners don't let people
20 in.

21 So, how in the world would you know all of this?

22 ELYZABETH GAUMER: So, what we do and it's very
23 important I appreciate the opportunity to explain our
24 process for gathering the data that we do. It is
25 incredibly important for the validity of the data
that we share with all of you and then our friends

3 and colleagues use to make sure that we do this
4 exactly the same way for every unit-

5 COUNCIL MEMBER BREWER: I understand. I know
6 apples to apples, I got it.

7 ELYZABETH GAUMER: So, the majority of the
8 information that we collect is from in-person
9 interviews and information about a specific unit that
10 has been sampled.

11 COUNCIL MEMBER BREWER: And that's with the
12 manager of the building?

13 ELYZABETH GAUMER: No, it's with current
14 occupants one adult respondent if the unit is
15 occupied. If it is a vacant unit or rather not an
16 occupied unit, then it could be with a number of
17 informants. Generally, it's with the owner or the
18 managing agent.

19 COUNCIL MEMBER BREWER: I mean with all due
20 respect, we all know that the owners and the managers
21 may not tell you the correct information, which is
22 why we are trying so hard to get the data either to
23 back you up or to say this is not correct, which is
24 why we want to have data as part of our legislation.
25

3 This is a very contentious issue, landlords and
4 tenants. The don't always tell the truth with all
5 due respect.

6 LUCY JOFFE: Council Member, with respect, we
7 have been doing this for decades. I completely agree
8 with you.

9 COUNCIL MEMBER BREWER: Yeah, but you know the
10 difference? Can I just say 2019? Thank God for the
11 state that they passed that bill to keep us
12 stabilized. Thank God. However, it has created
13 understandably – I mean, I have a lot of friends that
14 own buildings. They hate 2019, that bill. They're
15 going to change the story a little bit because of
16 that bill. That's not decades, that fairly recent.

17 LUCY JOFFE: We underwent a massive redesign in
18 2021. We believe that we – I am not a survey
19 methodologist but I am incredibly lucky to be working
20 with one of the best in the country. We are on the
21 leading edge of many of the Census Bureau's processes
22 and we appreciate and share your concerns. It's why
23 we have exhaustive processes for ensuring that any
24 unit that we are considering to be occupied is
25 occupied and that we have extensive information about
that unit.

3 COUNCIL MEMBER BREWER: What's occupied -

4 LUCY JOFFE: Is that it's vacant? That we have
5 double and triple checked that in as many ways as
6 possible.

7 COUNCIL MEMBER BREWER: Okay. We're also going
8 to disagree. Go ahead.

9 ELYZABETH GAUMER: I will add that one of the
10 things that we take very seriously as part of our
11 mandate is not only quality assurance and
12 verification, which as Lucy just explained we have
13 multiple processes for that. But that also that we
14 combine use of various secondary sources of
15 information as you suggested. We go through a very,
16 very careful process for integrating those records
17 and I honestly am not certain that a point and time
18 registration would help us to be more accurate than
19 what we're doing.

20 COUNCIL MEMBER BREWER: Okay, I know my time is
21 up. Let me just ask about this rent, this \$3,200.
22 Therefore, it's not worth fighting. We should just
23 leave the vacant units. We're not going to get
24 affordable housing out of it. That's what you're
25 saying?

3 LUCY JOFFE: No Council Member, we're not saying
4 that.

5 COUNCIL MEMBER BREWER: Okay, then what are you
6 saying?

7 LUCY JOFFE: We're saying very clearly that any
8 possible unit that could house a New York City
9 household is a potential opportunity that we take
10 incredibly seriously but that we don't think an
11 investment and a strategy that relies on a tiny slice
12 of our housing market is going to solve the broader
13 problem that all of us are really committed to. We
14 want to make sure this has become a bit of a
15 distraction in the press over the last few months.
16 We want to make sure that we can collectively work
17 together on really high impact strategies.

18 COUNCIL MEMBER BREWER: Okay, that we disagree.
19 I don't know what the number is 4,700, 47,000. I
20 mean, we don't know. You have a number. Others have
21 other numbers but whatever it is, I just don't
22 understand why we're not doing everything we can to
23 get them rented. Even - I was with the Mayor this
24 morning, he's talking about putting people into these
25 apartments because he does have, we all have a
housing challenge. 3,200 is manageable with a couple

3 of vouchers and two bedrooms and families. We are at
4 a crisis. Put two families in there with two
5 vouchers and you got your 3,200 median rent. So, I'm
6 saying this is affordable housing and if it's
7 stabilized, it only goes up by rent guidelines. Half
8 the time, it is stabilized even though the owner
9 tells you it's not.

10 LUCY JOFFE: Council Member, in pointing out the
11 high rents, we want to correct confusion that there
12 are lot of low-cost units that owners are not putting
13 back on the market because they can't afford to.
14 That's different from saying that we intend to and
15 are pursuing as many strategies as we can to bring
16 units back on the market.

17 COUNCIL MEMBER BREWER: So what would be your
18 strategy to put these back on the market?

19 LUCY JOFFE: Well, I recognize that there's
20 limited time available allotted to each Council
21 Member. We recognize that you're a significant
22 partner in this work. The numbers that we're
23 presenting today are incredibly important and have
24 very significant legal implications, so we want to
25 make sure that we're walking through them
collectively and in as much detail as possible. So,

3 we're here to answer any of those questions to the
4 extent that there a unit, an owner who has not been
5 able to put a unit back online for any number of
6 reasons. We have a wide range of preservation
7 programs as you're aware of.

8 COUNCIL MEMBER BREWER: I know every one of them
9 and it's not going to work for these units.

10 LUCY JOFFE: We're committed to finding as many
11 solutions as possible to these units.

12 COUNCIL MEMBER BREWER: Thank you.

13 LUCY JOFFE: We do want to keep in mind the scale
14 of the problem we're talking about it.

15 COUNCIL MEMBER BREWER: Alright, thank you.

16 CHAIRPERSON SANCHEZ: Thank you. Thank you
17 Council Member Brewer and I think that that's a -
18 it's a really, really important question that you are
19 asking because to me when I hear about the shortage
20 of low cost housing versus the not as much of a
21 shortage of high cost housing, you know that to me is
22 like, okay, we have to make sure that we are building
23 more low cost housing, providing vouchers to get
24 people into affordable homes and it could be those
25 higher cost units but it's really, you know it's
really this notion that has been spread around that

3 rent stabilization is bad for the City of New York
4 and its bad because it keeps rents low and those low
5 rents are not supporting the operation, like we can't
6 rent - there are building owners who are saying,
7 we're not going to rent out units because we're not
8 earning enough money from them and I think what HPD
9 is saying today is that, that is a very, very, very,
10 very miniscule portion of what is happening, right?
11 And I just want to kind of focus attention on that,
12 that the low-cost rent stabilized universe that are
13 vacant, very, very tiny. So, when last night, many
14 of the folks were here in this room today, many of us
15 who were in the Bronx testifying for the rent
16 guidelines board, when we testified in that space,
17 we're talking about no increases because it's a lie
18 that landlords are you know not able to maintain
19 their property because of these low-cost rentals,
20 right? That is a myth. That is 2,477 units
21 potentially is what I'm hearing HPD say today. HPD
22 did I mischaracterize that?

23 ELYZABETH GAUMER: That is correct.

24 LUCY JOFFE: That is correct.

25 CHAIRPERSON SANCHEZ: Thank you. Thank you so
much. So, Council Member Rivera, you're up next.

3 COUNCIL MEMBER RIVERA: Thank you so much for
4 your testimony and for being here and I appreciate
5 your attitude I guess towards your testimony, which
6 is that you believe in what you presented. I find
7 some of the content here. Clearly, I mean, I
8 disagree with it but to call this issue with
9 distraction, I don't agree with that. I feel like
10 we're finally getting attention on an issue that's
11 prevalent, that's been a challenge and a problem for
12 many, many tenants and to say that a lot of vacant
13 units and owners typically in the process of
14 renovating or correcting conditions. Yeah, a lot of
15 times that construction is also harassment and is
16 also pushing tenants to the point where they feel
17 cornered by market forces, by increases in everything
18 in terms of costs and services. So, calling it a
19 tiny slice when many of the people here are fighting
20 for crumbs, I just don't think that that was
21 appropriate but I understand where you're coming from
22 and believing in your data. I also think that you're
23 the type of agency that would want as much data as
24 possible. And I think that it's the Councils
25 responsibility to talk about these issues in a nuance
way. So, as may insignificant or as trivial as you

3 think that this one tenth of a one percent might be,
4 I have a hard time understanding the Administrations
5 sort of broader focus on how to address the housing
6 crisis.

7 So, sometimes I think it pays to be nuanced. To
8 my questions, has HPD had internal conversations over
9 the years about the dangers posed by vacant units and
10 have there been plans to support tenants in reporting
11 issues with vacant units?

12 LUCY JOFFE: So, I appreciate both your
13 perspective, the feedback and your question Council
14 Member, I am the Assistant Commissioner for Housing
15 Policy within the Policy team and we have an entire
16 research infrastructure. We agree that living in the
17 nuance is quite important and we view our
18 responsibility to provide data about what's going on
19 in the market as critical to our partnership with the
20 Council.

21 COUNCIL MEMBER RIVERA: Alright before you
22 continue since my time just, let me just ask you, so
23 I asked you the internal conversations about
24 supporting tenants and reporting issues with vacant
25 units. I'd also like to know whether in terms of
those conditions that are reported, does lead come

3 up? Lead abatement? Has that also been something
4 that landlords have reached out to your
5 administration about? And about what percentage of
6 landlords with the rent stabilized units in their
7 portfolio have come to HPD seeking assistance on
8 renovations?

9 LUCY JOFFE: Great, as I noted in my testimony,
10 every single potential vacant unit is an opportunity
11 that we take incredibly seriously for housing New
12 Yorkers. Nothing we presented today was intended to
13 undermine that and we are working with the Council,
14 hopefully with our state partners to use as many
15 tools to make our tools as effective and efficient as
16 possible and to make sure that we actually have what
17 we need to address the problems that exist.

18 That being said, there are very few vacant units
19 available in the city. It is a defining -

20 COUNCIL MEMBER RIVERA: I understand and I just
21 want to say for sake of time, you've repeated that
22 and that's why I started my questing, appreciating
23 the fact that you said the same thing five times
24 because consistency is key but I would like for you
25 to answer the questions because you're going to hear
from tenants, maybe not you because maybe you're

3 going to back to your offices but at least people on
4 your staff are going to have to listen to these
5 tenants and hear the stories of what they're going
6 through next to these units.

7 So, if you could just answer these questions I
8 would really appreciate it. I do have your testimony
9 and not only did I read it but I heard you read it.
10 So, can you answer that about internal conversations
11 over the years about the dangers posed by vacant
12 units. Have there been plans to support tenants in
13 reporting issues with vacant units and in terms of
14 landlords coming to HPD seeking assistance on
15 renovations, can you go into detail about the
16 support? We know about unlocking doors for example,
17 which is a new initiative by the Mayor and is lead
18 abatement a concern for these landlords? Thank you.

19 ANNMARIE SANTIAGO: Thank you Council Member and
20 will try to answer those questions in order but you
21 can stop me. In terms of vacant units and conditions
22 there, as you know the city has invested a lot in
23 harassment as the issue, right? Not necessarily the
24 vacant unit but whether that harassment is occurring
25 because there's illegal construction or there's dust
because of construction or there's harassment in

3 terms of HPD types of conditions, no heat and hot
4 water, pests, mold, so there has been a big
5 investment over the past few years in that
6 specifically, targeting not specifically vacant units
7 but targeting harassment and the different tactics
8 that a property owner can use to harass tenants.

9 Similarly on lead, there has been a big push and
10 we had a recent hearing on lead and talked a lot
11 about turnover which is the lead in vacant units and
12 the efforts that the city has been making in terms of
13 issuing violations for failure to conduct turnover
14 activities and certainly we can provide you
15 information that was discussed at that hearing if you
16 know want more detail about turnover in particular.

17 In terms of lead and resources for property
18 owners, we do have a program at HPD specifically to
19 support property owners regarding lead-based paint.
20 We did not bring that data here today but again, we
21 have information on what program, what the program
22 has spent, what the owners request when they come in
23 and that can be provided to the Council you know at
24 some time.

25 COUNCIL MEMBER RIVERA: Thank you Chairs for all
of the time. Just, I want to make sure that you - so

3 you have plans to support tenants in reporting issues
4 with vacant units. Do you depend on 311 for this
5 data? And that's my last question to the Chairs.
6 Thanks again.

7 ANNMARIE SANTIAGO: What we recommend is tenants
8 report conditions in their units. We come to their
9 unit, we observe that the condition is being caused
10 and a lot of times especially regarding pests or
11 mold, the cause is somewhere else, not necessarily in
12 the tenants unit and whether that's an occupied
13 apartment. So, requirement of the violation is to
14 trace the source of the condition and address that
15 condition. And so, that's really how we deal with
16 those conditions. In cases of harassment, you know
17 we have our Tenant Harassment Protection Taskforce.
18 Tenants can reach us through the Mayor's Office to
19 protect tenants as well and we will deal with those
20 situations as they arise and they are brought to our
21 attention.

22 CHAIRPERSON SANCHEZ: Thank you. Thank you so
23 much Council Member Rivera and this is an important
24 line of questioning. There are some harrowing
25 stories that we've heard and that you'll hear today
if you're able to stay or watch online after your

3 portion and there about ongoing leaks, ongoing
4 conditions that are coming from stemming from an
5 empty unit and it's being used to harass.

6 So, you just talked about uhm, Deputy
7 Commissioner, you just talked about the requirement
8 to trace the source condition for mold or you know
9 certain violations. So, how often do you have a
10 sense of how often the source of a condition has been
11 in adjacent, vacant unit or a vacant unit within the
12 property?

13 ANNMARIE SANTIAGO: I don't have a number on that
14 Council Member.

15 CHAIRPERSON SANCHEZ: Is that something that
16 could be discernible through the data as it stands
17 today?

18 ANNMARIE SANTIAGO: I'm sorry, when the inspector
19 issues the violation, he doesn't know it - or she,
20 doesn't know at the time that they issue the
21 violation whether or not the source of the condition
22 is a vacant unit or an occupied unit. So, we do not
23 track that information.

24 CHAIRPERSON SANCHEZ: Would it be useful? I
25 think it would be useful. Our colleagues think it
would be useful to require a look at whether it is

3 adjacent or a nearby vacant unit that is causing the
4 problem.

5 ANNMARIE SANTIAGO: Often times the inspector may
6 not – in any situation, a property owners is the best
7 judge of where the condition is being caused from.

8 The inspector is not a plumber for example or a pest
9 management expert in terms of identifying where the

10 condition would arise. Certainly, if there is a

11 condition of harassment in the building where again,

12 there are a lot of vacant units and the tenants feel

13 that the tenant harassment is being generated from

14 those units. You know we encourage the referrals to

15 us for our tenant harassment unit to go out and take

16 a look at those buildings and in those cases, we

17 drill down more specifically to deal with the

18 property owner on the source of the condition.

19 CHAIRPERSON SANCHEZ: Got it and just one more on

20 this before I turn it over to Council Member Abreu,

21 who is not here, so I will turn it over – oh, who is

22 here, sorry.

23 Before I turn it over to Council Member Abreu.

24 Is today, if a tenant within a building is you know

25 complaining to 311 in conversation with HPD

inspectors, what is the inspectors protocol if the

3 tenant says specifically, I believe that the source
4 of the issue is coming from a vacant unit?

5 ANNMARIE SANTIAGO: The inspector will issue the
6 violation and again, in following up with those
7 violations in cases where we do, where it's an
8 emergency repair, we will make every attempt to get
9 into that unit or contact the property owner.

10 CHAIRPERSON SANCHEZ: Thank you. Thank you so
11 much Deputy Commissioner. Council Member Abreu.

12 COUNCIL MEMBER ABREU: Thank you Chair Sanchez.
13 I'm particularly disturbed by the fact that we don't
14 have data on when you're tracing the source of a
15 violation that you don't know or the number of how
16 many of that is coming from within the unit or in an
17 unoccupied vacant warehoused unit.

18 Specifically when we are being told by tenants
19 themselves, who by the way do know best about the
20 conditions in their apartments, we are being told by
21 them that these conditions are coming from other
22 apartments. I myself have walked through different
23 units in the upper west side and park west village.
24 We have Patricia Loftman here and Sue Sussman from
25 the upper west side. I have walked myself into these
vacant apartments and we know warehousing is

3 happening. It's happening in the hundreds in the
4 upper west side. I'm just particularly disturbed
5 that we don't have that data and there are three
6 adjectives that really bothered me today, confusion,
7 distraction, that data is misconstrued. Then why not
8 get the data? So, that we're all on the same page
9 and we're not calling into question this information
10 and that data should be driven from tenants, not from
11 owners alone. Thank you. I have no questions.

12 CHAIRPERSON SANCHEZ: Thank you. Thank you so
13 much Council Member Abreu. So, next up, we're going
14 to go to Council Member Hanif.

15 COUNCIL MEMBER HANIF: Thank you so much Chair
16 Sanchez and thank you for being here with us. I am
17 still digesting the data set and from what we've been
18 hearing directly from constituents and tenants and
19 also perspective tenants who are in dire need of
20 deeply affordable housing and dignified housing, that
21 have repairs made to now seeing this data, just
22 trying to assess and understand really how to take
23 this all in. I am curious to build on Council Member
24 Brewer around the almost 4,800 units that have been
25 vacant for 12 months or longer to better understand
your team strategy around how to get those units on

3 the market and what are the conversations with the
4 landlords? Like, what is the relationship that you
5 all have with these vacant units? I would like to
6 understand that a little bit more and then I have a
7 couple more questions.

8 ELYZABETH GAUMER: I'll begin maybe by just
9 helping to clarify our process for this and also the
10 ways that we can use our New York City Housing and
11 vacancy Survey Data. So, we do this and have done
12 this now for many decades in partnership with the
13 Census Bureau. We take that job very seriously to
14 make sure that we're asking the right questions.
15 We're double and triple checking. We're classifying
16 things in a way that makes sense and providing data
17 to you, your colleagues, as well as the general
18 public. For these particular units that we've
19 identified here, as with all of the information that
20 we collect through the US Census Bureau, it is for
21 purposes of information and statistics only and there
22 are federal laws to protect the privacy of
23 particularly the tenants in these units and living in
24 these buildings and ensure that none of the
25 information can be used for anything other than
purely the research purpose it was collected for.

3 That means that we can't provide a list of these
4 units for other activities, for recruitment into a
5 program. I am not able to nor is the Census Bureau
6 able to disclose particular addresses or landlords,
7 so we can talk more broadly about these types of
8 units but I just wanted to be clear about this count
9 of units that we're talking about doesn't really
10 produce a list where we can do anything else about
11 that.

12 COUNCIL MEMBER HANIF: Got it, so these are
13 numbers based off of the evaluation, the survey
14 collected and then there isn't even without
15 articulating putting out names of buildings,
16 landlords, you're not driving any campaign to say
17 like, everyone has a role in ensuring that vacancies
18 are filled. Is there something that is like not
19 calling names and identifying locations but something
20 to really drive like almost 5,000 units that have
21 been sitting around, even if it's not deeply
22 affordable but they are empty units.

23 LUCY JOFFE: Thank you for that question. So,
24 right, so these are two separate issues, right?
25 Whether or not we can — what information we can
26 reveal from people who share their very deeply

3 personal information with us to the survey and then
4 the city's response to it.

5 We've mentioned the fact that the New York City
6 Housing and Vacancy Survey underwent a very
7 significant redesign in 2021. That's not accidental.
8 A lot of data that we have shared today and recently
9 is data we've been collecting for decades. Some of
10 it is new because there are things we wanted to know
11 more about and figured the Council would want to
12 understand better and it gives us really good
13 perspective in particular after 2019, about ways that
14 our housing market has or has not changed.

15 So, we have emphasized the significance of this
16 data because of the legal implications and the
17 confusion that has happened in the press over
18 numbers, because those numbers do matter for the
19 legal significance of our system and that's really
20 important. But it doesn't suggest that there aren't
21 really important policy responses that we need to
22 work on together now that we have some of this data,
23 right? So, if we're talking about any individual
24 tenants circumstances like harassment, there's a
25 really important harassment discussion that we need
to be having. If we're talking about the potential

3 of units unoccupied, vacant units, causing harm to
4 other tenants, we want to make sure that we have an
5 infrastructure for that and we believe that we have
6 the right systems in place for that.

7 To the extent that there are some number of
8 vacant units that could be put back on the market
9 safely. That they could represent affordable
10 housing, we are deeply committed to that. We share
11 this Council's goal of wanting to ensure that there
12 is safe, quality, affordable housing in neighborhoods
13 across every borough across the city. To the extent
14 that this represents one small sliver of that
15 strategy we're all in to work with you all on this.
16 What we want to be really clear on is it can't be our
17 primary strategy, it's not a silver bullet and
18 there's a lot that we need to work on with the
19 Council, with our partners at the state legislature,
20 to make sure that we have the tools that we need to
21 build and preserve low cost and affordable housing.
22 There are certainly short-term measures that we can
23 take and are taking because everything is on the
24 table when we're talking about the extent of the
25 crisis that our city is currently in and we take that

3 really seriously but investing long term in \$3,000
4 units is not what anyone wants to see.

5 COUNCIL MEMBER HANIF: Sure.

6 LUCY JOFFE: So, we want to make sure that we're
7 doing a little bit of all of the things that we need
8 including building more low cost and affordable
9 housing across the city. We take very seriously that
10 the Chair has in recent months said that she is going
11 to ask us every time we show up about building
12 housing for the constituents who live in her
13 district. And I know many of you feel that as well.
14 We want to make sure that we are focused every day on
15 ensuring that we have low cost and affordable units
16 for the New Yorkers who are in need.

17 COUNCIL MEMBER HANIF: Thank you. Chair, I have
18 a few more questions. The Brooklyn Borough President
19 Antonio Reynoso recently proposed some city level
20 policies that have the potential to open up tens of
21 thousands of vacant apartments that are currently
22 unlisted or unleased to those who are experiencing
23 homelessness with deference given to those who have
24 been in city shelters the longest. Under the
25 proposal, the city would one, add the arrival of
migrants as an emergency under the Administrative

3 Code to direct the mayor and city to lease market
4 apartments for housing homeless families toward
5 creating space in our shelter for new arrivals and
6 three, require landlords to prioritize renting to the
7 city at the market rate to alleviate the burden. And
8 four, ban the refusal to rent apartments to the city
9 during an emergency crisis. Has the Administration
10 taken a position on the Borough Presidents proposal?

11 LUCY JOFFE: We don't have a position on the
12 particular proposal but we want to come to the table
13 with everyone who has great solutions, so we look
14 forward to continuing conversations around all
15 possible ways that we can house the many New Yorkers
16 who are in need of safe, stable and affordable
17 housing.

18 COUNCIL MEMBER HANIF: That's great, I support
19 the Borough Presidents involvement and really want to
20 make an effort to show that this is an all-hands-on
21 deck effort.

22 LUCY JOFFE: Yes, we need more people to realize
23 the extent of the crisis that we're in. The fact
24 that we need more low cost and affordable units. And
25 so, we're really glad that the Council in particular
is helping bring attention to that issue.

3 COUNCIL MEMBER HANIF: And then on the topic of
4 transitioning people out of shelter into apartments,
5 HPD has at least a ten percent set aside for formerly
6 homeless folks in their developments. Are you able
7 to share how many of those units are currently
8 vacant?

9 LUCY JOFFE: I don't have data on that
10 specifically today but just like in the rest of the
11 housing market, in our housing, vacancy is incredibly
12 low. We are constantly focused and its been a
13 particular priority in this Administration on getting
14 New Yorkers into housing as quickly as possible as
15 well. So, we are doing everything we can to reduce
16 all of the times that things take, so we don't have a
17 lot of vacant units generally.

18 COUNCIL MEMBER HANIF: And then are you able to
19 provide an update on the converted office space HERC
20 in Bushwick?

21 LUCY JOFFE: I'm not. I'm here to talk today
22 about permanent housing but we'd be I know that
23 there's going to be a hearing later in the month and
24 I would defer to my colleagues that are working on
25 this issue specifically. We'd be happy to follow up
and/or at that hearing.

1 COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 60

3 COUNCIL MEMBER HANIF: Great, yeah this is just a
4 curiosity as to the new role HPD is playing with the
5 HERC Administration and wanting to know if you can
6 share maybe a little bit more about just identifying
7 these office spaces. Like is there like a list that
8 you all have put together in identifying either the
9 respite centers or what's happening in Bushwick?

10 LUCY JOFFE: We'd be happy to follow up with you
11 on that.

12 COUNCIL MEMBER HANIF: Thank you. Thank you
13 Chair.

14 CHAIRPERSON SANCHEZ: Thank you so much Council
15 Member Hanif and thank you for your responses. I now
16 want to turn it over to Council Member Restler. Look
17 at how nice I am right; you all go first and then I
18 go.

19 COUNCIL MEMBER RESTLER: You are very kind Chair
20 Sanchez. We appreciate the generosity and spirit in
21 giving us all a chance to jump in. And I do want to
22 echo your sentiment that the Housing and Vacancy
23 Survey is a great resource for New York City. So,
24 appreciate everyone at HPD that works on it and the
25 thoughtfulness that's behind it. And I think that
there are but I will admit I'm disappointed and

3 frankly surprised by some of the characterizations
4 we've heard from HPD today. To call the focus on
5 nearly 90,000 vacant residential rent regulated units
6 a distraction, is odd to me. HPD produces 9,000
7 housing starts a year, affordable housing give or
8 take. Bring about a number that's ten times that
9 amount.

10 I get that some of these units are under
11 construction, some of them are on the market. There
12 is some healthy turnover that happens but as we all
13 know, the prices of housing in New York City have
14 skyrocketed. We've seen double digit rent increases
15 just year over year in Brooklyn, Queens, Manhattan.
16 Average rent in Manhattan are well over \$4,000 a
17 month for a median apartment. So, when we have -
18 when someone has a rent regulated unit, they hold
19 onto it as long as they can, especially an affordable
20 one. One out of nine of these units are vacant,
21 right? Are not occupied right now at least according
22 to your most recent Housing and Vacancy Survey.
23 That's a significant number that excuse me, one of
24 eleven, I misspoke. One of eleven units are occupied
25 right now of our rent regulated housing. What is
that telling us? And why are we not getting, seeing

3 more those units activated more swiftly? I find it
4 very disconcerting. You've leaned in to the data
5 point that a small number are rented out at under
6 \$1,000 a month. \$2,500 out of the 90,000 vacant
7 units but how many vacant units rent between \$1,000
8 and \$1,500 a month? How many vacant units rent
9 between \$1,000 and \$2,000 a month according to the
10 HCR roles? Do you have those data points for us
11 today?

12 LUCY JOFFE: Thank you Council Member.

13 COUNCIL MEMBER RESTLER: But I actually direct
14 that question to the Housing Vacancy Survey.

15 LUCY JOFFE: Okay, but before Dr. Gaumer answers,
16 we still call her Dr. Gaumer, not the Housing and
17 Vacancy Survey just by way if may sound today.

18 COUNCIL MEMBER RESTLER: I apologize Dr. Gaumer.
19 I didn't have your name at my disposal, I apologize.

20 LUCY JOFFE: Yeah, but uh, I appreciate your
21 surprise. There are significant legal implications
22 to our survey for our entire rent stabilization
23 system. Adding together numbers that are not
24 technically supposed to be added together, has
25 implications -

3 COUNCIL MEMBER RESTLER: To me, I'm adding
4 together the numbers of whether there's somebody in
5 the unit that's living there or there's somebody that
6 isn't.

7 LUCY JOFFE: And there are significant legal
8 implications for our entire system that we take
9 really seriously.

10 COUNCIL MEMBER RESTLER: I do to.

11 LUCY JOFFE: So, I'm trying to make sure that
12 every opportunity we have to clarify that confusion,
13 that we take it because it is incredibly important
14 that no one is confused that those numbers are
15 different.

16 CHAIRPERSON SANCHEZ: Sorry, Assistant
17 Commissioner, if I may and Council Member Restler, I
18 promise I will give you this time back. I just want
19 to focus us on 45,970 because that is the number.
20 That is the number of units that are available.
21 They're vacant and available. And then the other
22 units that are not - that are vacant and unavailable,
23 those are the ones that they mentioned are under
24 construction. Maybe it's just today but tomorrow
25 they're going to be rented. So, they shouldn't be
counted in the survey. It's important. The \$45,970

3 number that gets us to a 4.57 percent vacancy rate in
4 the City of New York, we have to get those – we have
5 to figure out how to get those online, right? But I
6 just want to focus us on that because that's what the
7 60,000 and 90,000 number that we heard in the press
8 contradict, right? And the true number is 45,–

9 COUNCIL MEMBER RESTLER: I'm very focused on the
10 45,000. I think it's really important for us to
11 develop specific policy solutions for those. I also
12 think we need policy solutions for the 42,860 as well
13 because we need each and every one of these units to
14 be occupied. So, I appreciate that you're trying to
15 disaggregate the data and is our Chair and she's
16 smarter than me, so you should listen to her but I do
17 want every single unit to be occupied. That's our
18 goal.

19 LUCY JOFFE: No conversation is off the table.
20 We are not suggesting that we can't talk about both
21 groups but I just want to be really clear about why
22 we are being so clear about the difference between
23 those groups. So, I can turn it over to Dr. Gaumer
24 to talk a little bit about what we see in the income
25 levels of the data as you asked.

3 ELYZABETH GAUMER: Thank you. This will be brief
4 because I in fact don't have those data with me or
5 available.

6 COUNCIL MEMBER RESTLER: Is it available data?

7 ELYZABETH GAUMER: What I will say is it is, I
8 can't guarantee that the Census Bureau will approve
9 my request to release those data. We go through a
10 very rigorous process of disclosure avoidance before
11 any data can be shared. But I'm more than willing to
12 work to get those data as quickly as we can and do
13 that.

14 COUNCIL MEMBER RESTLER: And, but frankly, this
15 is what so clearly underscores the need for our
16 legislation and I think you indicated; we were
17 confused but apologies Assistant Commissioner, I
18 think you referenced yourself as being confused in
19 your testimony in relation to our bill Intro. 352.
20 What this bill would do would deidentify every vacant
21 unit that's available in New York City on an annual
22 basis. So, that we know exactly where it is and
23 these vacant units are not just helpful to us in
24 addressing the housing crisis that we all recognize
25 but if you talk to Mr. Espinal here about the vacant
unit in his building and how it is having such

3 deleterious impacts on his living conditions. The
4 leaks, the rats, the mold that comes from one vacant
5 unit that is left in disrepair and effects an entire
6 building, the Housing and Vacancy Survey, which is a
7 great tool to Chair Sanchez and Dr. Gaumer's points,
8 doesn't help us address these issues. So, I would
9 like to address Deputy Commissioner Santiago with
10 just a couple relevant questions if the Chair would
11 allow who it's always good to see.

12 ANNMARIE SANTIAGO: Thank you Council Member.

13 COUNCIL MEMBER RESTLER: It's good to see you
14 AnnMarie. How many violations have been issued to
15 vacant units this fiscal year to date or last fiscal
16 year? Do HPD inspectors issue violations such that
17 vacant units are not - including vacant units not
18 being properly secured or do we track if the vacant
19 units are having negative impacts on adjacent units
20 and does that inform our policies? Could you speak
21 to this a little bit more?

22 ANNMARIE SANTIAGO: Sure, again Council Member,
23 our goal is to make sure that tenants are safe in the
24 housing that they are in and when we write the
25 violations for the conditions in the location where
they are, the expectation is that that violation will

3 be corrected whether that violation is caused by
4 something internal to the unit. Whether it's caused
5 by another occupied unit because we often see that or
6 whether it's caused by a vacant unit. There is no
7 distinction that we make about that. The condition
8 is issued and is expected to be corrected.

9 COUNCIL MEMBER RESTLER: So, the issue is
10 corrected based on the impact that it has on the
11 neighbor, not on the vacant unit itself? That the
12 underlying issues in that vacant unit need to be
13 addressed. It's only specifically the impact that it
14 may have on a neighbor because it's the complaint
15 driven system that's coming from Mr. Espinal or
16 whoever it may be.

17 ANNMARIE SANTIAGO: Generally speaking, that's
18 correct, yes. And again, I talked about in response
19 to Council Member Rivera's concern, right? If there
20 is harassment being caused by these types of
21 conditions that are widespread in a building, we
22 certainly have tools to address those issues.

23 COUNCIL MEMBER RESTLER: To me this underscores
24 again the need for Council Member Rivera and Council
25 Member Brewer's urgent legislation. We need to be
more aggressively issuing violations to vacant units

3 to make sure that they are getting renovated and
4 inhabited as quickly as possible and I appreciate the
5 perspective of the impact it has on the neighbor,
6 which is important but we should be addressing more
7 comprehensively in underlying units and issuing
8 violations accordingly.

9 And I just want to come back to say, the fact
10 that you all brought a specific data point that is a
11 compelling one, that only 2,500 of the vacant units
12 that we're talking about today are for going at rents
13 under \$1,000 but thousands of more units are renting
14 at highly affordable rates at \$1,200 a month and
15 \$1,300 a month. These are the units that our
16 families in our communities are desperately in need
17 of. And the fact that we have to beg the Census
18 Bureau to try to get this information to understand
19 it is just inadequate. It's totally inadequate and
20 that's why we need this survey conducted each and
21 every year of every vacant landlord, of every vacant
22 unit in each and every one of our districts so that
23 we can start putting pressure on those landlords.
24 So, that we can start making sure that every unit of
25 housing that is available is built.

3 When we're talking about numbers that are many
4 factor of the times, whether it's the 45,000 unit or
5 the 42,000 number that you're - many times as many
6 units as HPD is starting construction on in a given
7 year, this is an important figure. This is an
8 important source of housing. It's not a silver
9 bullet, it's not a panacea but it's a much more
10 important part of the solution than I think you guys
11 are giving it credit for today and I hope that you're
12 hearing from this Council that we want you to take it
13 more seriously.

14 ANNMARIE SANTIAGO: We are and I think I want to
15 just reiterate what Assistant Commissioner Joffe has
16 said, which is we take seriously every unit that's
17 vacant in terms of making sure that we have the right
18 tools to assist owners to put those units back on the
19 market and to make sure that they're rehabbed for any
20 New Yorker again, regardless of income or the cost of
21 the unit. I don't think that was the point in
22 raising the cost of the units.

23 LUCY JOFFE: No, thank you. There is no
24 disagreement that any household that is in need of
25 housing in the city, that is incredibly important.
Any household that's experiencing harassment, that is

3 incredibly important. Anyone who is living in a
4 poor-quality unit, that is incredibly important. We
5 share these goals together. What our goal is in
6 sharing data so that we can understand the scope of
7 individual problems is figuring out what is the right
8 infrastructure for attacking a particular problem and
9 how do we want to use the city's resources to be able
10 to best meet the varied needs that we have here in
11 the city.

12 That's our collective goal and we look forward to
13 working with all of you to address all of these
14 challenges within our housing market.

15 CHAIRPERSON SANCHEZ: Thank you Council Member
16 Restler. I'll now turn it over to Council Member
17 Avilés and I'm sorry, before Council Member Avilés,
18 I'd just like to acknowledge that we were joined by
19 Council Member Barron and now Council Member Hudson
20 has also joined us on Zoom. Council Member Avilés.

21 COUNCIL MEMBER AVILÈS: Great, thank you so much
22 Chair. I just, I'd like to know Deputy Commissioner,
23 if in a building a landlord has failed to pay his
24 electricity and there is no light in any of the
25 common areas, does that constitute a hazard for those
residents in the building?

3 ANNMARIE SANTIAGO: Yes.

4 COUNCIL MEMBER AVILÈS: So, just to note, we have
5 a persistently neglectful landlord, actually quite a
6 series of landlords that has taken over buildings in
7 our community. And not only offering no repair after
8 many, many HPD inspections, tenants protesting, they
9 currently find themselves in three buildings with no
10 electricity.

11 ANNMARIE SANTIAGO: Council Member –

12 COUNCIL MEMBER AVILÈS: Seniors, residents,
13 children and I will get you those addresses.

14 ANNMARIE SANTIAGO: Absolutely.

15 COUNCIL MEMBER AVILÈS: Yeah, we need swift
16 action. We are tired of dealing with this person.
17 In terms of uhm, how do multifamily buildings that
18 are sitting vacant get counted in this survey?
19 Because I have quite a number of giant persistently
20 vacant buildings that are just sitting there.

21 ELYZABETH GAUMER: Sure, it is an important
22 question. Thank you for that. So, as I said before,
23 we include every type of housing in New York City,
24 residential housing in New York City. That's part of
25 a master list of every address. We draw a
statistical sample, and when I say we, I mean the US

3 Census Bureau on our behalf, draws a statistical
4 sample of units from that list. So, we do not select
5 buildings for a survey we specifically take a
6 residential unit. In some cases, that might be a
7 building, like a single-family home. But it is about
8 a dwelling unit. There is complicated probabilistic
9 sampling design behind all of this that determines
10 the certain ratios that we use of how many units of
11 different kinds we pick in a given survey cycle but
12 we do that to ensure that we have at the end of the
13 day a representative and substantially large enough
14 sample to be able to speak to all of the different
15 types of housing in all of the ways that we do.

16 So, to your specific point if you have a given
17 building where all of the units right are vacated and
18 it is not occupied at all, it has exactly the same
19 probability of being picked for a survey as a
20 building right next door to it if it's similar in
21 every other characteristic but is entirely occupied.
22 So, we don't know in advance what the status of those
23 units is, which is part of why we send our trained
24 field representatives to those sampled units to
25 determine its occupancy status according to our
protocols and procedures and then to gather

3 additional information that we report on to you and
4 to the general public.

5 COUNCIL MEMBER AVILÈS: So, buildings that are
6 lets say a fire, that sit empty four or five or ten
7 years, they're potentially included in the survey.
8 So, I appreciate that. I'm sure statistically that
9 is pursued with rigor and all of that. To my
10 community who is suffering a need for low-income
11 housing and at the brink, watching buildings persist
12 year after year after year and the city not
13 materialize any real affordable housing for them, is
14 part of the problem. So, what I'd love to understand
15 is what is the proactive mechanism that HPD is doing
16 to not only get the - I know you want to focus on the
17 45,000 rent stabilized units that are vacant and on
18 the market but what's the proactive push? Even
19 around the 42 rent stabilized units and also, all
20 these buildings that are sitting empty as our
21 residents are sitting in homeless shelters?

22 LUCY JOFFE: Thank you for that question. Again,
23 we want to make sure that we're here talking about
24 the New York City Housing and Vacancy Survey. We're
25 doing it because we want to make sure that we are
using the data that we have in front of us to drive

3 our discussions. The survey is not a substitute in
4 any way for any of the actions that we're here
5 talking about and the need to build and preserve more
6 low cost and affordable housing.

7 Certainly to the extent you know when there are
8 vacant properties that are available, there can be
9 sort of any number of range of appropriate responses
10 but primarily, we also want to see as many homes and
11 buildings become affordable housing as possible. We
12 have a range of preservation programs and would love
13 for owners to come work with us and turn that housing
14 into low cost and affordable housing.

15 The law does not allow us to require an owner to
16 do that but we have invested significantly in our
17 preservation infrastructure. We also really need
18 certain tools at the state level that will make HPD
19 more efficient, more effective in what we're doing,
20 so we mentioned some of those in testimony, things
21 like J51 might be the right option for certain
22 building owners who have a building that is in that
23 kind of state of repairs. We haven't had J51 in some
24 period of time but it is an incredibly important tool
25 in the city's toolbox that we're currently missing.
We also have talked a little bit about Harrah and

3 that is another piece of legislation that will help
4 the city do more and we really do need to do more and
5 we appreciate that there are tenants who are looking
6 around and saying we want to see more low-cost and
7 affordable housing in our neighborhoods. We share
8 that concern. We want to work with the Council on it
9 and we need some state action to help make what we're
10 currently doing more efficient and more effective.

11 COUNCIL MEMBER AVILÈS: I appreciate that and I
12 guess I will send you the information about that
13 building or a set of buildings in my district. And
14 you know just to underscore, I think your intention
15 and your testimony was not to say that this is not
16 important but what we heard, what I heard, is one-
17 tenth of a percent is a distraction and I'm deeply
18 disturbed by that because one family; we, on the
19 Council are in the community. We hear the stories
20 every single day of people who are getting pushed out
21 of their homes, who are being harassed, who are
22 persistently shoveled around by the incredible
23 bureaucracies that we've created, that favor the real
24 estate industry quite frankly. And not tenants who
25 are struggling on a day-to-day basis, so I would
advise never to use a distraction, the terminology of

3 distraction when you're talking about housing in New
4 York City particularly because you know the depth of
5 the crisis that we're facing. Every unit we can get
6 on the market as quickly as possible to house a
7 family is not a distraction. It is imperative that
8 we do that.

9 So, I don't think it was your intention but
10 that's certainly I think what you're hearing from
11 many of my colleagues and it's certainly what's laying
12 on me as I go back to my district and I sit with
13 seniors who are crying because there is nowhere for
14 them to go, so thank you.

15 CHAIRPERSON SANCHEZ: Thank you. Thank you so
16 much Council Member Avilés and I think the way that
17 you phrased it is really quite perfect right? What
18 is HPD doing about units or building that are sitting
19 vacant while tenants and residents sit in our
20 shelters?

21 So, if I can just drill down on that, you said
22 there's a number of options, Assistant Commissioner,
23 a number of options that are available to the
24 Administration to address those units. Even as we
25 you know have a separate conversation about Albany,
you know on their J51 reform, you know on there we

3 held a hearing on ADU's legalizing basements. You
4 know we are hearing today a resolution in support of
5 affordability plus or Harrah apparently it's called,
6 question mark sent. But even as we push Albany to
7 give us more authority to allow us to do more and to
8 support us in doing more, can we talk about the tools
9 that the city has at its disposal right now, right?

10 So, our Zombie Homes program, Article 11, you
11 know there's a number of tools, so can you talk to us
12 about how HPD is using the tools that we have
13 available today to move vacant units into occupied
14 units?

15 LUCY JOFFE: Sorry, thank you for that question.
16 So, I think you did a great job of teeing up the
17 question. It's just, which is yes, there are
18 circumstances in which our Zombie Homes law is
19 helpful in ensuring that we are responding to homes
20 that are in foreclosure that have been neglected.
21 There are tools that we can use to productively turn
22 housing into safe and low-cost affordable housing.
23 And all of these are incredibly important, so as you
24 said, we've been pushing for ways to make these tools
25 more effective and more efficient. These are pretty
small parts of our day-to-day work, one of the

3 features defining features of our housing market is
4 there are too few vacancies. So, these are not the
5 main work courses of our work but certainly our
6 preservation programs are we welcome the opportunity
7 to work with more owners to turn housing that could
8 be productive low-cost affordable rental housing into
9 low cost and affordable rental housing and to working
10 with the Council to identify more potential
11 opportunities.

12 We want to make sure that when we talk about each
13 of these particular programs, these particular scopes
14 of work, we're just very clear on what the capacity
15 of any potential response is.

16 CHAIRPERSON SANCHEZ: Alright, thank you, so
17 drilling down a bit, at our Executive Budget hearing
18 Commissioner Cassione (SP?) announced a pilot program
19 called Unlocking Doors and not to be confused with
20 Open Doors and Unlocking Locked Doors, I don't know,
21 there's a lot of similar programs. But a pilot
22 program called Unlocking Doors which proposes to
23 invest \$10 million to repair rent stabilized units
24 that have been chronically vacant for tenants with
25 vouchers. So, to start, is Unlocking Doors a

3 recognition by the Administration of the importance
4 of rent stabilized units?

5 LUCY JOFFE: Thank you for that question. First
6 and foremost it's a recognition that there are New
7 Yorkers with vouchers and we want to get them housed
8 as quickly as possible and at the time that people
9 spend looking for housing is really, isn't something
10 that is really significant. We need to get people
11 stably housed quickly. It's also an acknowledgement
12 that we are willing to be creative and explore
13 potential opportunities wherever we can find them.
14 We are being opportunistic. We want to be clear on
15 what the scope of what the problem is but also, where
16 possible, explore new ideas.

17 CHAIRPERSON SANCHEZ: Thank you. So, given the
18 potential that we've heard a lot from our residents
19 across the city, given the potential for various
20 actors who are either you know holding units hostage
21 or otherwise acting out of bad faith. How does the
22 Unlocking Door program design itself, how do you
23 contemplate targeting the most exerting landlords and
24 units for this program?

25 LUCY JOFFE: Well, it's a pilot program that is a
good way for us to make sure that we have identified

3 the right source of potential units for bringing back
4 online. This takes very seriously all of the things
5 that folks here are saying. There are a small – this
6 is a small number. We've wanted to be very clear on
7 that, so that expectations are correct.

8 With that being said, the design of the program
9 is meant to see to the extent that there are low-
10 cost, poor-quality units that have been off the
11 market. Can we bring any of those back online
12 because every single person that we can house is a
13 great opportunity. With that being said, it's a
14 pilot program and we'll make sure that we have set up
15 the criteria correctly.

16 CHAIRPERSON SANCHEZ: So, there will be a focus
17 on low-cost apartments?

18 LUCY JOFFE: Yes, this is targeting low-cost
19 units.

20 CHAIRPERSON SANCHEZ: Thank you. Okay, I'm going
21 to turn it back to Council Member Brewer for a second
22 round and then I'll continue.

23 COUNCIL MEMBER BREWER: Thank you very much. I
24 just want to add – understand the data. It's
25 probably my misunderstanding because I do want to get

3 a - So, does this include the NYCHA units that are
4 not in the - not rented?

5 LUCY JOFFE: Council Member, we know you would
6 love talking data with us, so thank you for that
7 follow-up question.

8 ELYZABETH GAUMER: Uh yes.

9 COUNCIL MEMBER BREWER: All of NYCHA is included?

10 ELYZABETH GAUMER: So, NYCHA is not included in
11 these count of rent stabilized units because NYCHA is
12 not subject to rent stabilization.

13 COUNCIL MEMBER BREWER: Okay

14 ELYZABETH GAUMER: It is certainly included in
15 all of the selected initial findings we presented
16 last year in all of our reports, but it's not rent
17 stabilized.

18 COUNCIL MEMBER BREWER: Alright, then the next
19 question is, alright so the Chair mentioned the 45 but
20 at one point you said 4,700 maybe because it's more
21 up to date for 12 months or more. Is that correct?
22 That's what you said from the Housing Vacancy.

23 ELYZABETH GAUMER: Yeah, so let me clarify.

24 COUNCIL MEMBER BREWER: Help me to understand
25 because I am confused about these numbers.

3 ELYZABETH GAUMER: Understood and it doesn't help
4 when they're all verbal and maybe not always written
5 down, right? So, we're talking about rent stabilized
6 units.

7 COUNCIL MEMBER BREWER: Right.

8 ELYZABETH GAUMER: That were not occupied and not
9 available is \$42,860 units.

10 COUNCIL MEMBER BREWER: Okay.

11 ELYZABETH GAUMER: These are all numbers from the
12 Housing and Vacancy Survey. There is within that
13 universe, there are I think, 4,740.

14 COUNCIL MEMBER BREWER: That's what you said,
15 yeah 4,740, okay.

16 ELYZABETH GAUMER: Uh, uh, that have been vacant
17 for 12 months or more.

18 COUNCIL MEMBER BREWER: Okay, and then the median
19 rent, which is that of the 4,740?

20 ELYZABETH GAUMER: That's for the 4,740.

21 COUNCIL MEMBER BREWER: Okay, and then the rent
22 of the larger rent stabilization and unavailable,
23 what's the median rent there?

24 ELYZABETH GAUMER: Sure, so overall, that whole
25 42,000 number, the median rent is legal rent is
\$1,645.

3 COUNCIL MEMBER BREWER: Whatever, okay. Alright,
4 so then the question is in both cases, do you
5 consider all of these unaffordable or do you consider
6 them affordable? I mean, I would look at the \$1,645
7 as affordable with a voucher.

8 LUCY JOFFE: So, whether our unit is affordable
9 depends on the household that's going to be living
10 there.

11 COUNCIL MEMBER BREWER: No, I understand that.

12 LUCY JOFFE: So, you will often hear us talk low
13 cost because that's sort of a slightly less person
14 specific but certainly to the extent that there are
15 units that are available that are much closer to that
16 \$1,500 median, yeah, we would consider that to be a
17 unit that is unique and an opportunity for a low or
18 moderate income household, whether we're talking
19 about vouchers or otherwise because as we highlighted
20 in our testimony, there's a really big gap between
21 the median rent of \$1,500 and the median available
22 rent that \$2,750. That huge distinction is what
23 makes it so hard on any given day if a low- or
24 moderate-income New Yorker needs to move, they are
25 going to be presented with units that are primarily
available at \$2,750.

3 COUNCIL MEMBER BREWER: Okay, but then we're also
4 in this desperate situation. The only way that
5 something can get renovated if it needs renovation is
6 through the program that was mentioned earlier or the
7 owner does it his or herself or there may be some way
8 in Albany, which hasn't happened yet. I don't know
9 that we can force anybody to renovate because we have
10 the taking situation with hovering in terms of the
11 courts. So, are there any other suggestions you have
12 as to how to get these units rented?

13 LUCY JOFFE: Thank you for that question. I am
14 not a constitutional scholar, so I'm not going to
15 weigh in on the -

16 But yes we do believe that our most significant
17 tools for bringing any of these units back online are
18 things like our preservation programs with HPD.
19 Something like an As of Right J51 to the extent we're
20 talking about the building systems or helping an
21 owner navigate that challenge. Certainly, an owner
22 can as you noted choose to do the renovations on
23 their own and we did, we do have the new Unlocking
24 Doors pilot to the extent that that's a gap in any of
25 the tools that are available. We'll see if that
becomes -

3 CHAIRPERSON BREWER: And then last question. So,
4 the Unlocking Doors is fairly new. I know J51 a
5 little bit too well but have any of these programs,
6 have you attempted to talk to the owners that have
7 vacant units to see if they will take advantage of
8 any of these programs? Even the numbers that you
9 have here, that's a lot of apartments.

10 LUCY JOFFE: So, now that we have this data, it
11 is important and will help drive a lot of our policy
12 making. Part of the public discourse has been
13 confusion coming from owners as well as to the extent
14 of low-cost, low-quality units, so we think it's a
15 really important table setting for people to
16 understand what we're talking about here. Folks from
17 across the agency whether we're talking about in the
18 context of our enforcement and neighborhood services,
19 our development teams, who you know well are
20 frequently working with owners and we look forward to
21 working with owners to bring as many units back
22 online into productive and hopefully affordable and
23 low-cost rental use if possible.

24 COUNCIL MEMBER BREWER: Okay, I mean I think that
25 it has to be a much harder push but I appreciate what
you're saying. A much harder push. Thank you.

3 CHAIRPERSON SANCHEZ: Thank you so much Council
4 Member Brewer and agree, agree on that front. Back
5 to Unlocking Doors but only using it as a stand in
6 right. J51, other programs are also subject to
7 regulatory agreements, will Unlocking Doors
8 participants be subject to a regulatory agreement
9 with HPD?

10 LUCY JOFFE: I don't want to misspeak on this
11 since this is an interagency effort. Let me just get
12 back to you and we'll confirm.

13 CHAIRPERSON SANCHEZ: Okay, thank you. But
14 speaking on regulatory agreements as a tool to ensure
15 compliance and keep rents, keep units rent stabilized
16 and etc., how many buildings have regulatory
17 agreements with HPD at this time?

18 LUCY JOFFE: Sorry the question is, how many
19 buildings have regulatory agreements citywide?

20 CHAIRPERSON SANCHEZ: How much properties, yeah.

21 LUCY JOFFE: I don't have that number.

22 CHAIRPERSON SANCHEZ: Okay, I'll follow-up on
23 this round of questions because they were related to
24 that. Council Member Restler. Sorry, sorry, I lied
25 to you. Council Member Rivera is next.

3 COUNCIL MEMBER RIVERA: Sorry Lincoln. You're
4 going to be great afterwards. Okay, so just when
5 you're counting the rent stabilized units, clearly
6 you have to work with other agencies in order to
7 compile this data I should say. So, you work with
8 HCR right Department of Homes and Community Renewal?

9 ELYZABETH GAUMER: Yes, we have a longstanding,
10 very positive partnership with them. We utilize data
11 from their agency in part but it's important to note
12 that the way that we classify and count rent
13 stabilized units is not based on the same source of
14 information as HCR. We combine multiple sources to
15 make sure that we really have the most valid estimate
16 of units that are subject to rent stabilization. So,
17 HCR's data is only one small part of how we do that
18 no the NYCHVS.

19 COUNCIL MEMBER RIVERA: Okay, no I understand
20 that because I was a housing and organizer and case
21 manager before I became a Councilwoman and I would
22 have to send people to 25 Beaver Street to get their
23 rental history so they could prove that they were
24 rent stabilized. I mean the things that tenants go
25 through for like the tiny slice of justice is out of
control. Alright I just want to move on from there

3 because you said you don't count NYCHA in the rent
4 stabilized because it doesn't apply. Absolutely but
5 do you work with NYCHA to also count the vacant units
6 because it's estimated according to Chair Avilés that
7 there could be as many as 6,000 vacant NYCHA units.

8 ELYZABETH GAUMER: Thank you for that question.
9 We do work with NYCHA in addition to all of the
10 various agencies and NYCHA is an important part of
11 our sample. We do report on vacant units in NYCHA.
12 It was in our selected initial findings. I'm happy
13 to follow up afterwards and direct you to those
14 NYCHVS numbers.

15 COUNCIL MEMBER RIVERA: Sure, I mean I can find
16 the numbers. I just want to ensure that because
17 sometimes all the numbers that exist out there just
18 don't match.

19 LUCY JOFFE: It's very important that all New
20 Yorkers are represented. We've made significant
21 investments including in the 2021 redesign, which we
22 talked about including in translation and its now,
23 the survey is now translated in seven languages. We
24 take that translation process incredibly seriously.
25 We often get questions, is this person, is this group
of people involved? Is this group of people

3 involved? This is something that will be invested in
4 very significantly because it's really important that
5 particularly that groups that don't usually get their
6 voices heard are heard, are heard through the survey.

7 COUNCIL MEMBER RIVERA: And that's what the
8 community-based organizations are for that approach
9 it with cultural humility and speak way more than
10 seven languages, so I just want to acknowledge all
11 the organizations that are here that do this work day
12 in and day out.

13 To Council Member Brewer's point, she was
14 mentioning like how do we get these inspections done
15 for example and one of the alternatives to I guess to
16 report on a vacant unit would be a warrant. There
17 was something mentioned using warrant language.

18 Let me give you a specific example. So, 365
19 South 4th Street, there are three vacant units with
20 known hazards that a vacant unit inspection is
21 designed to capture. How do we get HPD to inspect
22 that unit?

23 ANNMARIE SANTIAGO: I'm not quite following you
24 Council Member, you said there was no hazards in the
25 unit?

COUNCIL MEMBER RIVERA: Known.

3 ANNMARIE SANTIAGO: No, known hazards.

4 COUNCIL MEMBER RIVERA: So, I'll repeat it. 365
5 South 4th Street, there are three vacant units with
6 known hazards that a vacant unit inspection should be
7 designed to capture. How would we get HPD to inspect
8 that unit?

9 ANNMARIE SANTIAGO: So, again I think as I have
10 tried to indicate, if those units are causing hazards
11 for other occupants in the building and we believe
12 that those hazards are being caused by the owner in
13 an effort to harass the tenants, certainly we can
14 speak with the tenants at 365 South 4th Street. I'm
15 happy to follow up with them after this hearing and
16 find out more about the particulars of the situation.

17 COUNCIL MEMBER RIVERA: Okay, that would be
18 great. I only ask because you want to encourage
19 tenants you said to report the violations within
20 their own homes, so I just wanted to get clarity on
21 how you do that for units that might be affecting
22 your own that are vacant, however few they may be.

23 ANNMARIE SANTIAGO: Thank you.

24 COUNCIL MEMBER RIVERA: So, thank you for the
25 time. To the Chair, thank you for your graciousness

3 and thank you to everyone that is here to testify.
4 Thank you for answering our questions.

5 CHAIRPERSON SANCHEZ: Thank you so much. Okay, I
6 want to wrap this unless I see new colleagues but I'm
7 going to be short in my last round of questions.
8 Council Member Restler, so we can get to you all.

9 COUNCIL MEMBER RESTLER: Great, sorry, briefly.
10 Uh, so I will not at all focus on vacant rent
11 regulated housing in this set of questions, which I
12 know is a topic that causes a great deal of anxiety
13 for many people in this room and beyond.

14 Total Housing, Dr. Gaumer remind me the number
15 from the most recent Housing and Vacancy Survey of
16 the total vacant apartments, both that are on the
17 market and that are not currently on the market.

18 ELYZABETH GAUMER: So, vacant from the '21 survey
19 was 103,000 I believe. If you give me one second, I
20 will confirm that.

21 COUNCIL MEMBER RESTLER: Vacant that was?

22 ELYZABETH GAUMER: This is vacant and available.

23 COUNCIL MEMBER RESTLER: Vacant and Available and
24 Vacant and Unavailable?
25

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2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 92

3 ELYZABETH GAUMER: Vacant and Unavailable, again
4 not rent stabilized, this is across the board. It's
5 a pretty substantial number.

6 COUNCIL MEMBER RESTLER: 353,000?

7 ELYZABETH GAUMER: 353,400.

8 COUNCIL MEMBER RESTLER: Okay, so 353,400 vacant,
9 non-available 103,000, vacant and available 450,000
10 that are unoccupied in the City of New York at this
11 time at the time of the Housing and Vacancy Survey.

12 ELYZABETH GAUMER: 3.6, 4 million.

13 COUNCIL MEMBER RESTLER: At the time of the
14 survey out of 3.6 million but one out of eight? No,
15 well, tell me the number again.

16 ELYZABETH GAUMER: 353,400.

17 COUNCIL MEMBER RESTLER: Okay, so 450,000 out of
18 3.6 million? If my math is right on that. One out
19 of eight. There we go, so 12.5 percent vacant
20 apartments, unoccupied excuse me. That's a huge
21 freaken number, right at a time when we have a
22 housing crisis. So, do we think that landlords - I'm
23 now asking you for your perspective as an expert
24 researcher and as the Assistant Commissioner for
25 Policy welcome your insight as well. Do we think

3 that the real estate industry is driving scarcity in
4 the market?

5 ELYZABETH GAUMER: So, I will just make one
6 additional point here, right and it's why at least
7 I'm very careful and so are my colleagues about the
8 terminology we use here. We have to say unoccupied
9 because in fact, a very large share of those units
10 that are vacant and not available are used as
11 seasonal or occasional homes, their second homes,
12 their pitiers, they in fact may not be vacant, right?
13 Somebody who uses that house once a week, one weekend
14 a year, in fact may or may not be there. But those
15 are counted as not occupied by full-time residents.

16 COUNCIL MEMBER RESTLER: But you do breakdown
17 what percent of those units are there.

18 ELYZABETH GAUMER: Correct, almost one-third of
19 the units in our '21 survey that were not available,
20 we held for seasonal or occasional use.

21 COUNCIL MEMBER RESTLER: Okay, so nearly one-
22 third of the 350,000 number, so let's take 115,000
23 off, we're still talking about 350,000 or so total
24 units unoccupied housing in New York City that is not
25 somebody's pitier. That's a huge number.

3 ELYZABETH GAUMER: The vast majority of those
4 units in our experience and the data that we've
5 collected for many decades, is that they in fact do
6 become available on the market very quickly.

7 COUNCIL MEMBER RESTLER: Right.

8 ELYZABETH GAUMER: They become occupied when we
9 go back and -

10 COUNCIL MEMBER RESTLER: Forgive me, I don't - do
11 you think things are getting worse?

12 ELYZABETH GAUMER: Which issue?

13 COUNCIL MEMBER RESTLER: The issue of the large
14 number of unoccupied units in -

15 ELYZABETH GAUMER: I don't make that
16 determination. I just measure things.

17 COUNCIL MEMBER RESTLER: But you do. But you
18 measure things overtime and you look at the trends.
19 I mean, we'll dig into it ourselves.

20 ELYZABETH GAUMER: I certainly think that the
21 number of units that have been held off the market
22 for seasonal, occasional use has dramatically
23 increased over time.

24 COUNCIL MEMBER RESTLER: Not just seasonal and
25 occasional use. The number of units that are off -

3 that are not occupied. Is this issue getting worse
4 in New York City?

5 ELYZABETH GAUMER: It's getting more complicated.
6 I don't know that it's gotten worse. Certain parts
7 of it have gotten bigger but those ebb and flow.

8 LUCY JOFFE: Council Member, we do believe very
9 strongly that one of the defining problems in our
10 housing market and plenty of us have been in this
11 experience personally. Of if we have to move on any
12 given day, we have a housing market that moves
13 incredibly quickly. So, a unit that is available one
14 day, is occupied the next. We see that in the data
15 that there are too few units available at whatever
16 the given price point is. That that is exponentially
17 true and something that is getting worse Council
18 Member, is that the vacancy rate below units that are
19 \$1,500, that rent for less than \$1,500 is less than
20 one percent. That's the worst we've seen in years.

21 COUNCIL MEMBER RESTLER: When I moved into my
22 apartment, it was literally less than 24 hours after
23 the tenant previously had left. So, when we're
24 talking about this very substantial, many hundreds of
25 thousands number of units that are unoccupied in New
York City, it doesn't at all capture that reality

3 that you and I and so many of us are about to
4 experience when we moved and we moved right into an
5 apartment, an apartment the landlord does nothing to
6 fix it up.

7 ELYZABETH GAUMER: So, I will do one thing just
8 to clarify on the data. This is as of the reference
9 period of our survey. We are not saying that there -

10 COUNCIL MEMBER RESTLER: I get it. But how long
11 have you been working on this survey Dr. Gaumer?

12 ELYZABETH GAUMER: For quite a few years.

13 COUNCIL MEMBER RESTLER: So, when I ask you for
14 your questions on trends and perspectives, it's to
15 try and identify what are the issues that are getting
16 worse and what is policy makers -

17 ELYZABETH GAUMER: And definitely the units held
18 for occasional and seasonal use have gotten worse and
19 I would say as Assistant Commissioner Joffe just
20 pointed out, certainly the vacancy rate and the
21 emergency are lowest across units has also gotten -

22 COUNCIL MEMBER RESTLER: And I hope the Mayor
23 will push with us in Albany next year on pitier tax
24 and more aggressively look to generate revenue. I
25 doubt that he will though. With that being said, the

3 thing that I am fixated on is Yield Star and this
4 algorithm that -

5 ELYZABETH GAUMER: Sorry, Yield Star?

6 COUNCIL MEMBER RESTLER: I believe that's the
7 correct name. This was the ProPublica that was
8 written I don't know; in October you may recall about
9 that did a rather massive full job. I'm surprised it
10 doesn't ring a bell but it was done by Heather Vogel
11 and others at ProPublica. I thought she did a
12 masterful job of showing we saw a decline in
13 population during the pandemic. The renters didn't
14 come back. People didn't return in the numbers and
15 then rents skyrocketed. And what she showed, I think
16 quite insightfully and I'm really interested in your
17 all's perspective is that landlords, real estate
18 companies are using this algorithm to create false
19 scarcity in the market to drive up the prices and
20 keep units off line.

21 And so, I'm very concerned about how we can more
22 aggressively put pressure on these landlords to
23 activate there 350,000 to 450,000 units depending on
24 your definition that are unoccupied and make sure
25 that they are used as housing for all of us. Is this
a major policy concern from HPD at this time? I'm

3 having a hard time engaging whether you believe that
4 there is, this is a worsening issue more broadly or
5 it's just pitier issue that's worsening. Could you
6 offer some insight?

7 LUCY JOFFE: Thank you for refreshing my memory
8 about that article.

9 COUNCIL MEMBER RESTLER: Yeah, I don't mean to be
10 jerk, it was just a notable article.

11 LUCY JOFFE: Appreciated and remember the
12 article. You know I think that we feel - so, first
13 of all I want to thank you for under supporting the
14 significance of trends. This gives me another
15 opportunity to say that we are currently in the field
16 for the 2023 NYCHVS and that is really significant
17 because one of the defining features of the survey
18 allows us to track over the course of a decade,
19 because we go back to the same homes. We previously
20 conducted this in spring of 2021 of course. I do
21 want to be really clear that we do feel that there
22 are two few units that are available on any given
23 day. Such that a New Yorker is going to have a lot
24 of trouble finding a vacant and available unit.

25 Any potential unit that we can bring back online,
any potential unit that's being held off nefariously,

3 not nefariously, that's a big deal. So, we take all
4 of those potential issues really seriously and are
5 continuing to dig in and we'll continue to understand
6 our - deepen our understanding of trends, patterns,
7 anomalies, with things like the 2023, the 2026, the
8 2029 because we're doing it four times this decade.
9 Uhm, but to the extent that we're talking about, I
10 think we want to be really clear that no, we don't
11 think there are a huge number of vacant units that
12 are not - that are sort of ready to be occupied and
13 that that's a defining feature. The ones that are,
14 are moving very quickly. They don't tend to be off
15 the market very long, so that's why we really feel
16 strongly. We need more low cost and affordable
17 units. With that being said, we take any potential
18 opportunity for more units real seriously.

19 COUNCIL MEMBER RESTLER: I want to be really
20 respectful to Chair Sanchez. I just want to ask one
21 more time because I still feel like I haven't had a
22 clear answer on this, separate and apart from our
23 pitiers for the unoccupied vacant units that are not
24 available, that I think we said it was 250,000 units
25 that are in that category if I got your numbers
right, give or take. Is that a growing number over

3 time? Is that a diminishing number? Is that a trend
4 we're concerned about or not concerned about?

5 ELYZABETH GAUMER: I can speak to the numbers but
6 I can't speak to the severity of the problem, right
7 and derive from my statistic except where it stands
8 out to me in my expert opinion in that way. I think
9 that as our overall housing stock has increased, so
10 to has many of the numbers that go into these
11 specific categories as an actual share of our housing
12 market. Many of these categories actually have been
13 remarkably consistent or have gone up and down over
14 many, many decades with no particular clear trend
15 either direction.

16 COUNCIL MEMBER RESTLER: Okay, I appreciate that.
17 I trust your analysis. These are big numbers and I
18 don't think that we're maximizing our opportunities
19 here as aggressively as could and should be doing. I
20 appreciate it's not a panacea but there's a real
21 opportunity here that would help our communities that
22 are struggling like hell and I wish that we could all
23 take it much more seriously.

24 CHAIRPERSON SANCHEZ: Thank you so much Council
25 Member Restler and you know just to editorialize
potentially incorrectly but I think what at least I

3 am hearing from my colleagues is we want numbers that
4 we can act on, on a policy level. The HVS is
5 wonderful and it's you know the integrity of the data
6 is extremely high but we can't extract information
7 that we can act upon right, go after certain
8 properties, try to use that information to bring
9 units back online and strategize right. So, in sort
10 of negotiating and continuing conversation on these
11 particular bills, we want to get there. We want to
12 get to how - to answer the question, how do we as a
13 Council, as a city, collect information that we can
14 act on with our policies?

15 Uhm, last two questions from me regarding Local
16 Law 29 and Local Law 30. So, Local Law 29 requires
17 the census of vacant and abandoned properties every
18 five years. Can you describe HPD's role? When was
19 the last time it was collected? I believe it was
20 2020 but tell us when it was last collected. What
21 the Administration does with this information and if
22 the information is available to the public.

23 LUCY JOFFE: This was Local Law 30?

24 CHAIRPERSON SANCHEZ: 29.
25

2 LUCY JOFFE: Uhm, so Local Law 29, I don't
3 believe is administered by HPD but we would be happy
4 to follow up with more information on that.

5 CHAIRPERSON SANCHEZ: Okay, so what about Local
6 Law 30 of 2018, which requires the city to report
7 annually on vacant city owned properties? Is that
8 administered by HPD and what do you do with this
9 information? Do you make the findings available to
10 the public?

11 LUCY JOFFE: Yes and we provided the yes, it is
12 administered or I guess HPD is charged with executing
13 on Local Law 30 and we did deliver that report in
14 2022 of last year.

15 CHAIRPERSON SANCHEZ: And can you just talk about
16 the methodology for obtaining the information
17 contained in this report?

18 LUCY JOFFE: Uhm, yes, I would say, our - the
19 infrastructure here goes beyond just the report.
20 There are a number of properties that are city owned,
21 some of which are maintained by HPD. In recent years
22 that has been a dwindling number as I'm sure that you
23 are aware. Many - our focus has been on whenever
24 possible turning those properties into affordable
25 housing when we can. There are 80 percent of the

3 ones within HPD's jurisdiction are part of an
4 existing RFP or RFQ pipeline for planned future
5 development of affordable housing. The balance are
6 programmed for either nonresidential use or they face
7 significant development challenges. Those challenges
8 can include things like odd shapes, they're very
9 small sizes. I'm told they can be as small as two
10 feet wide. And so, that can you know require
11 assemblages with private owner. And so, those are
12 things that we're constantly considering for their
13 potential.

14 CHAIRPERSON SANCHEZ: Thank you and just one
15 clarifying question. In HPD's reporting of 2019, the
16 number of vacant lots was 863, 831 in 2020, 780 in
17 2021, so a downward trend but then we went up to 810
18 in 2022. Can you explain why we saw that slight
19 increase?

20 LUCY JOFFE: Yes, thank you. There can be a
21 little bit of noise in that number. I'm sure that
22 the survey methodologist next to me or the
23 statistician will tell me that that's not what noise
24 is. But that number can increase. It generally is
25 decreasing as we turn those lots into more productive
use in especially affordable housing. There can be

3 times where a few properties come into the portfolio,
4 for example in late 2021, we took ownership of some
5 sites that have been damaged during Sandy as we
6 prepare for closings with developers for affordable
7 housing on those sites. So, we can see a little bit
8 of that and I think that's what happened.

9 CHAIRPERSON SANCHEZ: Okay. Looking at my
10 colleagues to make sure no outstanding questions but
11 I want to thank you all for your testimony today.
12 There are a lot of numbers. Maybe we can like work
13 on a wrap up graphic of some of these key points just
14 to communicate precisely you know what is important
15 about the vacancy rate in New York City and
16 understanding those vacant and not available units.
17 It's a thing. It's a thing. So, we can talk about
18 it. But you know, just to highlight a couple of
19 takeaways. The number of vacant and available units,
20 that's what we're working with is around 45,000. The
21 number of low-cost rentals has the lowest vacancy
22 rate historically that we have seen.

23 And then apartments that rent for higher rent
24 levels, those are the one's that we're seeing at
25 higher vacancy levels, perhaps because New Yorkers
can afford them, right? So, we'll try to expand

3 access to all of those. So, thank you. Thank you
4 again for your testimony, for answering all our
5 questions. I hope that someone from HPD can stay
6 behind and listen to our advocate and the resident
7 testimony today. Thank you.

8 LUCY JOFFE: Thank you.

9 ELYZABTH GAUMER: Thank you.

10 COMMITTEE COUNSEL: We will now move to testimony
11 from the public. Please listen for your name to be
12 called, whether you are here in person or appearing
13 via Zoom. If you are testifying on Zoom, when it's
14 your turn to testify, you will be prompted to unmute.
15 Please accept this prompt and begin your testimony.

16 In the interest of time, your testimony will
17 limited to two minutes per person. So, for our first
18 in panel person, when you're ready, please come up to
19 the table. The first panel is going to be Colin
20 Kent-Daggett, Rolando Guzman, Kabire Chabra and
21 Jackie Del Valle.

22 You can begin when you're ready.

23 ROLANDO GUZMAN: Good afternoon everybody. My
24 name is Rolando Guzman and I'm the Deputy Director
25 for Community Preservation at St Nicks Alliance. I'm
also here with one of my colleagues Colin Kent-

3 Daggett and he also is going to uhm to submit our
4 testimony.

5 St Nicks Alliance provides housing counseling and
6 tenant organizing to tenants in North Brooklyn and we
7 are here today in support of Intro. 195 A introduced
8 by Council Member Rivera. And for Intro. 352-A
9 introduced by Council Member Lincoln Restler.

10 First of all, I want to thank the leadership of
11 Council Member Pierina Sanchez for organizing this
12 hearing. I think this is something long overdue and
13 it's shedding a lot of light about this big issue
14 that us, as Community Organizers we've been dealing
15 with pre-pandemic. I do want to say and I have some
16 examples of buildings that I want to address. But I
17 think something important to talk about warehousing
18 is what see before the HTPS passed.

19 Before, we used to see big companies, predatory
20 equity companies, buying buildings in a high level,
21 high amount of dollars. Like completely over
22 leveraged buildings and instead of turning those
23 units back to the market, what they were doing is
24 pushing tenants out.

25 And that was the case of one of the most non-
predatory equity companies in property group, for

3 example, that they will buy buildings in over
4 leveraged prices, and what we used to think is like,
5 okay you have this high mortgage, do you want to make
6 sure that you're paying your mortgage right but we
7 started noticing that a lot of their buildings where
8 vacant by vacant saying that 75, 80 percent of the
9 units were vacant.

10 Before HTPS passed, what we thought that their
11 plan was is to wait for the last tenant to move, then
12 got the entire building taken out of rent regulation
13 and turn it back into market.

14 Pass the HTPS, we started seeing more buildings
15 actually with units warehouse. And somebody talk
16 about our front consigning units, so that's one thing
17 but the reality is this bill, especially 195-A, what
18 it's going to do is provide safety in our tenants
19 whenever they have each start coming from other units
20 to report it and to actually empower HPD to go and
21 inspect and issue violations. And just one thing
22 that HPD is saving for, is somebody asked about
23 issuing violations for vacant units. I think what
24 the inspectors from HPD, showing the units that they
25 were vacant with the wide-open doors. That you can

3 see conditions in those apartments and they are
4 saying, I cannot do anything about that.

5 So, and those are the units that are causing the
6 damage to the apartments occupied. So, this
7 legislation is going to provide tenants and the city
8 the power to access those units and issue violations,
9 so tenants can be safe. I will pass it to my
10 colleague so he can describe a few of those buildings
11 as well.

12 COLIN KENT-DAGGETT: My name is Colin Kent-
13 Daggett, I'm the Senior Community Organizer with St
14 Nicks Alliance. And just to elaborate on some of the
15 practices we see in Williamsburg and Greenpoint in
16 particular.

17 In recent years, we've seen that practice become
18 more and more prevalent and for landlords, one vacant
19 apartment in a portfolio of thousands might be a
20 negligible issue. But for tenants stuck living next
21 to these abandoned units, the stakes are a lot
22 larger. An example I'd like to bring up is 296 and
23 298 North 8th Streets in Williamsburg. All the
24 tenant who are the Tenant Association are at work
25 today but in 2017, the remaining 15 or so tenants of
30 total units have resisted displacement for many

3 years and remain in their affordable rent stabilized
4 homes. The other 15 that were successfully emptied
5 have been padlocked shut since untouched, now have
6 collapsing ceilings, rat infestations, leaks and mold
7 that they're unable to get addressed through property
8 management or through city inspection.

9 Similar problems happen at 308 Covert Street,
10 where the apartments that were years under
11 "renovation" were eventually discovered to be filled
12 with garbage when the ceiling collapsed into an
13 occupied apartment and the garbage filled their
14 bathroom.

15 These stories happen all too often in Greenpoint,
16 Bushwick, Williamsburg and other neighborhoods across
17 the city. And tenant complaints to property
18 management and landlords are often met with a shrug
19 and visiting inspectors have to hope that a clumsy
20 owner leaves a door open. And this bill Intro. 195-A
21 represents a solution for these tenants. We need the
22 City of New York to recognize that not giving
23 residents recourse to address these serious problems
24 that begin in warehouse units just gives predatory
25 landlords carte blanche to abuse the tenants who
remain in the partially empty properties. And this

3 bill will allow tenants and advocates to intervene
4 before a condition in one neglected apartment causes
5 even more affordable housing to be lost.

6 In the current crisis we face, every unit counts.
7 For too long, warehousing has allowed landlords to
8 hold apartments hostage, gain loopholes in the rent
9 regulation system and make buildings increasingly
10 unlivable, all at the expense of the remaining
11 tenants. The neighbors who have to contend with
12 partially occupied buildings and vacant apartments
13 hiding mold, vermin, leaks, garbage and structural
14 problems deserve a solution and that's why we need
15 Intro. 195-A. So, I thank the Council Members and
16 the Committee here today for hearing our testimony.

17 JACKIE DEL VALLE: Hi, good afternoon. It's
18 great to see you all Council Members and thank you so
19 much for having this hearing. My name is Jackie Del
20 Valle from Take Root Justice. My colleague Paul
21 Segal is going to be speaking a little bit later
22 about the commercial vacancies and I coordinate the
23 Stabilizing NYC Coalition, which has got 20 groups
24 throughout the city and many of our members are part
25 of the Stanford Tenant Safety, the End Apartment
Warehousing Coalition who have been working closely

3 with all of you to pass Intro. 195-A and I'm here to
4 speak in support of that.

5 Stabilizing NYC is a funded coalition to organize
6 tenants against predatory equity, harassment and
7 displacement. We hold speculative landlords
8 accountable for unsafe building conditions and
9 neglect.

10 Our coalition meets monthly to discuss the trends
11 we are seeing and soon after the passage of the rent
12 laws in 2019, I think where a lot did a good job of
13 describing what have been happening until then and
14 then were in these meetings and everyone is noticing
15 more and more vacant apartments kind of popping up
16 with the intention to try to take them out of rent
17 stabilization to combine them with other vacant
18 units. And it's resulting chaos in the construction
19 from doing these combinations further drives out rent
20 stabilized tenants from the building.

21 Later, we entered the pandemic, groups are
22 finding that the vacant apartments were so poorly
23 maintained they created unsafe and uninhabitable
24 conditions for the surrounding units.

25 The Problems Created by Warehoused Apartments are
well known to this committee. It endangers the

3 tenants. It facilitates the evasion of State rent
4 laws and it reduces the number of affordable homes
5 who need them. There are close to 90,000 homeless
6 people and I know that the number of vacant
7 apartments is kind of question for this hearing but
8 any number really is completely unacceptable.

9 And I just want to say in conclusion that,
10 landlords can afford to make these habitable. Being
11 a landlord is a very profitable business. On average
12 they make \$500 per unit and I think that since we've
13 seen so many of these be part of well financed by
14 private equity, financialized housing who have just
15 been making a profit at all costs and not doing
16 repairs and are driving up market rates and I think
17 this a really critical issue to get at that and stop
18 that practice. Thank you.

19 CHAIRPERSON SANCHEZ: Thank you so much. Thank
20 you.

21 COMMITTEE COUNSEL: Our next panel will be
22 hybrid, so please come up to the table. James Lloyd,
23 Ryan Monell, and Adam Roberts.

24 JAMES LLOYD: Good afternoon Council Member,
25 Chair and the rest of the Committee. My name is
James Lloyd, Director of Policy for the New York

3 State Association for Affordable Housing. Our 400
4 members develop and operate the vast majority of
5 affordable housing across the city and state. So,
6 first, I'd like to mention that we strongly support
7 Reso. 563 for the legislation formerly known as
8 Affordability Plus. You know it's outrageous that
9 the city can only do 30-year financing for affordable
10 housing and can't do nonresidential uses on site.

11 You know we things like resilience day care
12 centers, open space amenities, also empower HPD to
13 finance mission driven organizations to acquire and
14 preserve naturally occurring affordable housing. So,
15 we very much stand with you Chair Sanchez in calling
16 for the state to take that action, specifically for
17 that reform.

18 Intro. 195, we strongly oppose this legislation
19 and a lot of this is that whenever Council mandates
20 that HPD undertake a certain task with its inspection
21 resources, your inadvertently deprioritizing other
22 inspection tasks.

23 So, for instance either with heat or with vacant
24 apartments, you're then deprioritizing things like
25 HQS inspections. So, right now, it takes close to
five months on average to house a homeless person in

3 a homeless set aside unit. So, you have the homeless
4 person in a shelter, you have a vacant homeless set
5 aside unit owned and operated by one of our members
6 and you have to have HPD and HRA and DHS all
7 cooperate to get that person in there and you have to
8 do an HQS inspection before you house that homeless
9 person.

10 Right now, the vacancy rate in the Office of
11 Housing Preservation inside HPD is 20 percent. And
12 so, we're looking at you know potentially thousands
13 of inspections a year to comply with this law, which
14 would then would further delay it. So, we're talking
15 about you know homeless people, getting them into
16 units as fast as possible when they're already
17 identified.

18 And you know for in terms of vacancy rates,
19 obviously we don't like vacant apartments. Our
20 member apartments have extremely low vacancy rates.
21 According to HCR that averages are sort of in line
22 with historic trends. So, we just don't feel this is
23 a great use of resources at this time. Thank you.

24 CHAIRPERSON SANCHEZ: Thank you James and just a
25 clarification, so on 195, there were several
amendments and they're geared toward making it so

3 that the infection of vacant apartments are sort of
4 the agency would have to do them when a tenant
5 complains that there is an issue stemming from a
6 vacant apartment. Would that be acceptable to NYSAFA
7 or what would NYSAFA's position be on a narrowed
8 scope?

9 JAMES LLOYD: So, I think when we crafted this
10 testimony, we had not yet seen that amendment, so I
11 can't speak to it completely at this time. I mean, I
12 think for us generally we oppose mandates to mandate
13 a certain number of inspections a year, right?
14 Similar to testimony on the heat bill. The 15
15 percent was the thing that really stuck out to us.
16 This minimum number of inspections, because then you
17 know whenever HPD undertakes an inspection say for a
18 vacant unit, then it can't respond to another
19 complaint for instance made by an organizer and an
20 advocate about a different building that's facing
21 another problem. So, you're sort of robbing Peter to
22 pay Paul.

23 But you know we strongly support more resources
24 for HPD across the board and of course, you know
25 policies in place to get this for vacancy rate up.

3 Excuse me, the vacancy rate and HPD down to get the
4 number of employees up.

5 CHAIRPERSON SANCHEZ: Okay, thank you. Thank you
6 so much.

7 JAMES LLOYD: Absolutely.

8 COMMITTEE COUNSEL: And on Zoom, Adam Roberts.

9 SERGEANT AT ARMS: Starting time.

10 ADAM ROBERTS: Great, thank you. I'm sorry, I
11 can't seem to turn on my video. But thank you for
12 holding this hearing today. I am Adam Roberts,
13 Policy Director for the Community Housing Improvement
14 Program, also known as CHIP. We represent New York's
15 housing providers including apartment building
16 workers and owners and we are here to express our
17 thanks to the Council for recognizing the vacant rent
18 stabilized apartment crisis facing our city.

19 These vacant apartments were occupied for decades
20 by tenants, long before modern laws around lead,
21 asbestos and sustainability were in place. Once
22 tenants leave their apartments, lead and asbestos
23 abatement, mold remediation, electrical rewiring and
24 subfloor replacement and kitchen and bath renovations
25 must be completed.

3 This work cannot be safely performed in an
4 occupied apartment but is legally required before a
5 new tenant occupies an empty apartment. And
6 currently, there is no legal mechanism to recoup the
7 cost of renovating vacant rent stabilized apartments.
8 Therefore, banks will not loan to owners to perform
9 this work, as they are not confident owners will be
10 able to pay back those loans. And the cost of this
11 work is very high, often well over \$100,000 for
12 apartment. Without loans, owners do not have the
13 financial means to pay for this work. As a result,
14 these apartments have been left vacant in mass.

15 In due to a lack of publicly available data, it
16 is challenging to determine how many vacant rent
17 stabilized apartments are vacant for this reason.

18 Using that data we do have available; we believe
19 that approximately 30,000 rent stabilized apartments
20 are facing long term vacancies with up to 5,000 more
21 becoming vacant each year. An additional 100,000 or
22 more apartments face the risk of becoming vacant over
23 the coming years. And while these bills may help
24 increase the quality of data on the vacancy crisis,
25 it is urgent that the Council focus on immediately

3 addressing the cause of this proliferation of
4 vacancies.

5 We do not have the luxury of waiting for more
6 data, we must act. Our city faces unprecedented
7 demand, driving homelessness and rapid migration to
8 places with lower costs of living. Fortunately a
9 bill was -

10 SERGEANT AT ARMS: Time expired.

11 CHAIRPERSON SANCHEZ: You can finish.

12 ADAM ROBERTS: Oh, thank you. Fortunately a bill
13 was recently introduced in the state legislature from
14 Assembly member Kenny Burgos and Senator Leroy
15 Comrie, which would alleviate this crisis by allowing
16 the cost of renovations to be recouped. We hope the
17 Council will support this and other bills to preserve
18 our city's run stabilized housing. Our city and
19 state governments can both find a solution for this
20 urgent crisis and improve the quality of its data at
21 the same time. Thank you.

22 CHAIRPERSON SANCHEZ: Thank you so much and can
23 you Adam, can you describe how you reached the
24 estimate of 30,000 long term vacant?

25 ADAM ROBERTS: Sure, we looked at the Housing
Vacancy Survey and saw which units were vacant that

2 had tenants who had been in them for a decade or
3 decades, so before current lead laws had been in
4 place, which is often the most expensive work and we
5 saw that there were under 30,000 men but based on it
6 being 2023 now, we think it's around 30,000.

7 CHAIRPERSON SANCHEZ: Sorry, just to clarify,
8 you're saying that you looked at units that were not
9 vacant?

10 ADAM ROBERTS: No, that were vacant but had just
11 had a tenant who had been in place for many decades
12 prior to current laws around lead abatements.

13 CHAIRPERSON SANCHEZ: Got it, okay, thank you so
14 much. We'll look into that. Thank you.

15 ADAM ROBERTS: And also these units often have
16 rents which were well below what a bank would
17 consider sustainable to make a loan.

18 CHAIRPERSON SANCHEZ: Thank you and one more
19 question, can you also explain or break down your
20 \$100,000 estimate for rehabilitation?

21 ADAM ROBERTS: Sure, so that is you know I just
22 want to say that's a very, very conservative
23 estimate. If you speak to architects, engineers,
24 trades people, they will say this number based on
25 what NYCHA is doing with similar units. It is often

3 the \$200,000 range but you know not every unit may
4 require that amount of work. But it's based on
5 quotes we've received from general contractors and
6 you know lead abatement, asbestos abatement, mold
7 remediation, those alone are many, many, many tens of
8 thousands of dollars each, not to mention the fact
9 that you'll often on a vacant apartment want to
10 replace the floor because you know someone's had a
11 pet or pets over the years. You know they've soiled
12 the carpet and it's gotten into the floor and
13 therefore the entire floor needs to be replaced.
14 Kitchen and bathrooms often need to be replaced and
15 these are each many tens of thousands of dollars to
16 do, Even very economically in New York City.

17 CHAIRPERSON SANCHEZ: Got it, so that includes
18 both things that are required like lead remediation
19 and other additional changes like upgrading a
20 kitchen, right?

21 ADAM ROBERTS: Yes, yes.

22 CHAIRPERSON ROBERTS: Got it, okay thank you.
23 Thank you so much, appreciate it.

24 ADAM ROBERTS: Thank you.
25

3 COMMITTEE COUNSEL: Our next panel will be Oksana
4 Mironova, Karim Walker, Bleys LaPierre and Anna
5 Baker-Heans, please come up to the table.

6 CHAIRPERSON SANCHEZ: You can begin when ready.

7 KARIM WALKER: Good afternoon everyone. My name
8 is Karim Walker and I work for the Safety Net Project
9 at the Urban Justice Center. Let me just say – let
10 me just start by saying that housing is a human right
11 and this is a mantra that many like me have shouted
12 for decades. We know that stable housing, not just
13 shelter is the only way out of homelessness and just
14 in New York City alone, we have enough housing to end
15 homelessness.

16 Recent reports from the city limits newspaper
17 show that we have approximately 6,600 vacancies in
18 the NYCHA system, with the overall vacancy of
19 approximately four percent. Another 2,600 supportive
20 housing units specifically for homeless New Yorkers
21 and at least 39,000 empty rent stabilized apartments
22 with data suggesting that there are potentially as
23 many as 88,830 of such units and tens of thousands of
24 market rent, market rate of apartments sitting vacant
25 and collecting dust, thanks to landlords sitting on
them.

3 Yet we have a mayor whose heavy handed and hard-
4 hearted tactics when it comes to addressing street
5 and shelter homelessness, including warehousing
6 people in congregate shelter and using streets that
7 could be actively violent fools errands, where no one
8 accepts offers for services because housing is not
9 offered to homeless folks.

10 Meanwhile as migrants are making their way to the
11 city, Mayor Adams has said that we have no place to
12 put them, so in the jails and prisons to the
13 consternation and horror of people across the
14 political spectrum. This is just not true. As the
15 New York Times reported last week, we have about
16 20,000 vacant hotel rooms that we can move right now.
17 In addition, given that we have tens of thousands of
18 vacant apartments and hotel rooms, why is he
19 proposing policies that will severely undermine right
20 to shelter? A critical protection that has
21 prevented hundreds of thousands of people from severe
22 harm and death and that's is the imperfect but
23 indispensable part of ending homelessness in New York
24 City. The city has the ability to house tens of
25 thousands of people in empty supportive housing,
NYCHA and HPD apartments now. They must do so.

3 The city could also be taking emergency action to
4 get people into the tens of thousands of rent
5 stabilized apartments that are sitting empty while
6 the administration has tried to assert emergency
7 powers and the right to shelter, they said nothing
8 but use their emergency powers to house people. This
9 is indefensible.

10 In addition to his failure to use vacant units,
11 the Administration has also engaged in all out
12 campaign to undermine the city, the Council's
13 critical city FHEPs housing voucher package. It's
14 helped homeless New Yorkers to get out of the shelter
15 more quickly and those facing eviction from entering
16 the shelter system.

17 We thank the Council for the leadership on this
18 issue and ask your Mayor to quickly sign these bills
19 into law. Housing is not optional, it's a vital part
20 of peoples ability to live, to survive and to
21 ensuring that people can be productive members of
22 society.

23 We know that shelters and safe havens don't
24 provide the flexibility and freedom people need to
25 contribute to society, which is why we must act to
house people now. We owe it to the hundred thousand

3 homeless New Yorkers in the city to help them get out
4 of shelters and off the streets and into permanent
5 housing. Thank you.

6 CHAIRPERSON SANCHEZ: Thank you.

7 ANNA BAKER-HEANS: Hello, okay. Good afternoon.
8 My name is Anna Baker-Heans. I'm a Tenant Organizer
9 with Met Council on Housing and I'm hear speaking on
10 behalf of the tenants at 705, 709 West 170th Street
11 who had to be at work today.

12 These buildings are owned by New York City's
13 worst landlord Daniel Ohebshalom. There are 40 units
14 between the two buildings and half of those
15 apartments are warehoused. Half of the apartments
16 are warehoused. Even so, there are over 700 open
17 violations between these two buildings. Tenants are
18 living in hazardous conditions with falling bricks,
19 regularly failing heat and hot water, exposure to
20 rats, pests and mold. The vacant units in these
21 buildings are worse. Having been warehoused over ten
22 years, they are full of bird and rat feces and mold,
23 pipes are falling out of the walls and holes connect
24 one unit to the next. Two months ago, a flood from a
25 vacant apartment caused a ceiling to collapse in the

3 bathroom of an elderly disabled tenant just moments
4 after she had left the room.

5 This is after two weeks of calling the management
6 and 311 daily begging for repairs. Tenant Oswaldo
7 says, "I'm tired of not knowing what else will break
8 down. Last Christmas one of our neighbors got
9 flooded because a vacant apartments steampipe broke
10 and the fire department had to break into the vacant
11 apartment to identify the issue and figure out what
12 waterline to shut down."

13 I will add that both of these leaks run through
14 light fixtures, putting tenants not only at risk of
15 ceiling collapse but electrocution and building wide
16 fires. The long unaddressed water damage along with
17 the animal feces is making tenants sick.

18 Tenant Loida asks HPD, "how many accidents,
19 leaks, fires, falling ceilings, need to happen before
20 you take responsibility for inspecting abandoned
21 apartments. Inspection must be mandatory for our
22 lives, safety and well-being."

23 I have one more quote from a tenant. Can I
24 finish? Thank you.

25 Tenant Seekie's adds, "Landlords who bought the
building should do their jobs and maintain their

3 properties but this is obviously not happening.

4 HPD's name is literally Housing Preservation which
5 would imply to me at least that they should preserve
6 the property when landlords don't.

7 And Tenant Gilbert, I will close with Tenant
8 Gilbert say, "I believe it is important to pass
9 Intro. 195 because it puts checks on slumlords that
10 play the system at the expense of tenants. We need
11 it now, thank you.

12 CHAIRPERSON SANCHEZ: Thank you. Thank you for
13 the story.

14 BLEYS LAPIERRE: Hi members of the Council. My
15 name is Bleys LaPierre. I'm a tenant organizer with
16 the Goddard Riverside Law Project. I'm also here
17 today on behalf of the Stafford Tenant Safety and
18 Warehousing Coalition. In my work as a Tenant
19 Organizer, I've witnessed first hand the consequences
20 that vacant and warehouse departments have had on the
21 safety and wellbeing of tenants in our city. I
22 believe that the vacant unit safety bill presents a
23 vital opportunity to address this critical issue and
24 protect the rights and lives of tenants. Throughout
25 my work as an organizer, I've encountered numerous
clients who have suffered health issues directly

3 resulting from the vacant apartments in their
4 building. During winter months when a building is
5 partially or entirely vacant, lack of heating in
6 these empty units often leads to inadequate heat
7 distribution leaving the remained tenants to endure
8 frigid temperatures that threaten their health and
9 wellbeing. I witnessed clients struggling with
10 extreme cold which exacerbates respiratory conditions
11 and negatively impacts their overall quality of life.
12 I'm here today on behalf of those tenants.

13 Additionally, the presence of vacant units attracts
14 pest and vermin, which pose significant health
15 hazards to tenants.

16 I've had tenants who have experienced getting
17 bitten at night by rats in their sleep. I've
18 assisted clients in addressing the infestation of
19 rats, mice and insects that have infiltrated their
20 apartments from adjacent, vacant units. These
21 infestations not only cause distress and anxiety but
22 also contribute to the spread of diseases, allergies,
23 and further compromise the health and safety of those
24 tenants. The Vacant Unit Safety Bill comprehensively
25 addresses these issues, introducing stricter

3 regulations and enforcement mechanisms for property
4 owners to maintain their vacant units.

5 By mandating regular inspections and opposing
6 penalties for noncompliance, the bill can help ensure
7 that vacant units are properly secured, maintained,
8 and do not pose health and safety risks to
9 neighboring tenants. This proactive approach will
10 help tenants, protect tenants from the adverse
11 effects of vacant apartments. And furthermore, I'll
12 just finish pretty quickly.

13 This bill aligns with our city's commitment to
14 provide safe and healthy housing for all residents.

15 CHAIRPERSON SANCHEZ: Thank you.

16 Good afternoon. My name is Oksana Mironova and
17 I'm here on behalf of the Community Service Society
18 of New York. Today, we would like to offer our
19 support for Intro.'s 195 and 352 as well as our
20 Resolution 563. We're also here to underscore that
21 rent regulation does not cause vacancy or housing
22 neglect, actions by unscrupulous landlords and
23 speculative investors do.

24 In 2019, the New York State Legislature passed
25 the HSTPA, the Housing Stability and Tenant
Protection Act and in order to undermine the law

3 which has been hugely impactful on the one million or
4 rent regulated apartments that are in New York City,
5 Landlord Lobbyists have resurrected the mythical
6 connection between rent regulation and housing
7 abandonment and neglect, grounding their arguments in
8 fuzzy math and false readings of New York City
9 history. In fact, time and time again, research has
10 shown that rent regulation does not lead to property
11 neglect.

12 For example, a 2015 study using a sample of 161
13 communities in New Jersey tried to look at the impact
14 of rent regulation, housing quality and foreclosure
15 rates. It did not find any significant impact on the
16 two variables when controlling for apartment sized
17 income race of tenant and median rents. Last summer,
18 we at CSS pulled New Yorkers about a wide range of
19 issues as part of our annual on heard third survey
20 and we found that rent regulated tenants who
21 experience the rent increase were 12 percentage
22 points more likely to see improvements in their
23 buildings compared to unregulated tenants.

24 Counter to anti-regulatory arguments, rent
25 regulation does not inhibit building maintenance.
Instead it seems to incentivize it.

3 We know from tenant testimonies that we just
4 heard on this panel that some high-cost neighborhoods
5 with large concentrations of rent stabilized units,
6 like the lower east side and the upper west side have
7 landlords that are holding units off the market on
8 purpose.

9 Landlords claiming that renovations of units held
10 off the market will cost an average of \$100,000 are
11 overstating the average costs of renovation that turn
12 over. Is it okay if I add a couple more things?

13 Thank you.

14 A two-minute conversation with a contractor or
15 basic googling will show you that as an
16 astronomically false figure. Responsible operators
17 of rent stabilized housing tend to average \$15,000 in
18 renovations at turnover, which actually matches the
19 way that the post HSTPA individual apartment
20 improvement guidelines are written. In rare cases
21 where there needs to be substantial rehab like
22 replacing floors, replacing cabinets, renovation
23 costs could double, so they would be about \$30,000.
24 The only way that 100,000 renovation pencils out is
25 if the goal is to turn a formerly affordable unit
into a luxury one. Thank you so much.

3 CHAIRPERSON SANCHEZ: Thank you so much and I
4 also want to thank HPD for staying in the back.
5 Deputy Commissioner, I appreciate it. Thank you
6 everybody.

7 COMMITTEE COUNSEL: Our next panel will be Sue
8 Susman, Elizabeth Haak, Patricia Loftman and Paula
9 Segal. Please come up to the table.

10 CHAIRPERSON SANCHEZ: You may begin when ready.

11 SUE SUSMAN: Okay, I'm Sue Susman. I did not
12 give written testimony. I'm President of the Tenant
13 Association at Central Park Gardens on West 97th
14 Street in Manhattan.

15 I just wanted to respond to a few things that
16 have been said earlier. One was, in response to the
17 Housing Vacancy Survey and the Census, Stellar
18 Management, which owns my building, refused to let
19 the census workers into our building period. It
20 wasn't until we threatened a lawsuit against them
21 that they permitted the census workers in. They do
22 not permit outsiders to come in and simply wonder
23 around asking questions.

24 So, whether if a Stellar Building were included
25 in one of the 78 or so Stellar Buildings were

3 included in the Housing Vacancy Survey, they would
4 get zero information or very little.

5 The second thing is that in our building, which
6 is primarily rent stabilized, although switching over
7 to market rate, there are 245 apartments now, a
8 couple have been combined. Most of the tenants are
9 older than me. I'm 76 and a lot of them; I was the
10 kid when I moved in. And a lot of them are dying or
11 moving to nursing homes and so, we have as of last
12 week, I'm sorry, two weeks ago, we had 13 warehoused
13 rent stabilized apartments whose rent was roughly
14 \$800 a month. As of this week, we have 15 such
15 apartments.

16 So, I'm betting that Stellar is not turning that
17 information over number one. And number two, I feel
18 terrible about all these apartments that are
19 affordable, even without vouchers they'll probably be
20 affordable at \$800 a month right? So, there are
21 families that need these apartments.

22 Number three is that these apartments have been
23 generally well kept to the extent that there are
24 vinyl asbestos tiles, they have not been torn up,
25 even when Stellar Management was renovating
apartments before 2015 for market rate apartments and

3 making them luxury. They weren't tearing up the
4 vinyl asbestos tiles, they were simply covering them,
5 similarly with lead abatement, they were covering
6 things up rather than tearing it out.

7 So, the costs are little bit unrealistic. And
8 finally, CHIPS own estimate of roughly I don't know
9 30,000 apartments that it can't afford to deal with,
10 those are really significant. And I'm hoping that it
11 shouldn't be a big lift actually for HPD to simply
12 have a little bit more access to the vacant
13 apartments, so that when their inspectors come as
14 they did to I think it was 365 South 4th. I don't
15 remember the exact address that Council Member Rivera
16 said. That when the inspectors come and the tenants
17 say we think this is coming from the vacant
18 apartments and if those vacant apartment doors aren't
19 open, HPD has another tool to look at those vacant
20 apartments and to actually see what's going on and
21 therefore, I support Intro. 195. Thank you.

22 CHAIRPERSON SANCHEZ: Thank you.

23 PATRICIA LOFTMAN: Good afternoon. My name is
24 Patricia Loftman. I am a tenant at 788 Columbus
25 Avenue on the upper west side. I've lived in my
apartment for 50 years. I am also President of the

2 Park West Village Tenant Association similar to my
3 colleague here. I'm one of the baby tenants. I
4 moved in when I was you know a youngster and raised
5 my son there. Most of the apartments are now being
6 vacated just through transition death and transition
7 to nursing homes.

8 I would like to thank Council Member Sanchez,
9 Rivera and Members of the City Council Committee on
10 Housing and Buildings for affording the tenant
11 community an opportunity to provide testimony in
12 support of Intro. 195. Park West Village is composed
13 of seven buildings, however, most of the rent
14 stabilized apartments are concentrated in three
15 buildings located at 784, 788, and 792 Columbus
16 Avenue. Park West village was built in the 1950's to
17 provide affordable, regulated housing for middle-
18 class working people. It was multi-racial, multi-
19 ethnic, composed of teachers, nurses, lawyers,
20 midwives, middle class people and span generations.
21 It was a community, a microcosm of society that
22 allowed parents to comfortably raise their children
23 without the rent burden experienced by over 50
24 percent of working- and middle-class people today.

3 We first noticed warehousing of apartments back
4 in 2017. It accelerated following HSTPA in 2019
5 extensively due to the loop in HSTPA that owners have
6 maximized. A group of approximately ten market rate
7 tenants had successfully challenged the illegal
8 deregulation of their apartments. The result was
9 that their apartments were returned to rent
10 stabilization. However, in a review of one of the
11 tenants rent history, it was documented that the last
12 legally registered stabilized rent was \$1,281. Yet
13 the apartment after renovation rented for \$5,888. A
14 determination was made that that same rent was not
15 supported and justified based on a review of the
16 evidence. There was also evidence that similar data
17 had been used to justify the rent in other cases.
18 That tenant was offered a substantial buy out which
19 the tenant accepted.

20 After the tenants departure, the apartment has
21 remained warehoused since 2018. It is currently in
22 the process of being Frankenstein with two empty
23 adjoining apartments. Subsequent to the success of
24 the market rate tenants group, who successfully
25 challenged their market rate apartments, the Tenant
Association speculated that warehousing began as a

3 means for the owner to circumvent the four year look
4 back period. The Tenant Association noted that more
5 and more vacant apartments were not being rented.

6 Today, approximately 374 or 45 percent of the
7 original 864 apartments still have affordable rents.

8 Intro. 195 provides for a multitude of health and
9 safety precautions, which I'm not going to repeat,
10 however, I would like to introduce for your
11 consideration other consequences that need to be
12 considered, that would throw this trench in support
13 and justify the need for Intro. 195.

14 The first is the constant Frankenstein-ing of
15 warehoused departments in housing that was built
16 during the era when lead and asbestos were building
17 standards. The remaining tenants are being
18 chronically exposed to environmental toxins present
19 in these apartments through failure of contractors to
20 adhere to basic construction standards to protect the
21 tenants that remain.

22 The second is exposure to short-term rentals
23 during the time when working- and middle-class people
24 are rent burdened, spending more than 40 percent of
25 their income on rent. Specifically, and I'm going to
go through this but I introduced pictures just to

3 illustrate. In one building we have three contiguous
4 apartments that were previously rent regulated that
5 are now being Frankensteined. Three contiguous
6 apartments.

7 In one apartment 6D, we don't know necessarily
8 know how long that apartment has been vacant but 6E,
9 which was one of those deregulated apartments, has
10 been vacant since 2018 and 6F has been vacant since
11 2016. So, those are three apartments that could have
12 been readily made available to working class people
13 at affordable rates. They don't need luxury housing.
14 They didn't need significant renovations. Those
15 apartments could have been put back on the market.

16 We have apartments that were vacated through
17 death, as far back as 2016. We have significant
18 apartments that could be rented today. Were those
19 apartments made available?

20 A similar pattern in one of the other buildings.
21 We had two rent stabilized apartments who were
22 combined. The rents approximately were about \$1,500
23 each, however, the first rent on the newly
24 Frankensteined apartment was \$13,500. So, you know
25 you can read the remainder of the testimony but I
think the point here is that there are multiple ways

3 to take apartments that could be rented and make them
4 unavailable for renting at a time when the housing
5 crisis, the consensus is that a housing crisis
6 exists.

7 So, in conclusion, there is widespread consensus
8 in unanimity regarding the lack of affordable housing
9 throughout New York City. There are three solutions
10 to this crisis. First and the most important, is to
11 preserve the regulated housing that exists.

12 Second, is to minimize the approval of luxury
13 housing permits. And third, is to build affordable
14 housing. Most new housing being built today is out
15 of the reach of every day working and middle-class
16 people. To do anything else would be socially and
17 morally incongruous with those welcoming words and
18 blatant on the Statue of Liberty that says, "Give me
19 your tired your poor, your huddled masses yearning to
20 breath free." Well, exactly where are these tired,
21 poor huddled masses supposed to live? Thank you.

22 CHAIRPERSON SANCHEZ: Thank you so much.

23 ELIZABETH HAAK: Hi, my name is Elizabeth Haak
24 and I live at 325 East 12th Street for almost 50
25 years, which is currently owned by Madison Realty
Capital. I firmly believe that tenants throughout

3 the five boroughs have needed Intro. 195-A for many
4 years. I wish we'd had it when in 2015, when
5 Rayfield Toledano bought building in the East
6 Village, including mine.

7 The majority of apartments in these buildings
8 were rent regulated. With the help of goals, Cooper
9 Square Committee and Urban Justice Center, tenants
10 formed the Toledano Tenants Coalition. Five years
11 later, Attorney General Tisch James said, "with the
12 financial backing of Madison Reality Capital,
13 Toledano harassed tenants through coercive buyouts,
14 executed legal construction practices and failed to
15 provide tenants with utilities, repairs, and other
16 necessary services."

17 TTC believes that Toledano displaced about half
18 the tenants in 15 buildings with a total of 279
19 apartments. Toledano gutted some apartments as soon
20 as they were vacated. Others were left to
21 deteriorate.

22 At 325 East 12th Street, my building, Toledano
23 workers stripped seven apartments of fire insulation
24 down to the studs. Black dust sifted through floor
25 boards on occupied apartments. All 15 buildings in
this coalition are at least 100 or more years old.

3 So, it's assumed dust and debris are full of lead
4 paint.

5 Toledano's workers used one gutted apartment as a
6 dumpster for debris and another for spoiled food.

7 May I? Okay.

8 CHAIRPERSON SANCHEZ: And I apologize, I just
9 have to step out for one minute to pump. I'll be
10 right back. I'm listening and my colleagues will be
11 here.

12 ELIZABETH HAAK: Okay.

13 CHAIRPERSON SANCHEZ: Continue.

14 ELIZABETH HAAK: Okay, thank you. So, Toledano
15 workers used one gutted apartment as a dumpster for
16 debris and another for spoiled food from recently
17 vacated apartments. When tenants opened their
18 windows, the smell of rotted food permeated the air
19 shafts, cockroaches, water bugs and mice moved in
20 throughout the buildings but Toledano did not provide
21 exterminator services.

22 I could hear mice mating behind my kitchen sink.

23 Vermin followed me as I entered my apartment.

24 Nothing we tenants did could stop the onslaught of
25 vermin throughout the building. Calls to 311 were of
no avail because DOB could not get access to the

3 source of the problem. All the gutted apartments
4 were fire hazards because mice can chew through
5 electrical wiring causing shorts.

6 Tenants in the other 14 buildings suffered
7 through the same problems. Alarmed by tenants TTC
8 tenants reports, elected officials finally got DOB to
9 make a surprise inspection of the buildings.

10 Toledano's crews fled, leaving a few units unlocked.

11 I remember one DOB inspector calling his boss for
12 permission to open the door of a dumpster apartment.

13 When he did, he took one look and explained, "There's
14 liability issues in here." And shut the door.

15 DOB found a large number of violations in
16 occupied apartments and common areas of the 15
17 buildings that day but DOB could not access the
18 locked vacant apartments. Tenants lived with
19 hazardous conditions for two years until Toledano
20 went into bankruptcy. Madison Reality Capital, had
21 to cure all violations and was ultimately given total
22 ownership of the buildings in 2020 as part of a
23 settlement, Assurance number 20-067. As TTC, which
24 is now Tenants Taking Control, worked within
25 apartment warehousing, stand for Tenant Safety
Coalitions, we learned of many buildings throughout

3 the five boroughs where tenants are living under
4 hazardous conditions even longer than we did.

5 Intro. 195-A will allow tenants to report
6 dangerous situations in nearby apartments and make
7 landlords give DOB access to inspect. We hope that
8 this will result in faster cures of unsafe conditions
9 in partially occupied buildings. Please pass Intro.
10 195-A pronto. Thank you very much for listening.

11 CHAIRPERSON SANCHEZ: Thank you.

12 PAULA SEGAL: Thank you so much to my colleagues
13 and I think Council Member Brewer caught me tearing
14 up a moment ago. So, that was very moving, thank
15 you.

16 My name is Paula Segal, I'm here on behalf of
17 Take Root Justice and two coalitions that were part
18 of the Abolish the Tax Lien Sale Coalition and United
19 for Small Business New York City. So, switching
20 gears a little bit from residential dwellings that
21 vacant to abandoned buildings, vacant lots and
22 commercial vacancies. I'm going to split my
23 testimony in two and talk about the lien sale and
24 how it facilitates warehousing and vacancy and give
25 you all an update about Department of Finances
finally complying with a law you all passed in 2017

3 and releasing data from the servicers just yesterday.
4 I'll come back to that but good news to share today
5 and share a little feedback on the commercial vacancy
6 portion of Intro. 352.

7 So, as we all know in 1996, then Mayor Rudy
8 Giuliani created the lien sale program. For the next
9 quarter century, the Department of Finance sold over
10 new property tax and water debt to a private
11 administered hedge fund back lien trust at a
12 discounted rate or approximately 0.72 cents on the
13 dollar. The trust tax on high interest rates, fees,
14 rapidly bylining the debt and can foreclose on
15 properties on properties of owners unable to pay.

16 This effectively privatized a core government
17 function and left both our neighborhoods and property
18 owners in distress. As a direct consequence, vacant
19 lots in unoccupied buildings have been languishing in
20 private speculative hands, some for decades.

21 The program continued until February last year
22 when the Councils authorizing legislation thankfully
23 Sunset. But in the last lien sale, the one held in
24 December 2021, the city sold debt on 373 vacant lots.
25 And the two sales before that contained a comparable
number of properties. These vacant lots, most of

3 them are heading to something called a graveyard
4 trust by the Department of Finance. That's a trust
5 that has no investors, that accepts liens on
6 properties that would pose a risk to the bond
7 offering of the trust created each year. That trust,
8 unlike the trust created each sale year, this one
9 doesn't expire. It continues to this day and
10 currently holds liens on nearly 6,000 properties. We
11 literally got this data yesterday. We've been asking
12 for months and years actually, some of for Department
13 of Finance to comply with the quarterly reporting law
14 that the Council passed in 2017. The data is finally
15 up on DOF's website as of yesterday afternoon, so
16 we're finally able to see a little bit into what's
17 going on in this graveyard trust. And it's not
18 pretty.

19 Not only is it still holding liens, over 6,000
20 liens but it hasn't initiated foreclosure at all on
21 over 600 of those properties, half of which are
22 vacant lots. A considerable number are unoccupied
23 buildings, which could be affordable housing as could
24 much of the vacant lots. These are all privately
25 owned. They are not lots that HPD has an excuse for
as they sat here and said, oh, they're too small.

3 Okay, then do something about the ones that are being
4 warehoused by private deed holders in our
5 neighborhoods.

6 We are going to do a little bit of a more
7 analysis on the data that came out yesterday. I'm
8 not able to bring that to you today but in the
9 future, this Council should not authorize a return to
10 the expired lean sale practice and should really
11 consider looking back at the graveyard trust and
12 forcing the city to take back all of that debt for
13 enforcement.

14 That graveyard trust is not doing our neighbors
15 or the neighbors of properties any good and those
16 properties are concentrated in low-income
17 neighborhoods in the outer boroughs, the ones that
18 pose the most risk to a bond offering.

19 I also want to thank the Council for Intro. 252-
20 A, for which will improve reporting requirements for
21 commercial spaces that's badly needed. The
22 storefront registry, which was created a couple of
23 years ago, only requires landlords to report on
24 ground floor and second floor commercial spaces
25 because it's a bit arbitrary. This bill would get
rid of that arbitrary delineation but it's also very

3 important that we keep that second floor or ground
4 floor marker. Somewhere in the data and our
5 colleagues at ANHD have submitted detailed testimony
6 about this. If that is lost, we will not be able to
7 get longitude in all data and look back at the last
8 few years, which is just as important as looking
9 forward.

10 Thank you so much and thank you for the
11 indulgence of extra time.

12 CHAIRPERSON SANCHEZ: Thank you.

13 COMMITTEE COUNSEL: The next panel will be
14 Roberto Rodriguez, Maribel Lopez and Smith-Mallory,
15 M. Smith-Mallory, thank you. Please come up to the
16 table if you heard your name.

17 ROBERTO RODRIGUEZ: Hello, okay, I'm not going to
18 take up much of your time because a lot of what I
19 wanted to address has already been. And so, at this
20 point, it would just be to kind of like reiterate a
21 lot of the things that's been said, like in the
22 bullet point. Regarding the house at HPD, it appears
23 to me that they were elaborating a lot on personal
24 property owners that accepted the program. However,
25 I do know of a lot of addresses under HPD housing
that HPD owns that's been being warehoused for quite

3 some time, the apartments. And a lot of the
4 buildings, the tenants were promised that they were
5 going to be offered to correct onto TIL and that went
6 on for about a ten-year timespan.

7 Since then, tenants have been moved out of those
8 dwellings and those dwellings are sitting there
9 vacant and abandoned now. Something hard for me to
10 believe and understand, especially with this you know
11 housing crisis going on right now. You know so much
12 has been touched on already that at this point, I
13 almost feel like I'd like to offer my services to any
14 agencies that may need help.

15 One of my greatest quotes, especially at a time
16 like this, would be from John F. Kennedy and it's
17 "Ask not what your country can do for you but what
18 are you willing to do you know for your country?"
19 That's a lot that needs to be done because there's a
20 lot that has gotten out of hand. And ultimately,
21 with them saying that you know the number count with
22 the housing, that's been sitting vacant and
23 abandoned, with all of these many of people that have
24 been residentially displaced for one reason or
25 unfortunate other. I still don't understand it when
there's been developments going on so much all around

3 us that it's to my understanding that the city might
4 be caving in because its too much weight on it.

5 A lot of this housing I know was erected and
6 renovated government funding with a lot of residents
7 that are displaced, that government funding is their
8 type of money. So, I clearly don't understand how
9 they could be prized out of housing when a great deal
10 of their tax money is in the pot of the funding that
11 went into erecting this real estate or renovating the
12 real estate. A lot of which was confiscated from
13 people who were housed and what was confiscated and
14 unfortunately, they have been sheltered. I know
15 people that's been in shelters for a 10- and 15-year
16 timespan and there's something about that humanly
17 that I cannot absorb because these are from babies to
18 senior age people. A lot of the adults, working
19 class people. It is really a bazaar situation and
20 you know it's so ironic because it's a matter that
21 can be easily fixed. It can be fixed. If real
22 estate is being built all around us and it's not with
23 out-of-pocket money to the developers of this
24 building, and it's a lot of people that are not even
25 from the city that's being housed, I really do not
understand why there are people born and raised there

3 who are residentially displaced with tax money that
4 has been put into to the pot. Not only from
5 themselves, myself, my parents, my grandparents, and
6 so forth and on.

7 The warehousing that has been going on with a lot
8 of the real estate in this city is bazaar and its
9 real estate that's just been sitting there. I don't
10 believe its in that much of a deplorable condition
11 that citizens cannot occupy it and then with the
12 vacant and abandonment that went on throughout the
13 city, I don't understand why there wasn't such a
14 program put into place where the residents of the
15 communities weren't offered the property to renovate
16 it with the same money that was given to other
17 people, to manage it. You know I believe that people
18 would have known better how to manage their own
19 communities if they had the means to do so.

20 There's so much that has been discussed here.
21 It's shivering to me and I'm not going to take up
22 much more of your time because I know the position,
23 this is the work that I do. I'm going to say I
24 appreciate you guys for listening. I appreciate you
25 know the raised concerns. I appreciate your
highlights. I appreciate your listening.

3 CHAIRPERSON SANCHEZ: Thank you.

4 ROBERTO RODRIGUEZ: I appreciate the
5 assertiveness. Uhm, you have my name. You have my
6 number. The only thing I could do now is offer
7 myself in any kind of way, including in the way of
8 taking inventory of these vacancies and its
9 abandonment because you know a great job can be done
10 by one person sometime alone. I do it all the time
11 because my father said, when you want something done
12 right, do it yourself.

13 It's too big of a job done and it would never get
14 done.

15 CHAIRPERSON SANCHEZ: Thank you.

16 ROBERTO RODRIGUEZ: It's only a tiny bit of
17 people.

18 CHAIRPERSON SANCHEZ: Alright, thank you so much.

19 ROBERTO RODRIGUEZ: I thank you guys a great deal
20 and you guys have a nice day. Yeah, I said I refuse
21 to put your — so you know my name, my concerns and my
22 hope.

23 CHAIRPERSON SANCHEZ: Thank you. Thank you.

24 Thank you guys. Have a nice day.

25 COMMITTEE COUNSEL: Next on Zoom will be Elise
Golden followed by Kaneen(SP?).

3 SERGEANT AT ARMS: Starting time.

4 ELISE GOLDEN: Hi, good afternoon. My name is
5 Elise Golden, I'm the Community Land Trust Campaign
6 Organizer at the New Economy Project, which is an
7 organization working with community groups to build a
8 just economy that works for all based cooperation,
9 equity, social and racial justice and ecological
10 sustainability.

11 So, among our activities, we are the founding
12 member and pro coordinator of NYSLEY, which is the
13 Coalition of Community Land Trust, which we know to
14 be strategy to preserve permanently affordable
15 housing and ensure equitable community led decision
16 making over land use in New York City.

17 So, we've been working with hundreds of groups
18 across the city to organize and support as a
19 Community Land Act, which includes COPA and the
20 Public Land for Public Good bill, as well as
21 Abolishing the Tax Lien Sale as ways to combat
22 speculation and bring land and housing into community
23 ownership.

24 And we want to testify today in support of
25 Intro.'s 195 and 352, which would give the city's
tenants and community groups additional tools to

3 combat warehousing, as well as build community
4 ownership and support tenant organizing in buildings.

5 We know that thousands of apartments are being
6 warehoused after the 2019 rent laws, as ways to
7 deregulate apartments and speculate on buildings.

8 And we know that Intro. 195 and 352, which shed light
9 on this growing program by requiring property owners
10 to register units. And for HPD to actually inspect
11 dwellings where there are hazardous conditions. So,
12 tenants deserve to have information about and to have
13 actual remediation of these conditions and to know
14 whether they're living next to a mold infested unit
15 or above an apartment without safety -

16 SERGEANT AT ARMS: Time expired.

17 ELISE GOLDEN: Fire, you know fire safety
18 protection. Okay, thank you.

19 COMMITTEE COUNSEL: Thank you and also on Zoom
20 Kaneen.

21 SERGEANT AT ARMS: Starting time.

22 KANEEN: Hi, can you all hear me?

23 COMMITTEE COUNSEL: Yes, we can.

24 KANEEN: Okay, great. I'm actually a few steps
25 away from City Hall, so I could actually do this in

3 person, is that possible? I'm literally like a block
4 away. Hello?

5 CHAIRPERSON SANCHEZ: Hi, uhm, I believe you may
6 be the last person, so preferably, we can hear your
7 testimony now.

8 KANEEN: Okay, yeah, for some reason it won't let
9 me turn on my camera. So, okay. Yeah, I mean I've
10 just been listening to everything all day and I feel
11 like for the NYPD, there is a Civilian Complaint
12 Review Board. I feel like, where are the
13 protections? I mean, I'm just asking more questions.
14 I think all the testimony is extremely clear that
15 there's a huge gap between the issues that people are
16 facing and the inaction of our local officials and
17 then also in Albany. And I think this has been going
18 on for decades. I think it's only exacerbated by the
19 "migrant crisis." I just want answers. I just want
20 to know what you know clearly nothing has really been
21 done but what is actually going to be done?

22 I was a New York City Public Education Teacher
23 for over 15 years and when these buildings have the
24 issues that they have, the children show up the way
25 they show up.

3 So, these issues of housing aren't just isolated
4 as housing issues. They also end up being behavioral
5 issues or high absenteeism in the classroom. As a
6 teacher, they also impact the criminal justice
7 system. When people are stressed and tired, they
8 lash out on people that they live with, so domestic
9 violence goes up. There's so many ways in which, if
10 we look at this intersectionally, not only is it
11 taxation without representation, it also is creating
12 a lot of harm in a lot of ways in which also impact
13 mental health, impact peoples inability to show up on
14 time for work or be clear and focused -

14 SERGEANT AT ARMS: Time.

15 KANEEN: There are so many ways in which the
16 productivity level of New Yorkers would increase, if
17 again there's shelter, which is you know one of the
18 basic needs of society was met.

19 I live in a building owned by HUB NYC. You know
20 I live next to an apartment that's also been vacant
21 and they say that it's vacant because of electrical
22 issues. What does that mean? At any given time,
23 could there be a fire in that apartment? Again, the
24 apartment has been vacant for several months. HPD
25 does nothing about that. You know, so I'm just, I

3 think it's great that we get to talk, right? And we
4 get to say our issues but these are horrifying issues
5 and I would like to know that our tax dollars ensures
6 that this doesn't happen. People are getting cancer,
7 right? People are dying, right? People are getting
8 rat bites, right? Like, I've met with children who
9 have sepsis. I've dealt with children that have
10 scabies.

11 You know, so I'm just confused as to how many
12 more decades are we as a society and we specifically
13 in New York City, ask so many people to suffer in
14 silence and we know that people are too busy working
15 to then put it on us to organize tenant associations.
16 That's exhausting and then what about the elderly?
17 Do they have time or the energy or even the memory
18 capacity or cognitive ability? What about the
19 disabled people? So, to sit there and make it so
20 that we as tenants have to form tenant associations,
21 clearly in vein because there have been several
22 tenant associations that have testified throughout
23 today, right?

24 So, clearly they're doing their best but clearly
25 it's a day, right? Because the power is at the —
that are the money landlords that can have the

3 lawyers, right and write the laws and buyout some of
4 you. Some of the City Council and whoever else is
5 supposed to do the oversight, can sit there and make
6 it so that these people again continue to be bitten
7 by rats and then the children end up being absent and
8 failing tests and you know starting fights in
9 schools. I mean, this is what actually happens.
10 This is what neglecting housing actually looks like.

11 CHAIRPERSON SANCHEZ: Thank you.

12 KANEEN: I'm done speaking.

13 CHAIRPERSON SANCHEZ: Thank you. Thank you so
14 much Kaneen and I look forward to continuing the
15 conversation with you because the passion that you
16 have is one that is shared by a lot of folks who are
17 here today and you know, it's collective action is
18 difficult but that's why we're here and that's why
19 we're pushing for reform.

20 So, thank you so much for participating today.

21 KANEEN: Oh yes, and it's on behalf of my
22 organization which is called Black Issues, Issues and
23 it's not just Black issues but specifically a lot of
24 these issues detrimentally and disproportionately
25 impact the Black community and when you think of the
wealth gap, you think of the education gap, when you

3 think of all of these gaps, right like, how does
4 housing exacerbate those gaps? Black Issues, Issues.
5 And sometimes solutions.

6 CHAIRPERSON SANCHEZ: Understood. Thank you.

7 COMMITTEE COUNSEL: Alex Young, Pamela Harrara,
8 Ann Cortjock(SP?), Elon Robenivich(SP?), Malcolm
9 Gibbs(SP?), Guy Yedwab(SP?), Edward Kanig(SP?)?

10 This concludes the public testimony. If we
11 inadvertently forgotten to call on someone to
12 testify, can you please raise your hand using the
13 Zoom function or identify yourself in the audience
14 today? Okay.

15 CHAIRPERSON SANCHEZ: Alright, well, with that, I
16 want to thank all of the residents and advocates who
17 came and joined this hearing who pushed for
18 legislation to address a challenge that we're having
19 in the City of New York. I want to thank the
20 Administration, especially for staying here. Deputy
21 Commissioner, Assistant Commissioner and your teams.
22 intergov. Thank you so much for being here and with
23 that, we look forward to further discussions on these
24 bills and on our advocacy in Albany. And with that,
25 this hearing is adjourned. [GAVEL]

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
THE COMMITTEE ON GOVERNMENTAL OPERATIONS

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1 COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH
2 THE COMMITTEE ON GOVERNMENTAL OPERATIONS 159

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C E R T I F I C A T E

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



Date JUNE 23, 2023