

COMMITTEE ON HOUSING AND BUILDINGS JOINTLY WITH

COMMITTEE ON AGING 1

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS  
JOINTLY WITH COMMITTEE ON AGING

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October 3, 2022  
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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Pierina Ana Sanchez, Chairperson

COUNCIL MEMBERS:

Crystal Hudson, Chair - Aging  
Tiffany Cabán  
David M. Carr  
Eric Dinowitz  
Oswald Feliz  
Alexa Avilés  
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Darlene Mealy  
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A P P E A R A N C E S

Michael Ognibene, First Deputy Commissioner at  
Department for the Aging  
Lucy Joffe, Assistant Commissioner for Housing  
Policy at Department of Housing Preservation and  
Development

Brendon McBride, Associate Commissioner for New  
Construction at Department of Housing  
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Guillermo Patino, Deputy Commissioner for  
External Affairs at Department of Buildings

JoAnn Kamuf Ward, Deputy Commissioner for Policy  
and External Affairs at Commission on Civil and  
Human Rights

Ken Grace, Director of Intergovernmental Affairs  
at Department of Finance

Ryan Murray, First Deputy Commissioner at Human  
Resources Administration

Munonyedi Clifford

Vik Benson

Brianna Paden-Williams

James O'Neal

Suhali Mendez

Patrick Boyle

SERGEANT-AT-ARMS: Test, test, test. This is a test on the Committee on Housing and Buildings joint with Aging. Today's date is October 3rd. This is being recorded by Sakeem Bradley in the Chambers.

SERGEANT BRADLEY: Good afternoon, everybody. Welcome to today's New York City Council hearing of the Committee on Housing and Buildings jointly with Aging.

At this time, we ask that everybody please silence your cell phones.

If you wish to testify in today's hearing, you can come up to the Sergeant's table and fill out one of these slips.

Written testimony can be emailed [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that's [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

Thank you for your cooperation. Chairs, we are ready to begin.

CHAIRPERSON HUDSON: Thank you. [GAVEL]  
Good afternoon. I am Council Member Crystal Hudson, and I Chair the Committee on Aging. Thank you, Chair Sanchez, for hosting this joint hearing with the Committee on Housing and Buildings for this very important hearing on increasing affordable housing

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2 for older New Yorkers and improving accessibility in  
3 the City's housing stock.

4 Older adults in New York City comprise 13  
5 percent or 1.1 million people, which is approximately  
6 200,000 greater than the number of students enrolled  
7 in New York City public schools. As the Baby Boomer  
8 generation retires in greater numbers and medical  
9 advances allow an increasing number of people to live  
10 longer, the number of older adults living in New York  
11 City is projected to rise to over 1.4 million by  
12 2040. According to the U.S. Census American Community  
13 Survey, few than half of older New Yorkers live in  
14 homes owned by someone in the household. Latinx,  
15 black, and Asian Pacific Islander older adults are  
16 less likely to live in a residence that is owned  
17 compared with white older adults, and an estimated  
18 110,000 older New Yorkers live in public housing.  
19 Additionally, according to the 2021 New York City  
20 Housing and Vacancy Survey, about one in five New  
21 York City households comprised one or more person  
22 with a disability with statistically similar shares  
23 among renters and owners. This included households  
24 where any household member had a hearing, vision,  
25 ambulatory, cognitive, self-care, or independent

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2 living difficulty. New York City has a long history  
3 of residential segregation and disinvestment in  
4 neighborhoods of color which has left many older New  
5 Yorkers of color without the supports needed to age  
6 healthily, including affordable housing, social  
7 support, safety, accessible public transportation,  
8 and healthcare. With its high-density urban  
9 population, ethnic and racial diversity, and  
10 increasing longevity, the City must account for the  
11 unique needs of the older adult population. This is  
12 especially urgent as older New Yorkers have reported  
13 negative effects of the pandemic on their lives.  
14 While the City offers a number of housing options and  
15 related programs for older adults, displacement and  
16 the ability to age in place remain real issues that  
17 impact older New Yorkers.

18           At this hearing, I'm looking forward to  
19 learning about how the City is working to meet the  
20 current need and prepare for the projected need for  
21 accessible and affordable housing.

22           Thank you to the advocates and members of  
23 the public who are joining us today and thank you to  
24 representatives from the administration for joining  
25 us. I'd also like to thank my staff, Casie Addison

1  
2 and Andrew Wright, and Aging Committee staff,  
3 Christopher Pepe, Chloe Rivera, and Daniel Kroop.

4 I will now turn it over to Chair Sanchez.  
5 Thank you.

6 CHAIRPERSON SANCHEZ: Thank you so much.  
7 Good afternoon. I am Council Member Pierina Sanchez,  
8 Chair of the Committee on Housing and Buildings.

9 I want to thank you all also for joining  
10 today's hearing joint with the Committee on Aging to  
11 examine housing issues for our aging population,  
12 particularly issues related to affordable housing and  
13 accessibility. We will hear a number of bills also  
14 related to this topic.

15 I'd like to thank Chair Hudson for  
16 partnering on today's hearing as well as members of  
17 the administration, the public, and advocates today.

18 I would also like to acknowledge my  
19 fellow Colleagues who are present today, Council  
20 Member Schulman, Public Advocate Jumaane Williams,  
21 Council Member Carr.

22 An unfortunately popular refrain in New  
23 York City has become that we are in a housing crisis.  
24 As a Council, we call attention to this crisis at  
25 each and every opportunity. As we welcome migrants to

1  
2 our city, it is not lost upon this Council and myself  
3 that even more needs to happen as more stress comes  
4 to our system. As we continue to govern with the  
5 resources of our great city, we must do more, better,  
6 faster, not less, slower, or in more cumbersome ways.  
7 One area in which this is resoundingly clear, as you  
8 just heard, is with respect to housing our older  
9 adult population. New Yorkers who are at times our  
10 most vulnerable and face some of the greatest  
11 obstacles to accessing even the resources that  
12 presently exist.

13           In addition to the stage that has been  
14 set by Council Member Hudson, take for instance the  
15 examples that we see in our offices day by day. We  
16 have a senior who came in a few weeks ago to my  
17 office who has a rent burden of over 70 percent of  
18 her income. She has tried to apply for NYCHA, for  
19 Housing Connect opportunities, for CityFHEPS in the  
20 past, but her applications expired. She doesn't  
21 understand the process. There are language barriers.  
22 There are digital access issues. Even when she can  
23 access a computer or access to the internet, she may  
24 not know how to navigate the proper systems. She's  
25 been applying, she says, since 2011. There's another

1  
2 constituent who earns 928 dollars per month from  
3 Social Security, and her rent is 900 dollars at  
4 present. She is left with nothing at the end of the  
5 month when she pays for her housing. She had a  
6 Section 8 voucher, but she was not able to get an  
7 apartment with it because, as we know, source of  
8 income discrimination is also very real and faced  
9 also by our senior population. Overall, there are  
10 immense, tremendous barriers that our seniors face,  
11 especially as we live in a city with a housing  
12 crisis. One of my neighborhood organizations called  
13 the United Neighborhood Housing Program, or UNHP,  
14 hosts the Northwest Bronx Housing Resource Center. In  
15 the Resource Center, they share that they have helped  
16 over 3,400 households submit over 13,000 Housing  
17 Connect applications and yet only 15 households have  
18 gained entry into an affordable apartment. 83 percent  
19 of units available in Housing Connect in my  
20 neighborhood do not meet the requirements that the  
21 residents in my neighborhood earn, incomes lower than  
22 40 percent of AMI, and about 35 percent to 45 percent  
23 of households in the Northwest Bronx also do not have  
24 access to broadband internet so these are stories of  
25 opportunities lost over missing emails, inability to



1  
2 connect, not knowing how to navigate. Even when there  
3 are non-profit organizations, they cannot do it all.

4           As our city's aging population grows,  
5 there are mounting questions about how the City will  
6 meet our housing needs. The recently released Mayor's  
7 Management Report already shows for this year we are  
8 producing less affordable housing than we were last  
9 year. We are slowing production. We are going in the  
10 wrong direction. Our seniors need homes that are safe  
11 and affordable in order to live healthy lives and  
12 safely. As my examples illustrate, even as the City  
13 works to increase its housing stock for seniors, are  
14 we taking the necessary steps to make sure our  
15 seniors can adequately access these homes?

16           Today, I look forward to hearing updates  
17 from the district on these and other efforts to  
18 improve access to affordable housing for seniors and  
19 to improving accessibility for individuals with  
20 disability.

21           Towards this end, the Committee will hear  
22 a number of bills designed to improve housing  
23 conditions and access to affordable housing for the  
24 city's seniors.

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Intro 141 sponsored by Council Member

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Ayala relates to power-operated and power-assisted  
4 doors.

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Intro 322 sponsored by Council Member

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Brannan relates to the installation of protective  
7 devices for seniors and persons with disability.

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Intro 375 sponsored by Council Member

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Ayala relates to the reporting of affordable housing  
10 set-asides for tenants with disability.

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Intro 584 sponsored by the Public

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Advocate relates to evictions of disabled tenants.

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Intro 608 sponsored by Council Member

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Ayala relates to compliance with accessibility  
15 requirements in construction plans.

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Intro 676 sponsored by Council Member

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Hudson relates to requiring a percentage of units

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receiving city financial assistance to be universal-  
19 designed units.

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Resolution 236 calls upon the State for

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the passage of allowing automatic enrollment into  
22 SCRIE and DRIE.

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Before I turn it over to the

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administration, I want to take a step that is a bit

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out of order if I may. As you may know, this is my

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first hearing back after giving birth in August, and, while I slowed down to be with my brand new, amazing, incredible baby, I'm floored by the way that my office did not miss a beat. I want to thank from the bottom of my heart, my incredible staff, Chief of Staff Sam Cardenas, my Legislative Director Kadeem Robinson, Sharon Quituisaca, Shanell Goring, Adrian Cacho, Maria Villalobos, Cerimar Olivares. I could not have done what I did as a new mom without all of you so thank you. I told all of you that when I'm not around you are me, and you took that to heart. Thank you for loving the community so much and working so incredibly hard every single day. Of course, we're here today so thank you to my Housing and Buildings Committee Team, Audrey Son, Jose Conde, Charles Kim, Dan Kroop, and Chima Obichere. With that, I'll turn it over to our Committee Counsel.

COMMITTEE COUNSEL: Council Member Caban I believe has an opening statement and then we'll go to Public Advocate Williams.

COUNCIL MEMBER CABAN: Yes, thank you. Thank you to both Chairs for holding this hearing. I am the sponsor of the Resolution that my Colleague and Chair Sanchez mentioned. The SCRIE program is

1  
2 based on a simple premise. We owe it to our older  
3 neighbors who live with constrained incomes to  
4 protect them from rent hikes imposed by profit-  
5 thirsty landlords, and that's it. We value the well-  
6 being and the dignity of our elders over the profits  
7 of the ownership class so it makes no sense to  
8 require people to enroll in this program rather than  
9 guarantee automatic enrollment. That does nothing to  
10 improve the program. It does nothing to increase its  
11 efficiency. It does nothing to generate better  
12 outcomes. It does nothing to elevate the quality of  
13 our neighbors' lives. All it does is erect a barrier  
14 between this program and the people who need it.  
15 Enough. Let's do away with this bureaucratic red tape  
16 designed to separate people from the means to lead  
17 dignified lives and ensure that everyone who  
18 qualifies for SCRIE receives the protections we owe  
19 them. I want to thank my co-prime sponsor, Chair  
20 Hudson, for your partnership on this and other  
21 legislation and your inclusion of this bill today.  
22 Thanks.

23 PUBLIC ADVOCATE WILLIAMS: Thank you so  
24 much, Chair Hudson and Chair Sanchez, and  
25 congratulations again, Chair Sanchez, and welcome

1  
2 back, and to the Members of both Committees for  
3 holding this incredibly important hearing. As  
4 mentioned, I'm Jumaane Williams. I'm the Public  
5 Advocate for the City of New York.

6           In 1988, Congress amended Title VIII of  
7 the Civil Rights Act of 1968 known as the Fair  
8 Housing Act to prohibit discrimination based on  
9 disability in the sale, rental, and financing of  
10 housing. People with disabilities are protected from  
11 discrimination and entitled to reasonable  
12 accommodations when buying or renting a home or  
13 apartment. Reasonable accommodations can include an  
14 exception to a no-pet policy for a service animal,  
15 assigning a tenant an accessible parking spot near  
16 the front of the building, or allowing a tenant to  
17 install grab bars in the bathroom.

18           Although landlords are legally prohibited  
19 from discriminating against or evicting tenants  
20 because of their disabilities or required  
21 accommodations, it still happens. Disability  
22 discrimination complaints are reportedly the most  
23 common complaint received by federal and local  
24 agencies under the Fair Housing Act. People with  
25 disabilities have high rates of housing insecurity

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2 and experience poverty at twice the rate of  
3 nondisabled adults. Additionally, disabled people  
4 are more likely to have medical debt, to receive  
5 lower pay, and to experience food insecurity, all  
6 factors which contribute to an increased risk of  
7 eviction and homelessness. Disabled New Yorkers of  
8 more color, especially Black women, are even more  
9 likely to experience these consequences.

10 Further, having a record with an eviction  
11 filing regardless of whether the eviction was granted  
12 can be a barrier to obtaining rental housing in the  
13 future, which can keep renters with disabilities in a  
14 cycle of housing instability and homelessness.

15 For these reasons, I have introduced  
16 Intro 0584, which would require the Department of  
17 Housing Preservation and Development to provide  
18 tenants with disabilities with information about  
19 legal services when they are facing eviction. It  
20 would also require the Commissioner of HPD to report  
21 to the Mayor and the Speaker of the City Council on  
22 any pattern of discrimination against disabled  
23 tenants. We should be doing everything we can to  
24 ensure that tenants with disabilities are provided  
25 with the resources they need to stay in their homes.

1  
2           The COVID-19 pandemic has highlighted  
3 housing as an issue of public health and safety.  
4 Since the expiration of the eviction moratorium  
5 earlier this year, evictions have been slowly but  
6 steadily increasing. Even before the pandemic,  
7 accessible and affordable housing for people with  
8 disabilities was extremely limited. I look forward  
9 to working with the Committee on Housing and  
10 Buildings and the City Council to ensure that all  
11 people with disabilities in our city have access to  
12 stable, affordable, and accessible housing. New York  
13 is now amongst, if not the, highest rental market in  
14 the entire country. Everyone is being hit. I can only  
15 imagine those that have a little bit of additional  
16 stuff to deal with in their life. Thank you so much.

17           CHAIRPERSON HUDSON: Thank you. I'd just  
18 like to note that we've been joined by Council Member  
19 Feliz.

20           COMMITTEE COUNSEL: I will now administer  
21 the oath to the administration. Please raise your  
22 right hand.

23           Do you affirm to tell the truth, the  
24 whole truth, and nothing but the truth before this  
25

Committee and to respond honestly to Council Member questions?

ADMINISTRATION: (INAUDIBLE)

COMMITTEE COUNSEL: Thank you. You may begin when ready.

DEPUTY COMMISSIONER OGNIBENE: Okay. Good afternoon, Committee Chairs Hudson and Sanchez and Members of the Aging and Housing and Buildings Committees.

I am Michael Ognibene, First Deputy Commissioner and Chief Operating Officer at the New York City Department for the Aging. I am joined today by my colleagues at the New York City Department of Housing Preservation and Development, Human Resources Administration, Department of Buildings, and Commission on Human Rights.

DFTA has had a strong partnership with HPD over the years that resulted in collaborative efforts to address housing concerns for older adults as the City confronts the issue of housing affordability and accessibility. Thank you for the opportunity to testify about how older adults are



1  
2 being connected to housing supports and improving  
3 access to affordable housing in New York City.

4           As you know, New York City is  
5 experiencing a housing challenge further complicated  
6 by a low vacancy rate, increased rental prices, and  
7 high inflation. Older adults, many of whom live on  
8 fixed incomes, are particularly vulnerable to  
9 fluctuating costs and may experience negative  
10 outcomes due to the high cost of housing. Because of  
11 this, DFTA is committed to providing older adults  
12 with social supports that will allow them to stay  
13 in their homes and communities. This includes case  
14 management, home care, home delivered meals,  
15 friendly visiting programs, access to older adult  
16 centers, mental health supports, caregiver support  
17 programs, elder abuse interventions, and many  
18 others.

19           Regarding housing support services which  
20 DFTA provides, we are proud of our work with  
21 Naturally Occurring Retirement Communities, the  
22 Tenancy and Eviction Support Services program, Home  
23 Sharing, and Aging Connect.

24           A Naturally Occurring Retirement  
25 Community or NORC is a multi-age building or housing

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2 development which was not originally intended as a  
3 residence for house older adults but now is home to a  
4 significant number. Throughout New York City, there  
5 are 36 DFTA-funded NORCs that provide a range of  
6 services such as case assistance, healthcare  
7 options, assistance with benefits and entitlements,  
8 recreation or other activities, on-site nursing  
9 services, and ways of connecting socially. NORCs help  
10 older adults to age in place by utilizing DFTA-  
11 funded services and programs to provide the  
12 necessary social supports that make it possible.

13           DFTA works closely with the Office of  
14 Civil Justice at the New York City Human Resources  
15 Administration to jointly administer the Assigned  
16 Counsel Project. This is now known at DFTA as  
17 Tenancy and Eviction Support Services. While HRA  
18 provides direct legal services to older New  
19 Yorkers over 60 who are facing eviction as part of  
20 the Right to Counsel program, DFTA provides  
21 referrals to social services that address the  
22 reasons behind a tenant's potential eviction. To  
23 qualify for these support services, an older adult  
24 must have an active case in housing court. For  
25 older adults who are experiencing housing

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2 insecurity or other legal matters, DFTA maintains  
3 legal services contracts operating in all boroughs  
4 that can address a range of issues, housing  
5 included.

6           Through the New York Foundation for  
7 Senior Citizens, DFTA funds a home sharing program  
8 which links adult hosts with extra space in their  
9 homes or apartments with appropriate guests who  
10 then share that space. One of the people matched  
11 must be age 60 or older. The program does not  
12 charge clients to be matched, and the hosts and  
13 guests work out the monthly contribution amount.  
14 The program seeks to match persons for whom shared  
15 living arrangements would enhance their financial  
16 or social well-being, to promote companionship, and  
17 to relieve feelings of isolation.

18           DFTA's in-house information and referral  
19 call center, Aging Connect, allows New Yorkers to  
20 speak with an Aging Specialist to learn about  
21 programs, supports, and opportunities available to  
22 older adults and their caregivers. Housing issues and  
23 housing supports are frequently a top call category  
24 at Aging Connect. For example, through Aging Connect,  
25 older adults can ask for information about the Senior

1  
2 Citizen Rent Increase Exemption, SCRIE, which is  
3 administered by the NYC Department of Finance, or to  
4 be connected to HPD's Housing Lottery and Senior  
5 First Initiative.

6           Aging Connect can also refer older adults  
7 to our sister agencies that provide direct housing  
8 support like HRA or HPD. DFTA also publishes  
9 resources such as the Alternatives in Senior Housing  
10 guide and the Aging in Place guide, which help to  
11 direct older adults who are experiencing housing  
12 insecurity or may need additional supports with  
13 rental assistance. This information can be accessed  
14 through the DFTA website or by calling Aging  
15 Connect.

16           This is a sample of the services  
17 available to older adults as they age in place in  
18 New York City. DFTA will also continue to work in  
19 conjunction with our sister agencies to strengthen  
20 existing partnerships and find opportunities to  
21 better serve older New Yorkers. That is why we are  
22 excited to see the work that will come out of the  
23 newly formed Cabinet for Older New Yorkers, which  
24 just had its first inaugural meeting on September  
25 21st. This first of its kind multiagency

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2 collaborative was created to support services,  
3 projects, and policies benefitting older adults  
4 across New York City with a primary objective to  
5 create an age-inclusive New York City. While an  
6 agenda has not yet been developed, it is  
7 anticipated that the work of the new Cabinet will  
8 include housing, housing supports, and how older  
9 adults access affordable housing. The work of this  
10 cabinet will allow for cross-agency collaborations  
11 to happen at the Commissioner and agency liaison  
12 levels to better address people's needs.  
13 Ultimately, DFTA's goal is to ensure that all older  
14 New Yorkers can access the resources and supports  
15 provided by the agency to remain in their homes  
16 long-term, age in place with dignity, and live  
17 productive and healthy lives without wondering about  
18 their housing status.

19           We understand that there are three bills  
20 being considered as part of today's hearing. While  
21 we generally are in support of the intent of these  
22 bills, we look forward to working with you and your  
23 team to identify the best path forward in achieving  
24 the stated goals. My colleagues from our partner  
25 agencies who have joined us this morning can also

1  
2 help to answer your questions regarding direct  
3 housing supports provided for all New Yorkers  
4 including older adults. We are ready to build on our  
5 ongoing successes amid the growing housing support  
6 needs of older adults.

7 Thank you again for this opportunity to  
8 testify.

9 ASSISTANT COMMISSIONER JOFFE: Good  
10 morning, Chair Sanchez, welcome back, and Chair  
11 Hudson and Members of the Committees on Housing and  
12 Buildings and Aging and Public Advocate Williams.

13 My name is Lucy Joffe, Assistant  
14 Commissioner for Housing Policy at the New York  
15 City Department of Housing Preservation and  
16 Development. I am joined by my colleagues  
17 Brendan McBride, Associate Commissioner for New  
18 Construction, and Kerry LaBotz, Assistant  
19 Commissioner for Preservation Finance, to  
20 discuss HPD's work related to senior housing and  
21 accessibility.

22 Supporting older adults is a top  
23 priority for the administration, and we know  
24 that access to safe and stable housing remains a  
25 primary concern for many older New Yorkers. As

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you all know well, the City is in the midst of a longstanding housing crisis, putting significant strain on low- and moderate-income seniors.

HPD's approach to meeting older New Yorkers' housing needs and preferences is reflected in both Where We Live NYC, the City's fair housing plan released in fall 2020, and Housing our Neighbors, the administration's blueprint to address housing and homelessness released last spring.

The Where We Live NYC plan describes the City's housing investments as designed to empower New Yorkers with realistic choices to live in thriving, integrated neighborhoods. We committed to increasing opportunity for all New Yorkers by promoting housing choice, the choice to move into a different neighborhood or the choice to stay in a neighborhood, even as it changes. These commitments guide our approach to serving older New Yorkers. Like the general population, older New Yorkers are an incredibly diverse group of people with a wide range of housing needs and preferences who deserve choice in the housing market.

1  
2 While our affordable housing production  
3 receives a lot of attention, many older New  
4 Yorkers are focused on safely remaining in their  
5 homes. For this reason, in *Housing Our*  
6 *Neighbors*, the administration committed to  
7 pursuing new strategies to better meet the  
8 needs of older New Yorkers.

9           HPD continues to develop new  
10 affordable housing to alleviate our current  
11 housing crisis. Many of the residents of our new  
12 construction homes are older New Yorkers who  
13 apply to live in newly-constructed affordable  
14 housing either independently or in  
15 intergenerational households. We also develop  
16 age-restricted housing specifically for seniors.  
17 Through our range of new construction programs,  
18 we enable older New Yorkers to choose whether  
19 they want to live among other seniors in  
20 buildings that offer targeted services, or as  
21 part of an intergenerational and integrated  
22 community. Through HPD's Housing Ambassador  
23 program, we support New Yorkers, including older  
24 adults, navigate the lottery process to remove



1  
2 obstacles or challenges they may experience  
3 including using the Housing Connect system.

4           Many low- and moderate-income older  
5 adults want to remain in their current homes and  
6 neighborhoods but need more support to be able to  
7 do so safely and affordably. These New Yorkers  
8 benefit from HPD-funded building rehabilitation  
9 projects. As part of these projects, we conduct an  
10 integrated physical needs assessment to identify  
11 building system needs, many of which make  
12 buildings safer for all tenants and allow them to  
13 remain in their homes. In addition, HPD's Aging in  
14 Place initiative allows all tenants to identify  
15 in-unit modifications necessary to continue living  
16 safely in their homes, such as grab bars and non-  
17 slip surfaces, which are then made at no cost to  
18 the tenants. Our Homeowner Helpdesk provides  
19 access to counseling and resources, and the Home  
20 Fix program assists low- and moderate-income  
21 homeowners in one to four family properties,  
22 including many older adults, fund home repairs by  
23 providing low-cost financing. Approximately 45  
24 percent of the homeowners served through the Home  
25 Fix program are seniors.

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2           The Senior Citizen Rent Increase  
3 Exemption, SCRIE, program freezes the rent for  
4 eligible seniors living in rent-regulated  
5 apartments and is a critical tool in the City's  
6 toolbox to help older adults remain in their  
7 homes. Over the past decade, the City and the  
8 State have worked to expand income eligibility for  
9 both programs and conducted extensive outreach and  
10 assistance to help qualifying households enroll in  
11 and stay qualified for the programs. In Housing  
12 our Neighbors, the Administration committed to  
13 working with partners across the City to ensure  
14 more eligible individuals benefit from SCRIE and  
15 to help current recipients with annual  
16 recertification. The Senior Citizen Homeowners'  
17 Exemption administered by the Department of  
18 Finance is an example of one of a property tax  
19 program available to help older low-income  
20 homeowners.

21           Because older New Yorkers have a wide  
22 variety of needs and preferences, we are working  
23 in coordination with other City agencies to ensure  
24 that low- and moderate-income seniors have  
25 meaningful choice in the housing market. The City

1  
2 Council has also played an invaluable role in  
3 improving access to housing programs and resources  
4 for older adults. I especially want to thank Chair  
5 Hudson, Chair Sanchez, and Speaker Adams for their  
6 strong leadership in this critical area. We are  
7 encouraged by the progress we have been able to  
8 achieve in recent years and excited to see the  
9 results of our strong commitments going forward.

10           Turning to the legislation being heard  
11 today, HPD supports the intent of Intro 322 and  
12 works with our sister agencies to ensure that older  
13 adults and persons with disabilities can live  
14 safely in their homes. Local, state and federal  
15 fair housing laws do require owners to make  
16 reasonable accommodations. We look forward to  
17 having further conversations with Council and all  
18 the relevant agencies about reasonable  
19 accommodations.

20           For Intro 584, HPD works in coordination  
21 with our sister agencies to ensure that tenants at  
22 risk of eviction have as much information as  
23 possible and access to resources. HPD does not,  
24 however, have a role in the eviction process and  
25 does not receive notice of evictions, complicating

1  
2 our role in this legislation. We also want to  
3 ensure that any interventions to support New  
4 Yorkers living with disabilities do not impede  
5 their right to privacy or put them at greater risk  
6 for any reason.

7           HPD is still reviewing Intro 676 as it was  
8 only added to the hearing a few days ago. Many of the  
9 modifications identified in the bill are already  
10 required under the law and incorporated into the  
11 building code. As currently drafted, however, the  
12 bill treats both new construction and rehabilitation  
13 the same, though these different types of projects  
14 raise very different accessibility challenges and  
15 require different solutions. We also are concerned  
16 that a more nuanced approach that takes into account  
17 the features of the building, the needs of the  
18 tenants, and the specific disabilities residents have  
19 may be more appropriate for solving the challenge  
20 presented here rather than an across-the-board  
21 requirement. We look forward to further conversations  
22 with the Council about this bill and the current  
23 requirements of the Fair Housing Act, the  
24 Rehabilitation Act, and Chapter 11 of the Building  
25 Code before moving this bill forward.

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2           We are also still reviewing Intro 375 and,  
3 while serving people living with disabilities is a huge  
4 priority for the agency, some of this information is  
5 available to HPD and some of it is harder to track.  
6 We look forward to working with the Council on the  
7 details of this bill.

8           Thank you for your time, and I am happy  
9 to answer any questions.

10           DEPUTY COMMISSIONER PATINO: Good  
11 afternoon, Chair Sanchez, Chair Hudson, and  
12 Members of the Committees on Housing and Buildings  
13 and Aging. I am Guillermo Patino, Deputy  
14 Commissioner for External Affairs at the New York  
15 City Department of Buildings. I am pleased to testify  
16 before the Committees in support of the intent of  
17 Intro 141, which would increase the accessibility of  
18 buildings by requiring that more buildings install  
19 automatic doors.

20           Currently, the New York City Building Code  
21 requires that a wide range of buildings that are open  
22 to the public, including hotels, museums, movie  
23 theaters, businesses, and department stores install  
24 automatic doors if they meet a certain occupant load  
25 threshold that is generally between 200 to 300

1  
2 people. Intro 141 would expand upon this existing  
3 requirement by mandating automatic doors at more  
4 types of buildings, including those occupied as  
5 assisted living facilities, adult homes, and as  
6 apartments. However, the bill would require that  
7 automatic doors be installed regardless of what the  
8 occupant load threshold will be for a particular  
9 building. The absence of an occupant load threshold  
10 may result in construction costs that are  
11 disproportional for smaller projects, including those  
12 pursued by small businesses. As such, this proposal  
13 merits further discussion with the business community  
14 and with other stakeholders to understand how their  
15 projects may be impacted. We look forward to working  
16 with the Committees on this issue.

17 Thank you for the opportunity to testify  
18 before you, and we welcome any questions you might  
19 have.

20 CHAIRPERSON HUDSON: Thank you so much  
21 for your testimonies. I'm going to get started  
22 with some questions, but before I do I just want  
23 to recognize that we've been joined by Council  
24 Members Brewer, Mealy, and Marte.

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At last month's Committee on Aging hearing on improving older New Yorkers access to city services, DFTA testified that the New York City Cabinet for Older New Yorkers would hold its inaugural meeting in late September, which you mentioned in your testimony occurred on September 21st. Per the Mayor's Press Office, the Cabinet first met on, this says the 22nd but perhaps the 21st, either the 21st or the 22nd, but what is the meeting schedule going forward?

DEPUTY COMMISSIONER OGNIBENE: Yes, they met on September 21st. That was the Principals' Cabinet. There were 17 agencies represented. Going forward, each Commissioner was asked to appoint liaisons, and the liaisons are going to be meeting later this week. That will be their first meeting to really dig into some of the work. The principals will meet on a quarterly basis. The next meeting is scheduled for December 6th I believe, and then it'll be the third month of every quarter. The goal is to have a report ready in June of 2023.

CHAIRPERSON HUDSON: Thank you so much.

1  
2 DEPUTY COMMISSIONER OGNIBENE: And the  
3 Liaisons will be meeting regularly.

4 CHAIRPERSON HUDSON: More frequently  
5 than the third month of every quarter?

6 DEPUTY COMMISSIONER OGNIBENE: Yes.

7 CHAIRPERSON HUDSON: Okay. Thank you.  
8 What are the Cabinet's priorities and who sets the  
9 agenda?

10 DEPUTY COMMISSIONER OGNIBENE: The  
11 agenda hasn't been set yet. Again, we just met a  
12 couple weeks ago. After this week's meeting, I  
13 think we'll have more of a sense, but there will  
14 be topics that you would expect, public safety,  
15 housing, transportation, health, social services I  
16 would expect. Each of those work groups will look  
17 at it through what is existing policy, what is  
18 legislation, what are some services being offered  
19 now, what are some obstacles, and what are some  
20 innovations so each of those work categories will  
21 then be addressed by policy, legislation, etc.

22 CHAIRPERSON HUDSON: Thank you. Can you  
23 describe any siloes and planned joint action and  
24 innovation as it relates to housing concerns for  
25 older adults?



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DEPUTY COMMISSIONER OGNIBENE:

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Certainly, the aim of this Cabinet is to eliminate

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those siloes, bring a number of folks together,

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work groups, interagency staff. We've also got the

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Advisory Council. We're looking to leverage

7

resources and shape current and future services to

8

better serve older New Yorkers.

9

CHAIRPERSON HUDSON: Thank you. Over the

10

2020 to 2023 Fiscal Year period, HPD's Capital

11

Commitment Plan allocated 508.3 million dollars to

12

finance senior affordable housing units through

13

the SARA program and the HUD 202 program. These

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funds are expected to produce 1,000 units of

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senior affordable housing units financed annually

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over that time period which comes to an average of

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508,000 dollars per unit. Is this the typical cost

18

of unit created, and has the cost been

19

significantly impacted by supply chain issues?

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ASSOCIATE COMMISSIONER MCBRIDE: Thank

21

you for that question. The typical cost per unit

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historically has been around that mark, but, of

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late, we have seen increasing costs because of

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some of the issues that you've identified. Also,

25

it's become more challenging given interest rate

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2 increases in this current environment as well as  
3 all the inflationary pressures that we all know  
4 about from the news on construction costs so costs  
5 have increased. We obviously endeavor to try to  
6 keep them in check as much as possible and  
7 maintain levels of production.

8 CHAIRPERSON HUDSON: I just actually  
9 wanted to address a couple of questions from your  
10 testimony. You mentioned pursuing new strategies  
11 to better meet the needs of older New Yorkers, and  
12 I'm wondering what those strategies are.

13 ASSISTANT COMMISSIONER JOFFE: Thank you  
14 for that question. We did talk about the fact that  
15 in both in Where We Live and in the Blueprint we  
16 made a number of strategies, and this is really  
17 about making sure that all New Yorkers, especially  
18 and including the most vulnerable New Yorkers,  
19 have choice in the housing market so that's a wide  
20 range of programs. Some of them that we committed  
21 to, for example in the Blueprint, is increasing  
22 enrollment in SCRIE and DRIE. We are particularly  
23 investing in and accelerating creation of  
24 supportive housing. We're going to be filling in  
25 the housing service continuum to serve a wider

1  
2 range of the at-risk populations. We're also  
3 putting NYCHA front and center so 40 percent of  
4 the residents there the households are headed by  
5 older adults. Supporting the creation of accessory  
6 dwelling units for a number of reasons, but, in  
7 particular, there are older homeowners who would  
8 really benefit from that extra space being able to  
9 access extra income but also many people who might  
10 be able to bring an older adult in to live with  
11 them, maybe a family member. There are a wide  
12 range of programs that we are investing in and  
13 supporting and building up.

14 CHAIRPERSON HUDSON: You also mentioned  
15 supporting New Yorkers, including older adults, to  
16 navigate the lottery process to remove obstacles  
17 or challenges. How do you plan to do that, remove  
18 the obstacles and challenges specifically?

19 ASSISTANT COMMISSIONER JOFFE: We are  
20 investing in and have been building up a network  
21 of Housing Ambassadors. That program has been  
22 growing over time, and we now have 51 Housing  
23 Ambassadors across the city, 2 are specifically  
24 dedicated to serving people with disabilities.  
25 They also serve New Yorkers in more than 60

1  
2 locations and in 20 languages across the  
3 organizations. They offer in-person and remote  
4 assistance in new ways thanks to the Ready to Rent  
5 funding, more availability, accessible materials,  
6 tailored appointments. We offer free one-on-one  
7 housing-related financial counselling for housing  
8 applicants. We made a big push for increased  
9 language access and accessibility across all of  
10 our resources. We've been training developers,  
11 bimonthly, around their obligations, both under  
12 the Fair Housing law and assisting residents as  
13 well.

14 CHAIRPERSON HUDSON: Thank you. The last  
15 one from your testimony, how many people take  
16 advantage of the Aging In Place initiative per  
17 year?

18 ASSISTANT COMMISSIONER JOFFE: For Aging  
19 In Place, this is a survey that we do in all of  
20 our Preservation programs. All tenants get the  
21 survey, and we worked on that survey in  
22 coordination with the Department for the Aging in  
23 designing the survey, and tenants get to select  
24 in-unit modifications that they would like to add  
25 to their homes. The number of tenants who have

1  
2 been served thus far is I think over 1,300  
3 households.

4 CHAIRPERSON HUDSON: Sorry. Did you say  
5 1,300 households or 1,300 people?

6 ASSISTANT COMMISSIONER JOFFE:  
7 Households.

8 CHAIRPERSON HUDSON: Thank you. Decades  
9 of gentrification have pushed out long-time  
10 residents who have built neighborhoods in favor of  
11 new, wealthier people. Renters representing 2/3 of  
12 all residents are most impacted with black and  
13 Latinx New Yorkers impacted at higher rates. Does  
14 the City track older adults who have been  
15 displaced? Can you estimate how many have been  
16 displaced annually over the past five years?

17 ASSISTANT COMMISSIONER JOFFE:  
18 Unfortunately, tracking this on an individual  
19 level would be incredibly difficult. We are  
20 constantly working to collect as much information  
21 as we can about what's going on to best tailor our  
22 programs. We added a number of questions to this  
23 past New York City Housing and Vacancy survey, for  
24 example, that we're going to continue to ask  
25 households over the course of a decade to better

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understand their housing stability challenges and needs. It's going to help us identify patterns, for example, so that we can better tailor our programs and our resources. We've also been working with the Council and with the Department of City Planning to create the Equitable Development Data Explorer and Displacement Risk Map to provide more information and better inform our development work in other programming.

CHAIRPERSON HUDSON: Okay, so I just want to clarify that you don't have any way of identifying older adults who have been displaced by gentrification.

ASSISTANT COMMISSIONER JOFFE:  
Displacement could include everything from a formal eviction which is something that we can track to an increase in rent that causes a tenant to not re-sign their lease so there are many sort of ways that this could happen that would never result in a formal action that we'd receive notice of, but what we are doing is focused on the patterns so that we can try to get ahead of some of that and better tailor our responses so that we

1  
2 can support New Yorkers before they get to that  
3 point.

4 CHAIRPERSON HUDSON: Perfect. That's a  
5 perfect segue to my next question which hopefully  
6 you can elaborate a little bit on what you just  
7 said. What's the City doing to minimize or even  
8 eliminate the displacement of older adults in  
9 gentrifying neighborhoods?

10 ASSISTANT COMMISSIONER JOFFE: DSS and  
11 DFTA may also be able to speak to some of their  
12 efforts here. HPD is working with agencies across  
13 the city, and we use a range of tools to help all  
14 New Yorkers and particularly older adults who may  
15 be experiencing housing instability. We have  
16 programs like building and preserving more rental  
17 housing that we all talk about a lot, especially  
18 affordable housing, programs like SCRIE. We also  
19 want to help homeowners stay in their homes so we  
20 have things like HomeFix and tax programs like PT  
21 AID and CHIE (phonetic). We're trying to get ahead  
22 of harassment and displacement through things like  
23 anti-harassment programs, the CNOH program for  
24 example, Partners in Preservation, funding tenant  
25 organizing, right to counsel, collecting more

1  
2 information about older New Yorkers and their  
3 housing additions through the NYCHVS so we can  
4 look at this really from a systemic range.

5 CHAIRPERSON HUDSON: Thank you. First  
6 Deputy Commissioner Ognibene, did you have  
7 anything you wanted to add?

8 DEPUTY COMMISSIONER OGNIBENE: Yeah, I  
9 would just add that I agree with HPD that that is  
10 a daunting exercise to try to understand citywide  
11 housing issues, but what we do with clients that  
12 are known to DFTA, whether they're attending an  
13 older adult center, receiving home delivered  
14 meals, in our NORCs, etc., if we are aware of any  
15 issues around housing security, we will take  
16 action and either refer them on or provide support  
17 services.

18 CHAIRPERSON HUDSON: Thank you.  
19 Continuing with you, at last month's Aging  
20 hearing, the DFTA Commissioner mentioned that  
21 universal design is not part of every new  
22 development that the City is looking at. What are  
23 the City's plans for the future of universal  
24 design, or I suppose I was referring to our last  
25



1  
2 hearing, but maybe it's a question better suited  
3 for HPD.

4           DEPUTY COMMISSIONER OGNIBENE: I'll  
5 start and then I'll turn it over. Certainly, we're  
6 in constant conversations with HPD about older  
7 adult awareness, things that we recognize in older  
8 adults. As far as universal design, we do talk  
9 and, for example lighting and acoustics so people  
10 can see and hear better through their apartment,  
11 in the Housing Blueprint, there was a section on  
12 older adults which we contributed to as well.

13           CHAIRPERSON HUDSON: Thank you. Did you  
14 want to add to it or no?

15           ASSISTANT COMMISSIONER JOFFE: Yeah, I  
16 will say that much of our work is covered by  
17 state, local, federal laws and incorporated into  
18 the building code such that a lot of the aspects  
19 of this bill are already standard across these  
20 programs. It is important, we've talked about  
21 throughout, that there are a range of New Yorkers  
22 living with disabilities and a range of needs that  
23 they have and we want to make sure that however we  
24 address this that we're best serving that range of  
25 needs so that New Yorkers have that choice so we

1  
2 want to make sure that we're appreciating the  
3 differences between new construction and  
4 preservation housing and the types of disabilities  
5 that New Yorkers are living with so we look  
6 forward to further conversations with you about  
7 this bill.

8 CHAIRPERSON HUDSON: Thank you. I have  
9 another question before I turn it over to Chair  
10 Sanchez, but I do also want to acknowledge that  
11 we've been joined by Council Member Aviles.

12 At last month's aging hearing, DFTA  
13 also testified that it works with HPD to address  
14 affordable housing and tenant protection issues  
15 impacting older adults including on the housing  
16 plan and new developers. Can you expand on the  
17 ways in which DFTA has influenced the Mayor's new  
18 Housing Plan as it relates to older adult  
19 homelessness, evictions, the creation of new  
20 housing, and ensuring its affordability and  
21 accessibility, and wraparound services?

22 ASSISTANT COMMISSIONER JOFFE: Sorry. Is  
23 that a question for HPD or DFTA?

24 CHAIRPERSON HUDSON: Both. I'll just  
25 repeat the question. At last month's Aging

1  
2 hearing, DFTA also testified that it works with  
3 HPD to address affordable housing and tenant  
4 protection issues impacting older adults including  
5 on the Housing Plan and new developers. Can you  
6 expand on the ways in which DFTA has influenced  
7 the Mayor's new Housing Plan? I have two  
8 followups, but that can wait.

9 DEPUTY COMMISSIONER OGNIBENE: As I  
10 said, we've contributed to the section on older  
11 adults in the Housing Blueprint. As far as support  
12 services, we do have the older adults TESS, the  
13 Tenancy and Eviction Support Services program.  
14 These are for older adults that are at risk of  
15 being evicted and they are on the court calendar.  
16 We will go up to them and assess if there are any  
17 other underlying reasons behind the eviction,  
18 mental health, health in general, hoarding issues.

19 CHAIRPERSON HUDSON: Then just  
20 specifically as it relates to older adult  
21 homelessness, evictions, the creation of new  
22 housing, and ensuring its affordability and  
23 accessibility as well as any wraparound services?

24 DEPUTY COMMISSIONER MURRAY: Good  
25 afternoon, Chairs and Council Members. I'll speak

1  
2 maybe very briefly to the eviction side of the  
3 house. As the First Deputy shared, I'm from the  
4 Department of Social Services, specifically on the  
5 HRA side of the house, we have our Office of Civil  
6 Justice that works very closely with the Office of  
7 Court Administration to ensure that there's legal  
8 counsel provided to anyone who may need it. There  
9 are a number of things that we do to ensure that  
10 folks are aware of the program. Where there's a  
11 petition, there's a case pending, the court will  
12 send out information about legal services  
13 providers to make sure that that's available. We  
14 also have intake days at the court so if someone  
15 appears before the court, they'll make sure that  
16 we get counsel assigned so we work closely with  
17 DFTA as the First Deputy shared where they have  
18 lists of individuals who may need services. Our  
19 collaboration with the Office of Civil Justice is  
20 to ensure that the legal representation is there  
21 for folks who are facing eviction.

22 ASSISTANT COMMISSIONER JOFFE: I'll just  
23 add this is entirely what Housing our Neighbors is  
24 about. All of it is about providing more stable  
25 housing for the New Yorkers who need it and we

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know that we're in the midst of a housing crisis. There as so many people throughout New York City who are feeling this crunch so this is what the plan is about.

CHAIRPERSON HUDSON: Thank you. Chair Sanchez.

CHAIRPERSON SANCHEZ: Thank you so much, Chair. My first two questions are actually in followup to Council Member Hudson's initial questions. The first one is on the Housing Ambassador program. The organization that I mentioned in my opening remarks is a Housing Ambassador and I hear from them, I hear from other Housing Ambassadors across the city that even despite their contract with HPD being to serve those who may face barriers due to the digital divide, there is still not enough, there are still immense barriers that those tenants face in applying so what analog options, if any, exist for seniors? Is there any way that before a senior arrives to a Housing Ambassador, for instance, they have access to a paper application so they can be more prepared? What options do they have?

ASSISTANT COMMISSIONER JOFFE: Older New Yorkers, any New Yorkers, can request a paper application and submit a paper application. That can either be that someone prints it out for them if they're at their Housing Ambassador and then they submit it or they can certainly contact us at HPD and we can help. We have a lottery hotline. That number is 212-863-7900. Generally, I'll say that this is a program that we've been scaling up rapidly for the last few years, and that's really important because there is such extensive need and we're going to continue investing and innovating and improving and I took note of your feedback and we want to continue working on these things, but we'll make sure that there continues to be, I think your word was analog, paper and pencil, sort of old-fashioned approaches to submitting these applications. It's always easier and a little quicker that we have invested in the technology that we have, but we want to continue to keep those options open and support the non-profits who are doing this important work on the frontlines like the Housing Ambassadors.

1  
2 CHAIRPERSON SANCHEZ: Other than going  
3 to a Housing Ambassador center, how can folks  
4 access the applications? Can our offices print out  
5 applications for individuals?

6 ASSISTANT COMMISSIONER JOFFE: Yes.  
7 Council Members and Council Member offices and  
8 Community Board staff are huge resources for us,  
9 some of which have held individual events and we  
10 can support that and we look forward to continuing  
11 working with you on that.

12 CHAIRPERSON SANCHEZ: Okay. Thank you. I  
13 don't know personally how to print out an  
14 application so I will be following up because it's  
15 such a high need.

16 Second followup question to Council  
17 Member Hudson regarding the Aging in Place  
18 initiative. How is that individual older adults  
19 are able to access the resources of the Aging in  
20 Place initiative?

21 ASSISTANT COMMISSIONER JOFFE: Before a  
22 Preservation project begins, a survey is done of  
23 all of the tenants across the building. They get  
24 the option to elect to have certain modifications,  
25 let's say it's grab bars, and when they elect to

1  
2 have those grab bars installed, it's done at no  
3 cost to them so we do it across all tenants it's  
4 offered to in that building.

5 CHAIRPERSON SANCHEZ: Are the buildings  
6 receiving a particular financing help from HPD  
7 (INAUDIBLE) any tenant in any building in the City  
8 of New York?

9 ASSISTANT COMMISSIONER JOFFE: It's in  
10 our Preservation programs.

11 CHAIRPERSON SANCHEZ: Okay. What about  
12 tenants who live outside of HPD's Preservation  
13 programs. Do they have access to universal design  
14 type of interventions?

15 ASSISTANT COMMISSIONER JOFFE: I do want  
16 to defer to my Colleagues at CCHR to talk in more  
17 depth about tenants' rights under the law because  
18 there are those rights.

19 DEPUTY COMMISSIONER KAMUF WARD: Hi. I'm  
20 JoAnn Kamuf Ward from the Commission on Human  
21 Rights. Thank you for your time and the bills and  
22 resolution today.

23 Following up not on universal design  
24 but on the rights of tenants with disabilities,  
25 under the Human Rights Law landlords are required



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2 either if they know about or if a tenant requests  
3 a reasonable accommodation on the basis of their  
4 disability which is broadly defined under our Law  
5 to include physical, mental, cognitive  
6 impairments, landlords are required to engage in a  
7 good faith dialogue, or a cooperative dialogue is  
8 the legal term in our Law, to identify the  
9 specific limitations and needs and to see what are  
10 the ways that those can be accommodated and,  
11 similar to the program that HPD is discussing, the  
12 landlord is required to absorb those costs. The  
13 instances where a landlord is not required to make  
14 a reasonable accommodation is if they can show  
15 that specific accommodations present an undue  
16 hardship so that could be most often financial,  
17 but we see that really more often in cases of  
18 things like ramps or structural modifications than  
19 we do in some of the accommodations which are  
20 contemplated in these bills and which are also  
21 often ordered by the Commission in the cases that  
22 we see.

23 CHAIRPERSON SANCHEZ: Thank you for  
24 that. Do you know what number of calls CCHR may

1  
2 have received in the last year for these kinds of  
3 complaints?

4 DEPUTY COMMISSIONER KAMUF WARD: Sure. I  
5 should note that these things can come to us in  
6 many ways so we have actually a dedicated project  
7 called Project Equal Access which is open to any  
8 New Yorker seeking a potential modification so  
9 they can contact Project Equal Access or, if  
10 people come to the Commission seeking to file a  
11 complaint because they think they've been  
12 discriminated against, that's another way. We  
13 receive many, many thousands of inquiries per year  
14 regarding specifically disability in housing. It  
15 makes up about 30 percent of the calls that we see  
16 related to housing discrimination.

17 CHAIRPERSON SANCHEZ: What percentage of  
18 your calls are housing discrimination cases?

19 DEPUTY COMMISSIONER KAMUF WARD: What  
20 percentage of the calls are housing? I want to say  
21 about 10 percent. That's an average year over  
22 year. Employment protections are the biggest area,  
23 housing is second, and disability discrimination  
24 is prominent in all the areas covered by our Law.

CHAIRPERSON SANCHEZ: Thank you so much.  
That is a big number.

According to the Mayor's Management Report that was released earlier in September, HPD is far beyond the production targets with only 16,042 housing starts to date and a projected 18,000 for the year versus a targeted 25,000. What is happening at HPD, why are not achieving our housing start goals, and what is the City's plan for meeting the growing need?

ASSISTANT COMMISSIONER JOFFE: Thank you for that question. We are committed to building and preserving as much affordable housing as we can, but we're in the midst of a refocusing on the people that we are serving, reducing administrative burdens to speed New Yorkers access to our programs, and a real focus on how we can best serve them over unit-counting. We're going to continue to be opportunistic, but we have a range of programs and priorities for serving New Yorkers as we discussed in testimony that are critically important. We want to make sure that we, and we need to ensure that we're giving New Yorkers meaningful choice in the housing market and in the

1  
2 homes that they choose so some of that's going to  
3 be the new construction of affordable housing,  
4 some of it's going to be preservation of  
5 affordable housing, some of it is helping New  
6 Yorkers stay in their homes and I heard some of  
7 you speak about that in your opening testimony so  
8 it's a really diversified approach that means  
9 those Where We Live, Fair Housing goals we talked  
10 about in giving choice and the administration's  
11 priorities talked about in the Blueprint about  
12 really focusing in on people and making sure that  
13 when we are serving them we are serving their  
14 specific needs and we are doing it well. This is  
15 not a backing off of attacking this crisis. This  
16 is really an investment in that direction.

17 CHAIRPERSON SANCHEZ: I hear you saying  
18 that the priorities are changing the ways that HPD  
19 is going to be tackling the housing crisis for  
20 seniors, for the disabled, for all New Yorkers in  
21 different categories the priorities are changing,  
22 and yet I'm hearing from the advocacy community  
23 that HPD is also not spending down capital that  
24 had been planned to be spent this year so can you  
25 help me understand how shifting priorities means

1  
2 that we have to slow down production. It almost  
3 seems that we need any and all kinds of production  
4 in the City of New York and we should not be  
5 slowing. We should be doing everything that we  
6 can. Is this related to the staffing crisis?

7 ASSISTANT COMMISSIONER JOFFE: I think  
8 there's a couple things that we're talking about.  
9 One thing is that we are coming out of the  
10 pandemic. There has been a lot of staffing, though  
11 I will say there is maybe not enough focus on the  
12 amazing public servants who have decided to stay  
13 at HPD and are working incredibly hard every day.  
14 Our numbers are down but not because of the fact  
15 that HPD is taking our off foot off of the gas.  
16 There is both the fact that we're coming out of  
17 this really difficult time and we're working to  
18 staff up to gear up with new programs and new  
19 administration, and we're also making sure that as  
20 we do it, we're not just focusing on top-line  
21 numbers, we're really focusing on how we do each  
22 of those things, how we build, how we preserve,  
23 how we serve people, and that's going to be  
24 reflected across all of our work.

1

2

CHAIRPERSON SANCHEZ: Agreed fully.

3

Thank you to those who have stayed. At the same

4

time, those project managers, those staffers who

5

are still at HPD are struggling, right, because

6

they are carrying a heavier burden so what is HPD

7

doing to recruit further? Are there any city or

8

state regulations that are in the way for HPD's

9

hiring?

10

ASSISTANT COMMISSIONER JOFFE: We're not

11

concerned about that. We're staffing up. It's the

12

beginning of an administration. We have great

13

teams of people who are going above and beyond.

14

I'm here represented by a huge number of people

15

who got us here today, working to prepare for this

16

hearing. We're not concerned about that piece, and

17

we're working on it now.

18

CHAIRPERSON SANCHEZ: We will continue

19

to check back in on these fronts. In Fiscal Year

20

2022, HPD created and preserved 1,459 units

21

reserved for low-income seniors representing 56

22

percent fewer than the previous fiscal year.

23

According to the Mayor's Management Report, this

24

is due to a one-time increase of almost 1,000

25

additional units of senior housing resulting from

1  
2 the conclusion of the Privately Financed  
3 Affordable Senior Housing Program. Can you share a  
4 little bit more about how this was working and  
5 what the future outlook is? For example, what is  
6 the median cost to create a unit? You mentioned to  
7 my Colleague about 500,000. Is that the case for  
8 all senior affordable units? How does the cost of  
9 creating and preserving a unit reserved for low-  
10 income older adults compare to the typical unit  
11 reserved for low-income New Yorkers, and overall  
12 how does the annual creation and preservation of  
13 units reserved for low-income older adults  
14 correlate with the need?

15 ASSISTANT COMMISSIONER JOFFE: There  
16 were a number of questions there. I'm going to try  
17 to tease them all out.

18 CHAIRPERSON SANCHEZ: I'm happy to  
19 repeat them I you need.

20 ASSISTANT COMMISSIONER JOFFE: I'll  
21 start by getting some parts of it. In terms of the  
22 ending of the PFASH program and the reimagining of  
23 (INAUDIBLE), yes, we are working on that and we  
24 think this can be a helpful tool reimagined and  
25 different parts of the city, we're working with

1  
2 agencies across the city on that. Broadly, we  
3 don't have individual program-specific targets,  
4 but we will be reporting out through the MMR on  
5 our production including on our senior housing  
6 production, including on the various ways that  
7 we're going to serve older New Yorkers which  
8 involves new construction, also involves  
9 preservation, aging in place, SCRIE, this wide  
10 range of programs that we have. Some of that is  
11 separate from the cost, though Brendan did earlier  
12 discuss the fact that there has been, and I think  
13 I heard in some of your question, an increase in  
14 the costs and how those costs break out between  
15 new construction of age-restricted housing versus  
16 new construction of sort of inclusive,  
17 intergenerational housing. Those are somewhat  
18 separate issues, but we can also speak to the  
19 costs as well.

20           ASSOCIATE COMMISSIONER MCBRIDE: Just  
21 adding on to what I shared before, I think one of  
22 the key distinctions is with SARA new construction  
23 which is 100 percent age-restricted we use a  
24 different set of funding sources which triggers a  
25 different set of requirements including the



1  
2 requirement for the payment of Davis-Bacon  
3 prevailing wages that's triggered by the use of  
4 home funds and project-based Section 8 vouchers  
5 which is a strategic use of resources and makes a  
6 lot of sense in our mind from a policy point of  
7 view given that it enables us to service seniors  
8 at any income based on where they are even if  
9 their incomes change over time, but it does  
10 trigger labor requirements that mean the projects  
11 tend to be more expensive on a per-square-foot  
12 basis as compared to a similar project with a  
13 similar number of units. We do produce as well  
14 age-restricted units and set-asides within other  
15 programs, for instance the ELLA program, in which  
16 case the costs are more akin to the typical cost  
17 of an ELLA program which on a per-square-foot  
18 basis tend to be lower than the SARA program given  
19 the labor component.

20 CHAIRPERSON SANCHEZ: Got it. Thank you.  
21 Can you explain the way that the Affordable  
22 Independent Residences for Senior Housing program  
23 works? Are we gaining more affordability through  
24 this program or are we just converting units that  
25 would've been affordable to senior units?

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ASSISTANT COMMISSIONER JOFFE: That's a bit of a zoning question, and I specifically am not a planner, but we want to make sure we're getting as much as we can out of the AIRS program so the City is looking at that. The agencies across the city are working together to make sure that we're doing exactly what you're saying and that we're getting as much affordability as we can and not just trading out. Certainly, that has always been the intent, and we're going to continue to invest in that.

CHAIRPERSON SANCHEZ: Okay. Thank you. That is the concern, right, that we need to be getting more and more, we put so much capital dollars into these projects, we are giving zoning bonuses, we're doing all of this to incentivize the production of these units so we need to make sure that we're growing the pot and not simply shifting the categories.

Do you know how many units have been created through the AIRS program?

ASSISTANT COMMISSIONER JOFFE: We have some tracking on that, but some of the AIRS units have been created in units that are not otherwise

1  
2 city-financed so we don't have numbers on that  
3 today.

4 CHAIRPERSON SANCHEZ: Okay. What is the  
5 present pipeline with respect to both production  
6 and preservation writ large, ELLA, SARA, AIRS,  
7 what is the current pipeline for units reserved  
8 for older adults?

9 ASSISTANT COMMISSIONER JOFFE: I take  
10 your question to be about age-restricted because  
11 any of our units can serve and do serve households  
12 with older adults or intergenerational households.  
13 We don't have a program-specific pipeline so I  
14 can't answer that question, but we are continuing,  
15 as we've said, to invest and be opportunistic and  
16 build as many units as we can, and our goal really  
17 is aligned with our Fair Housing goals as we've  
18 talked about to have housing available for all New  
19 Yorkers across the city, in the neighborhoods that  
20 work best for them, the homes that work best for  
21 them, so that's going to be the same goal for  
22 older adults, for all New Yorkers.

23 CHAIRPERSON SANCHEZ: The agency does  
24 not have goals for how much specifically age-  
25 restricted units are produced in a year?

1  
2 ASSISTANT COMMISSIONER JOFFE: We don't  
3 have a target for that. We'll be reporting out on  
4 it as we produce, but part of this is about being  
5 opportunistic, finding the best areas for building  
6 for certain populations and making sure that we're  
7 giving everyone an opportunity to get the best  
8 housing for them.

9 CHAIRPERSON SANCHEZ: How many age-  
10 restricted units were produced in the last year?

11 ASSISTANT COMMISSIONER JOFFE: I think  
12 we'll have to get back to you on across the total  
13 programs. Sorry about that.

14 CHAIRPERSON SANCHEZ: Okay. We look  
15 forward to that. I must say it's a little alarming  
16 to not have a goal when 1 million New Yorkers are  
17 older adults and only growing. We have to be  
18 intentional about how we're responding to the  
19 crisis for older adults in New York City.

20 My last question is for the Deputy  
21 Commissioner and it is a local issue, but with  
22 respect to our senior centers in our communities,  
23 they're really important navigation centers for  
24 all of these issues and particularly for  
25 navigating housing issues. I have had a closed

1  
2 senior center for I believe over two years, the  
3 Bronx Morris Heights Senior Center, so I look  
4 forward to hearing and working with you all to  
5 reopen the Center and make sure that our seniors  
6 are being served. Do you have a sense of timeline  
7 of that senior citizen reopening today?

8 DEPUTY COMMISSIONER OGNIBENE: I know  
9 that we're aware of the façade collapse and the  
10 building being closed. We're working with the  
11 provider to find a new location, and we can follow  
12 up with your office.

13 CHAIRPERSON SANCHEZ: Okay. Thank you,  
14 Deputy Commissioner. We've heard conflicting  
15 things from the provider and from the agency, and  
16 we just want to make sure we're on the same page  
17 about identifying a location and getting it back  
18 up and running. Thank you.

19 With that, I'm going to call on my  
20 Colleagues so Council Member Schulman.

21 COUNCIL MEMBER SCHULMAN: Yes, thank you  
22 very much. I want to thank Chairs Hudson and  
23 Sanchez for this very important hearing today.

24 One of the questions I wanted to ask,  
25 can you describe the ways in which sites are

1  
2 identified for older adult housing and  
3 specifically what consideration is given for  
4 workability and accessible transportation?

5 ASSISTANT COMMISSIONER JOFFE: Thank you  
6 for that question. I alluded to this earlier. Some  
7 of HPD's work, especially over recent years as we  
8 have less and less city-owned land, is about being  
9 opportunistic and working with outside partners to  
10 develop where we can and when we can. It's really  
11 important for a huge range of New Yorkers to have  
12 things like transit accessibility, walkability,  
13 etc., so we certainly think about those things,  
14 but we're also working with our sister agencies to  
15 invest in that for everyone in New York, and those  
16 commitments in Where We Live so it's certainly an  
17 important part about having a lot of our housing  
18 be successful because there are New Yorkers who  
19 are older, there are New Yorkers living with  
20 disabilities in all of our housing and housing  
21 across the city.

22 COUNCIL MEMBER SCHULMAN: How are  
23 current buildings and construction sites  
24 supervised to ensure ADA accessibility compliance  
25 is laid out in the building code?

1  
2           DEPUTY COMMISSIONER PATINO: Thank you  
3 for that question, Council Member. The building  
4 code has a chapter dedicated to accessibility, and  
5 design professionals are required to comply with  
6 those accessibility requirements when drawing up  
7 plans for a construction project. Let me just  
8 provide some background on the accessibility  
9 requirements in the code. They apply to new  
10 construction just like all of the other  
11 construction code requirements, but they're also  
12 triggered for any alteration so if you're altering  
13 an existing space, you're going to have to comply  
14 with the latest accessibility requirements in the  
15 construction code so they do apply very broadly.  
16 The accessibility requirements are enforced by DOB  
17 at the time of plan exam so when construction  
18 documents are submitted to the Department for  
19 approval, all of those construction documents must  
20 comply with the accessibility requirements if  
21 applicable and then also upon complaint from a  
22 member of the public, should we receive a  
23 complaint that an accessibility requirement is not  
24 being met, we would go out, inspect, and then  
25 enforce as well at that time. I'll also mention

1  
2 that we do perform regular training for the  
3 industry on accessibility requirements. Our new  
4 set of construction codes are going into effect in  
5 November so we've been doing a lot of training for  
6 design professionals on that new set of codes as  
7 well.

8 COUNCIL MEMBER SCHULMAN: Thank you. Is  
9 there a way to determine the renters who are older  
10 adults in specialty rent-stabilized apartment  
11 buildings that may be in need of their apartments  
12 being retrofitted, things like that because I know  
13 there are a lot of older adults, particularly  
14 people who are single, who might need that and so  
15 is there a way to make that determination and to  
16 help them out?

17 ASSISTANT COMMISSIONER JOFFE: I think  
18 this question crosses over a number of our  
19 agencies, but one of the things that we do keep in  
20 mind is both that there is a wide network of  
21 programs across these agencies to support older  
22 adults or New Yorkers living with disabilities who  
23 reach out and say that they need support. That's  
24 something also we work with this network of  
25 Housing Ambassadors, non-profits across the city,



1  
2 your offices to identify anyone when they're in  
3 need, but there are also privacy concerns and that  
4 is a significant issue and sort of obstacle here,  
5 but we certainly across the agencies are working  
6 together to support New Yorkers when they need it.

7 COUNCIL MEMBER SCHULMAN: Okay. If I can  
8 just say one quick thing. I know my time is up. Is  
9 there a way that you could give us, for example, I  
10 sit on Zoning and Franchise so a lot of  
11 developments come before me, if there's a cheat  
12 sheet of some kind or fact sheet so that we can  
13 ask the appropriate questions of developers when  
14 they come to us in terms of accessibility and  
15 older adults?

16 ASSISTANT COMMISSIONER JOFFE: Let's  
17 follow up after the hearing. We'd love to talk  
18 more.

19 COUNCIL MEMBER SCHULMAN: Okay. Thank  
20 you.

21 CHAIRPERSON SANCHEZ: Thank you, Council  
22 Member. Council Member Brewer.

23 COUNCIL MEMBER BREWER: Thank you very  
24 much. I know you're all superstars, but Guillermo  
25 Patino is a super, super, superstar. I just want

1  
2 to let you know that. For many years, 24/7, seven  
3 days a week, and I appreciate it.

4           On SCRIE, I know you've talked a lot  
5 about SCRIE, we all know SCRIE, what's a number  
6 that you think still need, deserve, or eligible,  
7 and what are we all trying to do? I've been trying  
8 for many years so maybe there's some new tricks to  
9 get more people to sign up. Do you have any sense  
10 of the number who are still eligible?

11           DIRECTOR GRACE: Ken Grace, New York  
12 City Department of Finance. There are currently  
13 135,111 households that were eligible in the most  
14 recent year that the data was complete in 2019.

15           COUNCIL MEMBER BREWER: Those are  
16 eligible, but how many are on then? I'm trying to  
17 figure out how many people we still need to get  
18 on.

19           DIRECTOR GRACE: Currently, there are  
20 71,665 SCRIE. That includes the HPD, and there's  
21 135,111 households that are eligible.

22           COUNCIL MEMBER BREWER: Okay. We have a  
23 lot to go. Thank you very much. That's helpful.

24           Second, you go to the hospital, you  
25 come back, you have steps, you have no place to

1  
2 go. Do you talk to the hospital social workers to  
3 see if that's an issue or is it just they have to  
4 deal with it? You go to the hospital, you can't  
5 walk, you live in a walk-up, you come back, and  
6 I'm just wondering if the City pays any attention  
7 to the hospitals with that issue. That'll be a  
8 DFTA question perhaps, I don't know. Somebody  
9 needs to talk to the hospitals about this.

10 DEPUTY COMMISSIONER OGNIBENE: I can't  
11 say that we talk to the hospitals now, but I would  
12 say that the newly formed Cabinet is an  
13 opportunity since the Department of Health is  
14 there, H and H is there, it's an opportunity that  
15 we can certainly look into.

16 COUNCIL MEMBER BREWER: Okay. I don't  
17 know what to do about it.

18 DEPUTY COMMISSIONER KAMUF WARD: Just to  
19 jump in on CCHR, we have offices in each of the  
20 five boroughs and educating not only tenants but  
21 duty-bearers, obligation holders, landlords,  
22 public accommodations about their obligations  
23 under the Human Rights Law is something we do. We  
24 do it with Health and Hospitals, we do it with  
25 DOHMH, and we work very closely like many of these

1  
2 agencies with some of the community groups that  
3 serve these folks so we do talk to hospitals, not  
4 on an individual basis but about the obligations  
5 for sure under the Human Rights Law.

6 COUNCIL MEMBER BREWER: I just think it  
7 would be a data point if there is one. My guess is  
8 yes because I get it all the time, but it would be  
9 a good data point to have to see if there's  
10 something, I don't know how you address it other  
11 than renting rooms nearby to try to get the person  
12 in a shape that she can walk up five stories.  
13 That's what's going on.

14 Quickly, (INAUDIBLE) that not just you,  
15 but your rent doesn't get paid, you don't have a  
16 third party, is that a legal issue. Is there  
17 somebody paying attention? That's one question and  
18 then waitlist. Do you have a data point on, Phelps  
19 House and everybody else has got this massive  
20 waitlist. Is that something that somebody keeps  
21 track of for the senior housing, for the 202s and  
22 all the other places where these massive waitlists  
23 exists? Does somebody keep track of those? It  
24 gives you a sense of where we're at in terms of  
25

1  
2 the need. I'm a data nut so I like data. Nobody  
3 keeps track of that?

4 ASSISTANT COMMISSIONER JOFFE: We  
5 appreciate data nuts here, and we'd love to follow  
6 up with you after. I'm just not familiar with  
7 those projects you're referencing and so we can  
8 get back to you on what the specifics are after  
9 the hearing.

10 COUNCIL MEMBER BREWER: The courts now  
11 have not only data, because I did this, not only  
12 data for evictions which we all had already, God  
13 forbid we don't want those to take place, but also  
14 the pending evictions (INAUDIBLE) data task force  
15 has that. Is that something that you're paying  
16 attention to for seniors? In other words, God  
17 forbid you get a notice, seniors, what happens if  
18 nobody comes from, God help us, APS, nobody wants  
19 APS to show up, but that's another story, so you  
20 have APS or somebody shows up but you don't pay  
21 the rent because you have challenges so you're  
22 going to get evicted perhaps. Is that something  
23 that DFTA or somebody's paying attention to  
24 because seniors don't have family, they don't know  
25 that they're supposed to pay the rent, the bills

1  
2 pile up, etc. That is something that courts know  
3 in advance because the owner is filing.

4           DEPUTY COMMISSIONER MURRAY: Yes,  
5 Council Member. That's something we pay very close  
6 attention to. We work really closely with the  
7 Office of Court Administration to make sure that  
8 we are coordinating very closely in terms of the  
9 legal providers and the information going out to  
10 folks who have petitions before the court, and we  
11 also, as I said earlier in response, we also have  
12 intake days with the Office of Court  
13 Administration to make sure that we are present  
14 and that folks get representation so our Right To  
15 Counsel is the place where we are paying attention  
16 to this area of concern.

17           COUNCIL MEMBER BREWER: We know there's  
18 a problem with Right To Counsel though because  
19 there aren't enough lawyers. I know that you think  
20 there's enough staffing in the agency, but I know  
21 there isn't enough staffing in the agencies  
22 because I have too many friends who work in the  
23 agencies so you really need to figure out, either  
24 more money for the staffing or something because  
25 right now you cannot build affordable housing

1 because there's nobody at HPD to be responsive.

2 Just that's fact.

3  
4 ASSISTANT COMMISSIONER JOFFE: To be  
5 clear, we're ramping up with staffing and  
6 appreciate your feedback on that.

7 COUNCIL MEMBER BREWER: Thank you. I  
8 don't believe it but thank you.

9 CHAIRPERSON HUDSON: Thank you, Council  
10 Members. I wanted to ask a few more questions.  
11 Just going back to the point of accessibility and  
12 making the current housing stock that the City  
13 owns more accessible, I want to point out that  
14 410,000 New Yorkers age 65 plus are living with  
15 Alzheimer's disease, and that number is projected  
16 to grow 12 percent by 2025. Almost 2/3 of  
17 Americans with Alzheimer's are women and older  
18 black Americans are twice as likely as older white  
19 Americans to have Alzheimer's or another dementia.  
20 While accessible housing for many older adults may  
21 refer to certain physical attributes, older adults  
22 with Alzheimer's or another type of dementia have  
23 other specific accessibility needs, mostly memory  
24 care. Can you describe the ways in which the City  
25 is working to increase accessibility in housing

1  
2 for older New Yorkers with Alzheimer's or another  
3 dementia, especially knowing the increase in that  
4 population that we're expected to see by 2025?

5 ASSISTANT COMMISSIONER JOFFE: Thank you  
6 for that question. We agree. The range of New  
7 Yorkers living with disabilities or various  
8 specific needs that we need to address is really  
9 important and so we're committed to doing that  
10 across the population. Housing Our Neighbors is  
11 committed to accelerating our goal of creating  
12 15,000 supportive homes by 2028. We're also making  
13 process and policy changes to reduce the  
14 administrative burdens and get people housed more  
15 quickly, and we're leveraging partnerships across  
16 housing and social service agencies to explore  
17 more models of housing with on-site services so  
18 all of those are really important investments and  
19 commitments that we're making towards people  
20 living with a range of specific needs.

21 CHAIRPERSON HUDSON: Thank you. I  
22 appreciate that. I just want to sort of reiterate  
23 the increase in the older adult population that  
24 we're going to be experiencing and we're really  
25 just not prepared and so the needs vary and range



1  
2 not just physical accessibility but other types of  
3 supportive services so I appreciate that you all  
4 are thinking about that and I hope that the City  
5 will actually be prepared for this boom in older  
6 adult population.

7           We went into a little bit earlier about  
8 your inability to track some specific data points  
9 but then the ways in which you do track other data  
10 points so I just wanted to get on the record, does  
11 HPD or the City engage in any tracking of the  
12 housing status of older adults specifically as it  
13 relates to being unhoused, at imminent risk of  
14 losing housing, fleeing domestic violence, at risk  
15 of homelessness so, for example, low income,  
16 lacking resources or support networks, etc.,  
17 stably housed, and homeownership including  
18 vulnerability of deed theft? How granular are your  
19 data points?

20           ASSISTANT COMMISSIONER JOFFE: I can  
21 speak for HPD. We generally don't track individual  
22 people for some of the reasons that we said. There  
23 are certain privacy concerns. There are certain  
24 ways in which we are or are not as an agency  
25 specifically involved in some of these processes

1  
2 so that data is not always accessible to us and  
3 there are privacy reasons or obstacles why we  
4 can't get access to it, but HPD is working to  
5 better understand patterns which can help us  
6 better tailor and improve upon our current  
7 programs and resources as I mentioned earlier  
8 including through the NYCHVS. We've started  
9 collecting and are going to be tracking over the  
10 decade, and we think will put us in a much better  
11 position to, as you said, be prepared as the  
12 population continues to get older and change. I'll  
13 defer to my other Colleagues about individual  
14 referrals.

15 DEPUTY COMMISSIONER OGNIBENE: Yeah, as  
16 I said before, the clients that are known to DFTA,  
17 we have opportunity to gather this information  
18 provided they share it with us, whether it's  
19 domestic violence or anything else. It would be  
20 voluntary to share.

21 CHAIRPERSON HUDSON: Thank you. I just  
22 want to note that we've been joined by Council  
23 Member Salamanca.

24 Chair Sanchez got into some of the  
25 numbers in terms of planning for senior housing or

1  
2 age-restricted housing, and I was wondering what  
3 the geography of all current housing reserved for  
4 older New Yorkers is. Where are the units across  
5 the five boroughs?

6 ASSISTANT COMMISSIONER JOFFE: There are  
7 units across all five boroughs, and we can follow  
8 up with the specific data and apprise you after.

9 CHAIRPERSON HUDSON: Okay. Thank you.  
10 You referenced bill 676 which is in relation to  
11 requiring a percentage of dwelling units receiving  
12 city financial assistance to be universally  
13 designed in your testimony, and you said that  
14 though you are still reviewing the legislation,  
15 new construction and rehabilitation raise very  
16 different accessibility challenges and required  
17 different solutions. Can you describe what some of  
18 those challenges might be and how this bill would  
19 not address them?

20 ASSISTANT COMMISSIONER JOFFE: Thank you  
21 for that question. In new construction versus  
22 preservation, there can be physical limitations.  
23 Oftentimes, our preservation work has limited  
24 scope of work and those projects often have  
25 limited ability to take on additional debt.

1  
2 Typically, that work is building-wide, not in-unit  
3 modifications, but, that being said, a lot of the  
4 things that are addressed in this bill are 100  
5 percent the things that we do on a regular basis  
6 in all of these programs so it's really about  
7 getting into the details and the nuance of what  
8 we're talking about broadly and in individual  
9 cases. As you've mentioned and we've talked about  
10 across this hearing, New Yorkers living with  
11 disabilities are a very wide range of people with  
12 a range of needs and preferences, and we want to  
13 make sure that we're addressing that nuance so  
14 that people are living in a unit matched with the  
15 improvements that they need, and we think that  
16 that's really critical here and so there's more  
17 that we can talk about about this bill to make  
18 sure we're really doing that well.

19 CHAIRPERSON HUDSON: Yeah, I would love  
20 to talk more about it. I mean the goal is to make  
21 new units readily accessible, and I always say  
22 with most things when we plan for the people with  
23 the greatest needs, everybody benefits, so I don't  
24 see a drawback or a detriment really in having  
25 units that are already available and accessible

1  
2 and ready for the people who may need them,  
3 whether that's somebody who's currently living in  
4 the unit who may not have that immediate need but  
5 have it in the future. Therefore, they would be  
6 able to age in place presumably or somebody else  
7 who might be moving into that unit in the future.

8 ASSISTANT COMMISSIONER JOFFE: Yeah. One  
9 other point is that when tenants are in place,  
10 sometimes construction is harder and a tenant has  
11 to agree so that's another complication for  
12 preservation. It's one of the reasons why our  
13 Aging in Place program for the exact you've said  
14 was designed the way that it is. We ask all  
15 tenants which modifications they're interested in.  
16 It's not with regards to what their current needs  
17 and they don't have to prove that so tenants can  
18 make that decision for themselves and we're  
19 empowering them to do that to say I would like the  
20 grab bar, etc., so a lot of that is really  
21 important. In our new construction program, we are  
22 making our units adaptable so that they can easily  
23 be changed and we don't end up in that situation  
24 down the road and so that the accommodations they  
25 need are reasonable. Sometimes these things are

1  
2 quite expensive and so we want to make sure that  
3 we're really tailoring the modifications to the  
4 needs and desires of the tenant, and we want to  
5 make sure we're matching that.

6 CHAIRPERSON HUDSON: Thank you. I  
7 appreciate that.

8 I'm going to turn it over to Council  
9 Member Aviles who has a question.

10 COUNCIL MEMBER AVILES: Thank you,  
11 Chairs, for this hearing today. One of the major  
12 constituent complaints that we get in our office  
13 are seniors who are looking for homes, seniors on  
14 the verge of displacement. How do older adults  
15 find accessible information besides housing  
16 lotteries on what's available?

17 ASSISTANT COMMISSIONER JOFFE: Thank you  
18 for that question. One of the main ways is through  
19 our Housing Ambassador network. That is a network  
20 that we've invested significantly and ramped up  
21 pretty quickly so there are now 51 Housing  
22 Ambassadors in more than 60 locations across the  
23 city. Across that network, they can serve people  
24 in more than 20 languages, and we have accessible  
25 printed materials available for those New Yorkers.

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That's, of course, for New Yorkers who are looking to move. As you mentioned, many New Yorkers and many older adults want to stay in their homes, and we want to make sure that we're able to meet those New Yorkers' needs as well. Some of those New Yorkers are homeowners, and we're really aware of that and it can be difficult to navigate the range of resources available so we have Housing Ambassadors on the renter side for navigating Housing Connect and the lottery. We also have the Homeowner Helpdesk which is an initiative that we are investing in further after a successful pilot and programs like HomeFix that help New Yorkers make repairs to their homes and 45 percent I believe of the homeowners who have been helped by the HomeFix program so far are older New Yorkers for exactly that reason.

COUNCIL MEMBER AVILES: How long does it take for, let's say, a Housing Ambassador to work through a situation? Obviously, I know there's a great variance around that but just generally in terms of relocating and finding a new home.

ASSISTANT COMMISSIONER JOFFE: I think it would, unfortunately, really depend on what the

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needs of the tenant are and what they're looking to do. Obviously, that's a wide range of things and so I think it would be really difficult to speak to that, but the goal is for someone to go in and be able to be helped by the Housing Ambassador really quickly so that there is someone there supporting them. That's just on our side. There are a range of other programs that people can receive assistance from from the other agencies.

DEPUTY COMMISSIONER OGNIBENE: I would add that we have the Aging Connect, which is the information referral call center, where older adults can call and speak with an aging specialist about issues. We also have the older adults centers which function as an entry point for older New Yorkers if they need help with their SCRIE applications or HEAP for example.

COUNCIL MEMBER AVILES: I guess I need to find where our Ambassador is because on a daily basis I get so many residents that are in this particular place and there seems to be not a lot of options. I was curious in terms of beyond SCRIE and DRIE also, we have a good number of residents



1  
2 in private housing market, generally renting rooms  
3 and small homes. What other tools are there to  
4 protect those renters from displacement? Besides  
5 One Shot Deal which in many circumstances  
6 residents have already used but continue to be in  
7 very precarious housing situations.

8           DEPUTY COMMISSIONER MURRAY: From DSS,  
9 HRA on the side, specifically you mentioned the  
10 One Shot Deal. The other things, we have our  
11 network of Homebase providers who are in  
12 community. They are non-profit organizations  
13 similar to the other programs that my Colleagues  
14 spoke about, their goal is not just financial  
15 assistance but to support folks, whether it's  
16 legal assistance or other services to try to keep  
17 people in their homes so the Homebase program is  
18 one of the other tools that is in our toolbox.

19           ASSISTANT COMMISSIONER JOFFE: We would  
20 certainly love the opportunity to work with your  
21 staff and get connected with the Housing  
22 Ambassador and train folks so it would be great to  
23 follow up afterwards.

24           CHAIRPERSON HUDSON: Thank you. Council  
25 Member Salamanca.

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2 COUNCIL MEMBER SALAMANCA: Thank you,  
3 Madam Chair. Good afternoon, everyone. I will get  
4 straight to it. First, I want to thank both  
5 Council Member Hudson and Sanchez for this hearing  
6 on our housing stock and really providing housing  
7 for seniors. We do understand that we are in a  
8 housing crisis. I'm a huge supporter of the SARA  
9 program. In the six and a half years that I have  
10 been in office, we've built in my District along I  
11 believe under 1,000 units of 100 percent  
12 affordable housing for seniors and that support  
13 will continue because it is very much needed.

14 Now, just to clarify here, and I know  
15 that you're here, Deputy Commissioner McBride, I  
16 consider one of the major issues that we have in  
17 the lack of housing has to do with the closing of  
18 projects and the lack of closing of projects  
19 through HPD. I still have projects that I approved  
20 four years ago, meaning I approved here, we  
21 changed the zoning four years ago, and HPD has yet  
22 to close on these projects. I have one particular  
23 project, which is the Whitlock project, where  
24 we're talking about 600 units of 100 percent  
25 affordable housing. Because HPD has failed to

1  
2 close on this particular project, the owner has  
3 not been able to keep up with the overhead and, as  
4 a result, this piece of land is at its third  
5 owner, meaning once we do a rezoning here and they  
6 sell this piece of land, that new owner does not  
7 have to comply with what the Council originally  
8 agreed to, meaning that down the block from this  
9 project, Amtrak is moving in in two to three  
10 years, this developer can take this land, sell it  
11 to a deep pocket developer and they can build  
12 market rate opposed to what we originally agreed  
13 to so please understand my frustration here where  
14 here we are in the Council doing our job and HPD  
15 is not closing on projects. Can you please explain  
16 to me why is HPD having such a difficult time in  
17 closing on projects that we're rezoning here in  
18 the Council?

19 ASSISTANT COMMISSIONER JOFFE: We would  
20 love the opportunity to follow up with you  
21 afterwards to talk about individual projects. I am  
22 aware of the particular situation that you're  
23 mentioning, and we'd be happy to talk more.

24 COUNCIL MEMBER SALAMANCA: I'm sorry.  
25 That's not an answer. Why is HPD not closing on

1  
2 projects in a timely basis when we here in the  
3 Council are doing our jobs and rezonings. I had a  
4 project that I closed four years ago, and HPD has  
5 yet to close, and that's just one of many so can  
6 you give us a real answer other than you're going  
7 to follow up because I would like an answer on the  
8 record.

9 ASSISTANT COMMISSIONER JOFFE:

10 Unfortunately, I came prepared to talk about  
11 senior housing and accessibility. I recognize that  
12 there are delays that can be really concerning for  
13 everyone. I appreciate your commitment to and  
14 shared concern for the housing crisis that we're  
15 in. We want to work with all of you and continue  
16 to work productively with the Council, and I do  
17 want the opportunity for us to be able to follow  
18 up with you afterward.

19 COUNCIL MEMBER SALAMANCA: We do have  
20 senior housing that we have approved in the  
21 Council and rezoned that still hasn't closed. Can  
22 you answer that?

23 ASSISTANT COMMISSIONER JOFFE: I can't  
24 speak to individual projects. We are working to  
25 make it through our pipeline as quickly as we can

1  
2 and would love the opportunity to talk with you  
3 about individual projects afterwards.

4 COUNCIL MEMBER SALAMANCA: Madam Chair,  
5 can I ask one more question? I know my time is up.  
6 I do understand that there is an HPD staffing  
7 crisis. Can you explain to us your vacancy rate at  
8 the moment?

9 ASSISTANT COMMISSIONER JOFFE: Coming  
10 out of the pandemic and in the beginning of a new  
11 administration in the world that we are in, yeah,  
12 there's been a lot of talk about the number of  
13 vacancies that we have. We have also been ramping  
14 up staffing very quickly, and we have a lot of  
15 really hardworking, dedicated people who put a  
16 huge amount of work into everything we do every  
17 day including preparing us for this hearing.

18 COUNCIL MEMBER SALAMANCA: HPD staff  
19 are, to be honest, they're underpaid, but they're  
20 highly valuable, and I understand the work that  
21 they do and they're going to the private sector  
22 because the City is not keeping up with their  
23 salaries. Is there ever going to be a request from  
24 HPD to the Council to ask for more money so that  
25 we can pay staffers accordingly so that you can

1  
2 keep them onboard so that we can close on  
3 projects?

4 ASSISTANT COMMISSIONER JOFFE: We are  
5 certainly interested in investing in and keeping  
6 our staff.

7 COUNCIL MEMBER SALAMANCA: All right.  
8 Thank you. Thank you, Madam Chair.

9 CHAIRPERSON HUDSON: Now back to Chair  
10 Sanchez.

11 CHAIRPERSON SANCHEZ: Thank you, Chair.  
12 I have a followup, clarifying question on the cost  
13 per unit of senior affordable housing whether it's  
14 SARA, HUD 202, or anything else. What was the  
15 total cost of units produced over the past year,  
16 and what was the city subsidy portion per unit? I  
17 just want to make sure we have the math right  
18 because the 508,000 was for a four-year capital  
19 plan but then you said 1,000 units were produced  
20 annually so is it 4,000 over four years or  
21 something else?

22 ASSOCIATE COMMISSIONER MCBRIDE: As I'm  
23 sure you're aware, Council Member Sanchez, every  
24 project has a little bit of a different mix of  
25 financing sources and capital sources. Typically,

1  
2 SARA ranges between 75,000 and 125,000 per unit in  
3 subsidy based on the companion programs that we're  
4 using, whether it's a 4 percent or a 9 percent tax  
5 credit project, but it obviously can vary pretty  
6 widely based on the particulars of the project. We  
7 can get back to you on what the share of the  
8 respective sources are, city capital, federal  
9 resources, and other. It's not a figure that we  
10 have available right at this moment.

11 CHAIRPERSON SANCHEZ: Okay. Thank you. I  
12 want to recognize that Council Member Dinowitz has  
13 joined us. Council Member, do you have questions?

14 COUNCIL MEMBER DINOWITZ: Yeah.

15 CHAIRPERSON SANCHEZ: Okay. Council  
16 Member Dinowitz.

17 COUNCIL MEMBER DINOWITZ: Good  
18 afternoon. You have been at this hearing before.  
19 I've asked a question. I'm going to ask kind of a  
20 similar question. This is for HPD. We have  
21 Mitchell-Lama, Tracey Towers in my District.  
22 They're seeing a 22 percent rent increase over the  
23 next three years. I recognize this is about older  
24 adults and accessibility so my question is do you  
25 talk to the Department of Finance? I can tell you

1  
2 why I'm asking. I've asked this before. I've asked  
3 this in private and public meetings. People  
4 declare their income when they apply for Mitchell-  
5 Lama. Every year there's an income affidavit, and  
6 you know how old they are, and so what efforts are  
7 being made to pre-fill out things like SCRIE  
8 applications for older adults so that they can be  
9 kept in their homes, and this can apply to any  
10 apartment, any time there's an interaction between  
11 an older adult and a city agency, are there any  
12 sort of survey questions on any of your city  
13 documents of the Department of Finance's city  
14 documents where the agencies can kind of talk to  
15 each other and if we recognize someone's an older  
16 adult living in a rent-stabilized unit or living  
17 in a Mithcell-Lama or they're a homeowner, mail  
18 them something specifically targeted telling them  
19 what they're eligible for and pre-fill out the  
20 applications for them to make it as easy for them  
21 as possible because I just went online. It's not  
22 easy for me. I'm not an older adult yet. I plan to  
23 be one day, but if it's not easy for me I imagine  
24 people who didn't grow up with computers and the



1  
2 internet are having a bit of a tough time so  
3 question, do you talk to other agencies?

4 ASSISTANT COMMISSIONER JOFFE: Every  
5 opportunity we can, we do talk to other agencies,  
6 but on your specific yes. SCRIE and DRIE are  
7 priorities that we talked about in the Blueprint,  
8 and we share your concern and want to make sure  
9 that we can increase the number of eligible New  
10 Yorkers who are registered and benefitting from  
11 this program and we're really going to make that a  
12 focus. It's been something that the City and the  
13 State have been working on, and it's a commitment  
14 that we're making in the Blueprint to ramp up and  
15 find all of the ways to do that better.

16 COUNCIL MEMBER DINOWITZ: I appreciate  
17 you sharing my concern. I would just appreciate  
18 you sharing the information with DOF. We have  
19 older adults who are filling out document after  
20 document, and I'm just struggling to understand  
21 that if one agency has the information of an older  
22 adult's income and their age that they can  
23 preliminarily say this person is probably eligible  
24 for SCRIE, this is just one example, we can talk  
25 about a number of examples, the same for veterans,

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2 people with disabilities, these survey questions  
3 can be easily added and then you can talk to other  
4 city agencies. It seems like a relatively simple  
5 solution for getting more older adults who are  
6 eligible to freeze their rent and keep them in  
7 their homes in the first place, and, again, this  
8 is a question I asked two hearings ago, I asked it  
9 at private meetings with HPD, so I'm wondering if  
10 it is being taken seriously and, if it's not, what  
11 we can do to move it forward to make sure more of  
12 our older adults stay in their homes.

13 ASSISTANT COMMISSIONER JOFFE: Again, to  
14 answer your question, yes, it is an issue that  
15 we're taking seriously. I can't speak today to any  
16 of the particular reasons why that specific  
17 suggestion has or has not yet been implemented,  
18 but I can certainly follow up on that.

19 DIRECTOR GRACE: I can add into that.  
20 This is Ken from the Department of Finance. We do  
21 deal with HPD and we do speak with them on a  
22 regular basis, and we have a brand new outreach  
23 team this year that we've been working with  
24 Council Members, with members of the community,  
25 we've worked with PEU specifically for the Rent

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Freeze program. I know that we are starting to meet with every single Council Member to kind of get an idea of what the issues are in each District. We've met with 12 so far. We're going to meet with all 51. A lot of time the Rent Freeze comes up, and we've done all sorts of programs, all sorts of outreach events in targeted neighborhoods. What is a targeted neighborhood? That would be an area that has those apartments that are rent-capped as well as older adults. That would be people that would qualify for those apartments so we've gone into different neighborhoods in the city. They've given out documents a lot. We've had 300 applications so it's going very well. It's a program that we've been doing quite a bit this year on that.

COUNCIL MEMBER DINOWITZ: Including mine, by the way, and I want to thank you for that. I just think we could be a lot more efficient and purposeful about the work that we do and the work that the city agencies do collaboratively to helping the people who need the most help. I know my time's up so I want to thank

1  
2 the Chairs for holding this hearing and thank you  
3 for your answers. Thank you.

4 DEPUTY COMMISSIONER OGNIBENE: I'm going  
5 to add something there too. I spoke earlier how  
6 the DFTA providers will also help with SCRIE  
7 applications, and this is a perfect example where  
8 HPD and DSS here and Buildings, with the Cabinet  
9 for Older New Yorkers that was just formed, this  
10 is the kind of conversations that we want to  
11 hopefully move forward with this new Cabinet.

12 CHAIRPERSON SANCHEZ: Thank you so much,  
13 Council Member Dinowitz. Thank you for your  
14 responses. Deputy Commissioner, I'm just wanting  
15 to understand NORCs. I'm going to ask a series of  
16 short questions if you can answer them briefly.  
17 What is a NORC?

18 DEPUTY COMMISSIONER OGNIBENE: A NORC is  
19 a naturally occurring retirement community.  
20 Picture a building or multiple buildings or even  
21 almost a neighborhood where over time people have  
22 moved in and over time they have aged together and  
23 suddenly you look to your neighbors, and you say  
24 we're all above the age of 60. This is a naturally  
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1  
2 occurring retirement community. It wasn't planned.  
3 It just so happened that way.

4 CHAIRPERSON SANCHEZ: Is there a  
5 threshold number, a percentage of residents in the  
6 building that will technically qualify a building  
7 as a NORC?

8 DEPUTY COMMISSIONER OGNIBENE: Right.  
9 For a classic NORC, you would have to have at  
10 least 350 residents with at least 40 percent of  
11 the households including an older adult.

12 CHAIRPERSON SANCHEZ: You said 350  
13 residents?

14 DEPUTY COMMISSIONER OGNIBENE: 350, yes.  
15 That's one. A neighborhood NORC would be no more  
16 than 2,000 residents 60 plus who occupy at least  
17 40 percent of the households.

18 CHAIRPERSON SANCHEZ: Understood. In  
19 your testimony, you talked about there being 36  
20 NORCs in the City of New York which sounds really,  
21 really low to us so when was the most recent one  
22 identified by DFTA?

23 DEPUTY COMMISSIONER OGNIBENE: In our  
24 most recent RFP, we added eight new NORCs. There  
25

1  
2 are 36 that we fund and there are 22 that City  
3 Council funds.

4 CHAIRPERSON SANCHEZ: Got it.

5 DEPUTY COMMISSIONER OGNIBENE: There are  
6 four or five dozen NORCs with hundreds of  
7 thousands of residents.

8 CHAIRPERSON SANCHEZ: Four or five dozen  
9 NORCs. When was that RFP?

10 DEPUTY COMMISSIONER OGNIBENE: 2021.

11 CHAIRPERSON SANCHEZ: 2021. What is the  
12 process of adding new buildings or new  
13 neighborhoods to the list of NORCs?

14 DEPUTY COMMISSIONER OGNIBENE: At this  
15 point, they'd have to wait for a new RFP to be  
16 eligible for funding.

17 CHAIRPERSON SANCHEZ: How does the RFP  
18 work?

19 DEPUTY COMMISSIONER OGNIBENE: Every few  
20 years, we would look at the construct of the RFP.  
21 If there are any significant changes, issue a  
22 concept paper with changes. If not, issue a new  
23 RFP. The current terms are three years with option  
24 to renew for three years. Prior to this RFP, it  
25

1  
2 had been about nine years since the previous RFP  
3 for older adult centers and NORCs was released.

4 CHAIRPERSON SANCHEZ: Okay. When I think  
5 of RFPs, I think about the housing agencies and  
6 the type that they issue so what exactly are you  
7 requesting in the RFP?

8 DEPUTY COMMISSIONER OGNIBENE: The NORC  
9 is the building. What we do is we issue an RFP to  
10 a non-profit to go and provide services at the  
11 NORC. Similar to an older adult center, an older  
12 adult center is a place where older adults go to  
13 receive services, recreation, education, cultural,  
14 congregate meals. A NORC doesn't do meals, but  
15 they do provide all of these other services and  
16 what they do that the older adult centers do is  
17 they have nursing services.

18 CHAIRPERSON SANCHEZ: Understood. The  
19 entity that is responding to the RFP is a service  
20 provider.

21 DEPUTY COMMISSIONER OGNIBENE: Yes.

22 CHAIRPERSON SANCHEZ: Is it true to say  
23 that DFTA relies on the service providing  
24 community to understand where there are NORCs in  
25 the City of New York? There isn't a separate

1  
2 proactive process looking at data from other city  
3 agencies, for instance, to identify NORCs?

4 DEPUTY COMMISSIONER OGNIBENE: A NORC  
5 can be so designated and then a provider would be  
6 eligible to apply to operate services within that  
7 NORC.

8 CHAIRPERSON SANCHEZ: Okay. Chicken or  
9 the egg, which comes first?

10 DEPUTY COMMISSIONER OGNIBENE: I would  
11 think a NORC would have to be designated and wait  
12 for the opportunity to then have a provider apply  
13 for an RFP and get funds to operate services  
14 within that NORC.

15 CHAIRPERSON SANCHEZ: Okay, then I go  
16 back to my earlier question, how does DFTA  
17 designate NORCs? What's the process to designate  
18 new NORCs?

19 DEPUTY COMMISSIONER OGNIBENE: There's  
20 the New York City definition of the NORC, as I  
21 said, it's 350 residents with at least 40 percent  
22 of households including a senior, complex building  
23 has at least 1,500 persons regardless of  
24 percentage of units they occupy. It's usually  
25 lower- and middle-income as well.



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CHAIRPERSON SANCHEZ: Got it. The context of all these questions is that we're seeing the senior population is growing at a very fast pace and so given this rate of increase of the older adult population I think almost all of New York City is going to be considered a NORC by 2040 so then an RFP going out every three years may not be quick enough to keep up with the aging population. What are DFTA's plans to ensure that RFPs are being put out in a timely manner to address the need for housing and serving older New Yorkers?

DEPUTY COMMISSIONER OGNIBENE: Right. Let me just correct that. The NORC RFP was put out in 2020 with contracts to begin 2021. RFPs in general take a lot of time to create, put out, proposals have to be responded to, and once awards are made providers have to ramp up. I think a 3-year period is a comfortable period. We would look to see whether there's an opportunity to put out a new RFP in three years or extend these contracts, but to put out an RFP every year would be an exercise of just work being done to do proposals and write RFPs as opposed to operating services so

1  
2 I think three years is plenty of time for a  
3 provider to ramp up and start delivering high-  
4 quality services.

5 CHAIRPERSON SANCHEZ: Okay. I think I  
6 would argue that we should be doing this and  
7 increasing the amount of services being provided  
8 throughout the city according to the pace of the  
9 rate that the senior population is growing and not  
10 what is comfortable to the agency so I just want  
11 to make sure that we are thinking about that...

12 DEPUTY COMMISSIONER OGNIBENE: Yes, it's  
13 not a question of comfort for the agency. It's the  
14 providers' burden as well, and we are well-aware  
15 of the growing aging population, and we are trying  
16 to get in front of some of these issues.

17 CHAIRPERSON SANCHEZ: Okay. Thank you,  
18 Deputy Commissioner. I'm going to turn it back to  
19 Council Member Aviles for a followup.

20 COUNCIL MEMBER AVILES: Thank you. Can  
21 you tell us the total funding that is allocated  
22 for NORCs?

23 DEPUTY COMMISSIONER OGNIBENE: If I  
24 don't have it, we'll get that to you.

1  
2 COUNCIL MEMBER AVILES: Also, can you  
3 provide a breakdown by borough for us?

4 DEPUTY COMMISSIONER OGNIBENE: Yeah.  
5 That I have.

6 COUNCIL MEMBER AVILES: I would assume  
7 all of public housing would be a NORC. How much of  
8 the 36 sites or 52 sites are in public housing?

9 DEPUTY COMMISSIONER OGNIBENE: Again, I  
10 can get that to you with a breakdown.

11 COUNCIL MEMBER AVILES: Thank you.

12 CHAIRPERSON SANCHEZ: A question for  
13 DOF. DOF, do you support the resolution by Council  
14 Member Caban to have folks automatically enrolled  
15 in SCRIE and DRIE?

16 DIRECTOR GRACE: In order to be  
17 automatically enrolled, we need to verify the  
18 income so that's difficult to do with the tools  
19 that we have. Happy to look at the bill further  
20 and discuss it.

21 CHAIRPERSON SANCHEZ: Thank you. All  
22 right. With that, I want to thank you all so much  
23 for participating with us today, and we look  
24 forward to following up on the questions that were  
25 not answered today. Thank you.

1  
2 COMMITTEE COUNSEL: We will now move to  
3 testimony from members of the public who have  
4 registered to testify who are joining us both in-  
5 person and via Zoom.

6 I will call the first three names. If  
7 you are present in-person, please approach the  
8 table in front. If you are joining via Zoom,  
9 please listen for your name to be called and  
10 accept the prompt to unmute.

11 First, we will hear from Mun Clifford,  
12 Vik Benson, and Brianna Paden-Williams.

13 Mun Clifford, Vik Benson, and Brianna  
14 Paden-Williams.

15 Thank you so much. You may begin when  
16 you're ready.

17 MUNONYEDI CLIFFORD: Thank you, Chair  
18 Hudson, Chair Sanchez, and the Members of the  
19 Committee, for giving us the opportunity to  
20 testify. We will be submitting our written  
21 testimony later on.

22 My name is Munonyedi Clifford, and I am  
23 the new Attorney-in-Charge of the Citywide Housing  
24 Practice at the Legal Aid Society.

1  
2           As you know, the Society delivers a  
3 full range of comprehensive legal services to low-  
4 income families and individuals in the city,  
5 including through our Assigned Counsel Project.  
6 The Assigned Counsel Project brings together  
7 lawyers and social workers to work as a team to  
8 help solve the housing court cases of New Yorkers  
9 age 60 and over who present with social services  
10 needs. Thank you for partnering with us to provide  
11 crucial legal and social services for our  
12 vulnerable seniors and people with disabilities.  
13 We generally support the bills that are up for  
14 discussion today. However, we need to do more to  
15 keep seniors and people with disabilities housed.  
16 Seniors and people with disabilities who are very  
17 low or extremely low income need help to stay in  
18 their homes. We as a City want to provide these  
19 homes and apartments for low-income seniors and  
20 people with disabilities. We need a subsidy to  
21 help them. Either we give them CityFHEPS or we  
22 make the Senior Citizen Rent Increase Exception  
23 more robust. For instance, we should make the  
24 subsidy 30 percent of income instead of it being a  
25 rent freeze. We know that homelessness

1 destabilizes seniors and people with disabilities.  
2 They lose access to community and healthcare  
3 providers which leads to increased cost to the  
4 City and State in the form of hospitalizations and  
5 medical needs, not to mention the shelter costs  
6 which the City mostly bears.  
7

8           We also need to expand the Assigned  
9 Counsel Project and the Right to Counsel Project,  
10 but, without a way to help seniors and people with  
11 disabilities to pay the rent, attorneys can only  
12 do so much. We support Intro 584, but, without  
13 more funding for the Assigned Counsel Project and  
14 the Right to Counsel, there will not be enough  
15 attorneys to help these seniors and people with  
16 disabilities.

17           We would also like to use this  
18 opportunity to call on the State to pass Good  
19 Cause Eviction. This bill limits evictions only to  
20 those cases where the landlord can show that there  
21 is good cause to try to remove someone from their  
22 home. Passing Good Cause could help protect the  
23 over 4 million market rate renters by tying rent  
24 increases to inflation and limiting predatory  
25 evictions. Good Cause gives tenants the confidence

1 that they can raise their family in their home.  
2 They don't have to worry about being evicted or  
3 the stress, anxiety, and the expense of struggling  
4 to find another apartment when there are simply  
5 not enough affordable units in the first place.  
6

7 Thank you for partnering with us in  
8 protecting these vulnerable populations. We are  
9 happy to answer questions or to meet to discuss  
10 these points further. Thank you.

11 VIK BENSON: Good afternoon. My name is  
12 Vik Benson, and I am the Policy Analyst at  
13 Citymeals on Wheels. I would like to thank the  
14 Council, Chair Hudson, and Chair Sanchez for  
15 holding this important hearing on affordable  
16 housing, an issue that is critical for all New  
17 Yorkers but is especially challenging for older  
18 adults. Citymeals works in partnership with the  
19 City and the network of home-delivered meal  
20 providers to fill the gap by funding the delivery  
21 of meals on weekends, holidays, and emergencies to  
22 homebound older adults. Alongside additional  
23 supplemental feeding and connective services, we  
24 are also the only organization providing home-  
25 delivered emergency meals to older New Yorkers

1  
2 citywide. A core part of our mission is to ensure  
3 that older New Yorkers can age in place. We do  
4 this by providing food to those who can't make or  
5 procure it, but there are other important factors  
6 in successfully aging in place. Housing  
7 affordability and suitability are among the  
8 largest of them. We strongly support this package  
9 of bills because we have seen firsthand how our  
10 more than 20,000 meal recipients are impacted by  
11 these issues. Automatic enrollment in SCRIE would  
12 enable the, as we heard, dozens of thousands of  
13 eligible older New Yorkers who are not receiving  
14 the benefit to begin, which would dramatically  
15 improve the housing stability for this vulnerable  
16 group.

17           We also strongly support calls to  
18 support older New Yorkers adjusting to the  
19 technological burdens to allow them to access  
20 already available services, and time and time  
21 again meal deliverers discover that a client has  
22 fallen or is too hurt to come to the door so we  
23 know that ensuring installation of stability  
24 devices in homes like grab bars and treads are  
25 critical to ensuring their safety. Power-assisted



1  
2 doors would make a huge difference for the 40  
3 percent of our recipients who are unable to leave  
4 their homes without assistance and the 90 percent  
5 who use mobility devices.

6           We'd also like to draw your attention  
7 to a related issue based on our experiences with  
8 meal recipients and deliverers. Frequently,  
9 mobility and access are impaired by nonfunctioning  
10 elevators in buildings that already have them.

11 When an elevator is broken, homebound older adults  
12 can be effectively trapped in their apartments,  
13 and we've heard from many meal recipients that  
14 elevator problems often impact their ability to  
15 get to doctor appointments, receive visitors, and  
16 generally live independently. Lengthy broken  
17 elevators also become a strain on meal deliverers  
18 who are slowed down when they must climb flights  
19 of stairs to get a meal to a client who may be on  
20 the 15th floor, increasing the burden of already  
21 difficult work and impacting the food safety of  
22 the meals. While landlords are required by law to  
23 maintain the habitability of their buildings for  
24 all tenants and may even be required to provide  
25 accommodations when repairs cannot be made within

1  
2 a reasonable amount of time, this doesn't always  
3 occur. Therefore, we ask the Council to consider  
4 provision to ensure that landlords are held  
5 accountable to promptly fix elevators and ensure  
6 safe accommodations for older and disabled tenants  
7 while the elevators are broken.

8 Thank you for the time and for your  
9 continued support to ensure older New Yorkers age  
10 in place with safety and dignity.

11 BRIANNA PADEN-WILLIAMS: Hello. I'm  
12 Brianna Paden-Williams, the Communications and  
13 Policy Associate at LiveOn New York. Thank you for  
14 the opportunity to testify today.

15 LiveOn New York's members include more  
16 than 100 community-based non-profits that provide  
17 core services which allow all New Yorkers to  
18 thrive in our community as we age. Even prior to  
19 the pandemic, New York was in the grip of a  
20 housing crisis that made it difficult for tens of  
21 thousands of New Yorkers to find stable housing  
22 and make ends meet. Today, more than half of older  
23 renters are rent-burdened and are a third of older  
24 homeowners, and this crisis is particularly acute  
25 for older adults as many rely on fixed incomes

1  
2 making it difficult to avoid the rent while other  
3 costs rise. Further, much of the city's housing  
4 infrastructure is inadequate to accommodate an  
5 older adult's health and mobility needs, and it's  
6 a crisis we must address as New York is aging  
7 rapidly and research shows the majority of older  
8 adults would prefer to age in community surrounded  
9 by the network of support built over a lifetime so  
10 LiveOn New York recommends the following.

11           First, we invite the City to utilize  
12 our new Aging Policy Agenda, and this includes a  
13 number of actual policy solutions including  
14 housing solutions to make New York a better place  
15 to age.

16           We also call for a minimum target of  
17 1,000 units of affordable senior housing with  
18 services per year, and this is as part of the  
19 total target to construct no more than 8,000 new  
20 units of housing dedicated to serving extremely  
21 low-income and homeless households annually.

22           We also recommend the City increases  
23 the per-unit reimbursement rate for the SARA  
24 program from 5,000 per unit to 7,500 per unit, and  
25 this will allow for increased staff to more

1  
2 adequately address social isolation and  
3 significant case needs.

4           We also call for increased capital  
5 funding for public housing to support upgrades  
6 throughout NYCHA buildings and improve  
7 infrastructure to accommodate older adults. NYCHA  
8 is one of the largest sources of affordable  
9 housing for older adults with 38 percent of  
10 households headed by an adult who is 62 or older.  
11 However, NYCHA faces its own set of challenges.  
12 For one, the current condition of housing poses a  
13 safety risk for many older occupants from poor  
14 ventilation systems, broken elevators, leaking  
15 roofs, lead paint, the list goes on.

16           We also recommend and LiveOn encourages  
17 the attention to be paid to improving work order  
18 processes initiated by community-based  
19 organizations that offer services within NYCHA  
20 facilities, and so community-based organizations  
21 operating within these NYCHA buildings like our  
22 older adult centers are a critical resource for  
23 NYCHA residents and the community at large.

24           Lastly, we ask for an improvement of  
25 the SCRIE program. The ability for seniors and

1  
2 individuals with disabilities living in these  
3 certain housing types to freeze rent really helps  
4 to ensure thousands of older New Yorkers will not  
5 be priced out of their homes as their rent  
6 otherwise continues to rise.

7           Lastly, we are currently reviewing the  
8 proposed legislation, but we'll provide more  
9 information in our written testimony.

10           Thank you for the opportunity to  
11 testify.

12           COMMITTEE COUNSEL: Thank you.

13           CHAIRPERSON SANCHEZ: Thank you. I just  
14 have a quick followup. For Legal Aid Society, the  
15 Assigned Counsel program, what kind of cases do  
16 you see most commonly for older adults?

17           MUNONYEDI CLIFFORD: A lot of the cases  
18 that we deal with are older adults that are  
19 currently in housing court facing eviction in  
20 either a nonpayment proceeding or a holdover  
21 proceeding. Those are the cases that we generally  
22 deal with.

23           CHAIRPERSON SANCHEZ: That's under the  
24 Assigned Counsel Program, not Right to Counsel?

1  
2           MUNONYEDI CLIFFORD: Yes. These are for  
3 seniors who are 60 and over.

4           CHAIRPERSON SANCHEZ: Okay. Thank you.

5           COMMITTEE COUNSEL: We will next hear  
6 from Joyce Hillard, James O'Neal, Suhali Mendez  
7 (phonetic), and Patrick Boyle.

8           SERGEANT-AT-ARMS: Starting time.

9           COMMITTEE COUNSEL: James O'Neal. Okay,  
10 we'll move to Suhali Mendez.

11          JAMES O'NEAL: Hello.

12          COMMITTEE COUNSEL: Okay, yes, we can  
13 hear you. You may go ahead.

14          JAMES O'NEAL: Okay. Thank you. Good  
15 afternoon, Chairs Sanchez and Hudson and Members  
16 of the Committee on Housing and Buildings and  
17 Aging.

18                 My name is James O'Neal, and I am the  
19 Volunteer State President of AARP New York, which  
20 has about 750,000 members ages 50 plus in New York  
21 City. Thank you for providing me with the  
22 opportunity to testify at today's oversight  
23 hearing to discuss the City's plan to increase  
24 affordable housing for older New Yorkers and  
25 improve accessibility in the City's housing stock.

1  
2           Older adults represent the city's  
3 fastest growing demographic with the 65 plus age  
4 group growing 12 times faster than the under 65  
5 population. Given this reality, the City should  
6 pay significant attention to the needs of older  
7 individuals, particular when it comes to  
8 livability and housing stability. AARP has long  
9 supported and pushed for housing availability,  
10 affordability, and accessibility to support the  
11 widely held desire among older New Yorkers to  
12 remain in their own homes and communities as they  
13 age. Some older New Yorkers without family ties  
14 and with little retirement savings end up isolated  
15 in adult homes because they can't stay in their  
16 own home. Others have been forced into the City's  
17 homeless shelters by the system because of  
18 affordability challenges. Older New Yorkers also  
19 often live on fixed incomes, incomes that are  
20 getting smaller as prices on everything rise. Even  
21 before the recent wave of inflation, more than  
22 half of the city's voters age 50 plus were  
23 concerned about affordable housing, a percentage  
24 far surpassing other concerns according to an AARP  
25 survey. Among Hispanic voters, the number rises to

1  
2 67 percent. When AARP expanded the survey to  
3 include younger voters, they also rated  
4 affordability as a top concern indicating that  
5 this concern will continue into the next  
6 generation of older residents. Older New Yorkers  
7 from all income levels and backgrounds share the  
8 desire for affordability and accessible housing,  
9 and the bills introduced into the Committee  
10 further this goal. I'm here on behalf of AARP New  
11 York to express our support for these bills.

12                   Specifically, AARP New York supports  
13 Intro 141 which would amend the building code to  
14 require power-oriented and power-assisted doors to  
15 support improved access for older New Yorkers and  
16 those with disabilities. AARP also supports Intro  
17 322 which would require the installation upon  
18 request from tenants of protective devices such as  
19 grab bars in bathrooms and treads on the floors in  
20 multiple dwelling apartments and a tax abatement  
21 for certain related installations.

22                   SERGEANT-AT-ARMS: Time expired.

23                   JAMES O'NEAL: Both bills would go a  
24 long way to ensure New Yorkers can age. We also  
25 support Intro 584.



1  
2           Our city's oldest residents deserve to  
3 age with dignity. Thank you for allowing me the o  
4 to testify today. I am happy to provide additional  
5 information as needed.

6           COMMITTEE COUNSEL: Thank you. Suhali  
7 Mendez followed by Patrick Boyle.

8           SERGEANT-AT-ARMS: Starting time.

9           SUHALI MENDEZ: Good afternoon,  
10 everyone. My name is Suhali Mendez, and I'm a  
11 Senior Advocate and Legislative Coordinator at New  
12 York Lawyers for the Public Interest. I would like  
13 to thank the Chairs Hudson and Sanchez for doing  
14 this very important hearing.

15           Our organization represents individuals  
16 with disabilities, and we have a robust disability  
17 rights practice which advocates for people with  
18 disabilities. We would like to put on the record  
19 that we support Intro 141, Intro 322, and Intro  
20 584, but are proposing some amendments to these  
21 Introductions.

22           For Intro 141, we would like to make  
23 sure that mandating automatic doors do improve  
24 many buildings throughout New York City, and we  
25 would like to add the additional requirement of

1  
2 aggressive enforcement by the City. The  
3 enforcement of the building code's accessibility  
4 requirements should be a priority for the  
5 Department of Buildings and the Department of  
6 Housing Preservation and Development. (INAUDIBLE)  
7 automatic door openers requirements along with an  
8 aggressive enforcement mandate will ensure  
9 accessible spaces for New York City's senior  
10 citizens and disabled residents to continue to be  
11 a part of the communities and remain living  
12 independently as possible.

13           With regards to Intro 322, we strongly  
14 support including penalties for these housing  
15 providers who do not comply with access mandates  
16 as well as the opportunity for tax abatements for  
17 those who do. However, focusing solely on the  
18 accessibility of grab bars and anti-slip mats is  
19 too limited. Disability and the necessary  
20 accommodations and modifications for these  
21 disabilities are very diverse in nature. There are  
22 countless accommodations that could and should be  
23 considered protective devices under this  
24 provision. We urge to include additional examples  
25 and note that they're a list of pre-offered

1  
2 accommodations that is not exhaustive. Additional  
3 reasonable accommodation examples could include  
4 roll-in showers, widening of doorways, and  
5 lowering sink and bathroom counters for residents  
6 with mobility impairments. In addition, bathrooms  
7 should not be only subject to the bill's safety  
8 and accessibility analysis. There should be  
9 modifications and accommodations in building  
10 lobbies, access to other areas, units, such as  
11 kitchens and closets within the unit along with  
12 the installation of smoke alarms and doorbells for  
13 individuals with hearing impairments that flash.

14 SERGEANT-AT-ARMS: Time expired.

15 SUHALI MENDEZ: Okay. In summary, we  
16 also support Intro 584, and we want to make sure  
17 that the most impactful ways the  
18 antidiscrimination laws are enforced is through  
19 private actions, and we suggest adding a mechanism  
20 to enable easy public access of records of  
21 discrimination patterns.

22 I thank you for your time, and I will  
23 be providing written testimony elaborating more on  
24 these points. Thank you very much.

25 CHAIRPERSON SANCHEZ: Thank you.

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COMMITTEE COUNSEL: Patrick Boyle.

SERGEANT-AT-ARMS: Starting time.

PATRICK BOYLE: Hi. My name is Patrick Boyle. I'm an Assistant Vice President with Volunteers of America Greater New York. We're one of the largest social service providers in the region. Our focus is primarily around housing and homelessness issues, and we have a large portfolio, both in transitional housing and permanent supportive housing, many of which are set aside for seniors. We have senior properties, and we have many senior residents just naturally residing in. Thanks to Chair Sanchez and Chair Hudson for holding this hearing, which is important. We think there's not enough focus on our aging population and our aging clients that we serve so we do appreciate this hearing.

We just wanted to bring attention to a few different things that we see from our perspective as a large houser and social service provider for seniors populations. In 2021, we opened East Clarke Place Senior Residence, which is a new permanently affordable housing building in the Bronx developed under the SARA program.

1  
2 It's developed fully accessible. It was designed  
3 with senior living in mind, a lot of places to  
4 sit, a lot of interconnectivity sort of built into  
5 the design, into the programs that we operate  
6 there. We're really proud of the building, but in  
7 the lease up process for 122 units we got 20,000  
8 applications overall, many hundreds of them  
9 handwritten, which just kind of further  
10 illustrates what we all collectively already know  
11 which is that there's such a need for this housing  
12 and such a demand for it and such a need to do  
13 more for our seniors. At many of the properties  
14 that we manage, they're owned by the City and we  
15 have a lot of capital needs and capital  
16 improvements there that impact accessibility  
17 issues, elevator outages, flooding and water  
18 infiltration issues, heating and cooling  
19 inconsistencies. These are very common  
20 occurrences, and it's a big issue for many non-  
21 profits that run programs and shelters and  
22 transitional housing where they may not own the  
23 building but where they may just be managing the  
24 services so we really think that there should be a  
25 pot of funding that non-profits can turn to and a

1  
2 really streamlined process to getting some major  
3 capital improvements for these buildings because  
4 these are largely housing our seniors in a lot of  
5 instance and really need to do a lot better. When  
6 elevators go out, that's a very serious issue in  
7 buildings that house so many seniors.

8 Another issue we're seeing across our  
9 programs, and it's been seen across the city, is  
10 food insecurity, especially in this inflationary  
11 environment, and we know that's a big, big issue  
12 for food providers so we do thank the Council for  
13 the focus on discretionary funding avenues for  
14 food pantries and things to help address that, but  
15 we are seeing that.

16 The final thing that I'll mention today  
17 is just about the staff that helps in senior  
18 services and really the need for just pay for  
19 those that do all this work...

20 SERGEANT-AT-ARMS: Time expired.

21 PATRICK BOYLE: Connecting seniors to  
22 resources and housing them and the need to do  
23 better for pay for the non-profit community.

24 Thank you so much for the time, and  
25 I'll be submitting written comments as well.

1

2

COMMITTEE COUNSEL: Thank you so much.

3

We will now hear from Maria Forbes.

4

SERGEANT-AT-ARMS: Starting time.

5

6

COMMITTEE COUNSEL: I believe Maria is  
not present on the Zoom. If there is anyone else

7

who is present and has not yet been called, please

8

use the Zoom raise hand function, and we'll try to

9

hear from you now.

10

Seeing no hands, we will turn it back

11

to the Chairs to close the hearing.

12

CHAIRPERSON HUDSON: Thank you so much

13

for everyone's testimony. These are the

14

opportunities that we have to improve upon these

15

bills so we do appreciate your input. With that,

16

we will close out today's hearing, and I'll throw

17

it over to Chair Sanchez.

18

CHAIRPERSON SANCHEZ: Thank you, Chair

19

Hudson, and thank you to the staff for help in

20

preparation for this meeting as well as everyone

21

who was able to participate today. Thank you.

22

With that, this meeting is adjourned.

23

[GAVEL]

24

25

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 October 13, 2022