

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING & BUILDINGS

Jointly with

COMMITTEE ON IMMIGRATION

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April 20, 2026  
Start: 10:20 a.m.  
Recess: 1:45 p.m.

HELD AT: 250 Broadway-8th fl.-Hearing Rm. 1

B E F O R E: Pierina Ana Sanchez  
Chairperson

Elsie Encarnación  
Chairperson

COUNCIL MEMBERS:

Shaun Abreu  
Oswald J. Feliz  
Crystal Hudson  
Rita C. Joseph  
Virginia Maloney  
Kevin C. Riley  
Yusef Salaam  
Nantasha N.  
Williams Susan  
Zhuang  
Alexa Avilés  
Gale A. Brewer

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

Kamillah Hanks

AnnMarie Santiago  
Deputy Commissioner for the Office of Enforcement  
and Neighborhood Services at HPD

Marti Weithman  
Assistant Commissioner of Housing Litigation at  
HPD

Tanaya Srini  
Assistant Commissioner of Housing Policy at HPD

Lorena Lucero  
Deputy Commissioner of Programs and Policy at  
MOIA

Derick Gomez  
Associate Director of Programs at MOIA

Salvatore Agostino  
Assistant Commissioner for Strategic Enforcement  
at DOB

Divya Korada  
Urban Justice

Ibrahim Ramoul  
Make the Road

Katie Anderson  
NYLAG

Sebastian Perez  
Legal Aid Society

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

Peter Estes  
ANHD

Anna Baker-Heans  
Cooper Square Committee

Van Xelo  
Mixteca

Zachary Hall

Thomas Duklett

Ruihra Lubega

Alpha Balde

Cheikh Diaw [sp?]

Gora Ndiaye

Amar Dieng

Abdou Tall

Aliban Simbel [sp?]

Modou Diop

Elija Do [sp?]

Mamadou Niang

Ibrahima Diallo

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

Kumbasal [sp?]

Papamama Thieng

Ibrahina Keinde

Dr. Tabitha Julien

Christopher Leon Johnson



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3 SERGEANT AT ARMS: Good morning and  
4 welcome to today's New York City Council hearing on  
5 the Committee on Immigration along with Housing and  
6 Buildings. At this time, please silence all  
7 electronic devices. No one may approach the dais.  
8 Chair, you may begin.

9 CHAIRPERSON SANCHEZ: Good morning and  
10 welcome to the April 20th joint Oversight Hearing of  
11 the Committee on Housing and Buildings and the  
12 Committee on Immigration. Today, we will be looking  
13 closely at tenant harassment against immigrant New  
14 Yorkers and the Certification of No Harassment  
15 program. We will also hear my bill, Intro. 839 which  
16 would make the certificate of No Harassment program  
17 permanent and expand its ability to prevent tenant  
18 harassment across New York City. I am Council Member  
19 Pierina Sanchez, Chair of the Committee on Housing  
20 and Buildings, co-chairing today's hearing with  
21 Council Member Elsie Encarnacion. First time, high  
five. She is Chair of the Committee on Immigration.  
On behalf of the New York City Council, I'd like to  
welcome all members of the public and the

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3 administration who have joined us today in-person and  
4 remotely. In New York City, it is unlawful for  
5 landlords to retaliate against anyone exercising  
6 their tenant rights. For instance, when a tenant is  
7 suffering from a rat infestation in their apartment  
8 and calls 311 to report it, their landlord cannot  
9 punish them for doing so. In fact, our city's  
10 housing maintenance code defines more than 20  
11 practices that constitute harassment, from  
12 threatening to use force against a lawful occupant to  
13 offering money in exchange for vacating one's unit to  
14 repeatedly discontinuing essential services like  
15 water or electricity. The protections we have on the  
16 books are critical to protecting vulnerable New  
17 Yorkers, especially as we continue to face a housing  
18 crisis with such a low vacancy rate. Today, as the  
19 federal government carries out a program of mass  
20 deportation and intimidation, immigrant New Yorkers  
21 are particularly vulnerable to threats of  
retaliation. They face dangerous and unique forms of  
harassment. Here in New York City we have  
unfortunately seen a pattern of this mistreatment, a  
landlord who threatened to call ICE on an

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3 undocumented tenant. Tenant was fined \$17,000 after  
4 CCHR, our City's Human Rights Commission, initiated a  
5 complaint. A Queens and Long Island-based management  
6 company agreed to pay \$55,000 after state officials  
7 found that the company posted a sign in its lobby  
8 encouraging tenants to report immigrants to federal  
9 authorities. HPD recently created a PSA-style  
10 warning video warning New Yorkers of immigrant  
11 enforcement potentially posing as city housing  
12 inspectors. And tenants in Sunnyside Queens reported  
13 being harassed, intimidated and even threatened with  
14 deportation simply for requesting basic repairs. It  
15 is important to remember that for every documented  
16 case, there are many more that go unreported. The  
17 possibility of interacting with federal authorities  
18 regardless of one's legal status can upend an  
19 immigrant's family's life. The very risk of being  
20 detained or deported can deter an undocumented and  
21 non-citizen tenant from reporting this unlawful  
harassment. In a city of three million immigrants  
where 60 percent of households are home to at least  
one immigrant and a significant percentage of  
undocumented persons, it is our sanctuary city's

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3 responsibility to respond. One of the city's tools  
4 for combatting tenant harassment writ large is the  
5 Certificate of No Harassment program, or CONH,  
6 administered by the Department of Housing  
7 Preservation and Development. The CONH program has a  
8 simple premise. New Yorkers deserve to live free of  
9 harassment and buildings where harassment is most  
10 likely should face greater scrutiny from the city.  
11 Building on earlier programs from the 1970s, as we  
12 like to do in the Housing Committee, the building-  
13 the Council created the CONH program through- the  
14 CONH pilot program through Local Law One of 2018 and  
15 then extended it to- extended that pilot in 2021. The  
16 program works like this. First, HPD identifies  
17 buildings where tenants are most likely to face  
18 harassment based on building distress indicators,  
19 changes in ownership and findings of harassment in  
20 Housing Court. Second, these buildings are then  
21 added to the Certificate of No Harassment list. And  
third, when an owner of a building on the CONH list  
want to begin certain construction work such as full  
or partial demolition, change of use, or a  
significant alteration, they must apply for a

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3 Certificate of No Harassment program- Certificate of  
4 No Harassment, excuse me, before receiving DOB  
5 approval to proceed with that work. Once a building  
6 owner applies, HPD initiates a thorough investigation  
7 to determine if tenants are being harassed. If HPD  
8 makes a determination that harassment has occurred,  
9 the owner is denied the certificate and is unable to  
10 obtain their permits from the Department of  
11 Buildings. Owners can wait five years to reapply or  
12 they can enter into a cure agreement which we'll talk  
13 more about during the Q&A. In March of 2026, HPD's  
14 report covering the last four years of CONH, HPD made  
15 several encouraging findings. Buildings in the second  
16 pilot had fewer HMC violations, housing maintenance  
17 code violations, and CONH- non-CONH buildings, and  
18 more than 15 percent of buildings that requested a  
19 CONH had their certificate denied, indicating some  
20 success that we are in fact identifying the right  
21 buildings where harassment is occurring. But in  
other respects, the program's success was limited.  
Of the more than 1,500 buildings on the CONH list,  
HPD received only 30 applications for a Certificate  
of No Harassment over a four year period, just two

3 percent of all covered buildings. In the Council  
4 District with the highest share of covered buildings,  
5 District 16, my neighborhood to the south represented  
6 by Althea Stevens, not one of those 80 buildings  
7 applied for a CONH over the four-year pilot. These  
8 data points raised questions about potential  
9 unintended consequences of the program, and we should  
10 talk about how to strengthen this selection  
11 methodology. With the program set to expire in  
12 September of this year, now is a pivotal moment to  
13 assess the impact of CONH and incorporate changes  
14 that will better deliver on its promise to protect  
15 tenants. That's why Intro 839 would make the  
16 Certification of No Harassment program permanent  
17 using a rolling five-year lookback and expand  
18 eligibility to scrutinize an owner's entire portfolio  
19 if the state or relevant court has made a finding of  
20 harassment in one of their buildings. I look forward  
21 to strengthening this legislation after hearing from  
the many stakeholders set to testify today. During  
today's hearing, we're eager to hear from the  
administration on its strategies for combatting  
tenant harassment, feedback on the proposed

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3 legislation, and testimony from members of the public  
4 who have taken time out of their days to join us.

5 Before we begin, I'd like to acknowledge the former

6 City Council Member Brad Lander and members of the

7 Coalition Against Tenant Harassment which were

8 integral to establishing the 2018 and 2021 CONH

9 programs. That coalition was led by ANHD. I'd like

10 to also thank the Housing and Buildings Committee

11 staff, Senior Legislative Counsel Austin Malone

12 [sp?], Legislative Counsel Billy Eck [sp?], Senior

13 Policy Analyst Jose Conde [sp?], Policy Analyst Dirk

14 Spencer [sp?], Finance Analyst Carla Naranjo [sp?],

15 and Data Analyst Reese Hirota [sp?]- I was about to

16 make her Latino, too- Noah Slosberg [sp?], and

17 Mohamed Shedeed [sp?]. Finally, I'd like to take

18 this opportunity to thank my staff, Chief of Staff

19 Maria Villalobos [sp?], Deputy Chiefs Ben Ratner

20 [sp?] and Kim Castellanos [sp?], Gerard Fernandez,

21 Dylan Campos [sp?], Maria Jose Mares [sp?], Soraya

Bonilla [sp?], and Oriana Roa-Acevedo [sp?]. I'd

like to also acknowledge the members who are

present, Council Member Maloney, Avilés, and Joseph.

Okay. And with that, I'd like to turn it over to my

co-chair,

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3 Council Member, Chair Encarnacion to deliver her  
4 remarks.

5 CHAIRPERSON ENCARNACION: Thank you, Chair  
6 Sanchez, and good morning everybody. I am Council  
7 Member Elsie Encarnacion, Deputy Whip of the New York  
8 City Council and Chair of the Committee on  
9 Immigration. Thank you all for being here today. As  
10 mentioned, we are examining tenant harassment against  
11 harassment and the Certificate of No Harassment  
12 program. I really want to thank the Chair, Chair  
13 Sanchez, for co-chairing this hearing and for her  
14 leadership on these issues. I also want to thank my  
15 colleagues, the administration and members of the  
16 public for joining us today. This hearing will focus  
17 on the harassment immigrant tenants face and how city  
18 responds through its programs, its services, its  
19 outreach. For many immigrant New Yorkers, housing  
20 challenges are a daily reality. Of the three million  
21 immigrants in our city, nearly one in 10 lives in  
overcrowding housing, and nearly one in four is rent  
burdened, spending more than 30 percent of their  
income on rent. 16 percent of low-income  
first-generation immigrants live in substandard

3 conditions due to landlord neglect. Undocumented New  
4 Yorkers are especially vulnerable. They are excluded  
5 from federal housing assistance and unemployment  
6 insurance, and many housing programs restrict access  
7 based on immigration status. This leaves them more  
8 exposed to landlord harassment. Advocates have also  
9 raised concern about how federal immigration policies  
10 are shaping tenant/landlord dynamics. During the  
11 first Trump Administration, for example, this  
12 building in Queens that was discussed displayed the  
13 Homeland Security Investigations tip line sign  
14 encouraging reports to federal arthritis and staff  
15 allegedly used the threat of immigration enforcement  
16 to intimidate tenants. Today, some of the fears  
17 persist. I have spoken with constituents in my own  
18 district who endure unsafe living conditions but  
19 hesitate to report them out of fear of being reported  
20 to ICE. No one should feel unsafe in their own home,  
21 especially in a sanctuary city. Recently federal  
proposals risk making the situation even worse. A  
proposed rule from the Department of Housing and  
Urban Development would deny housing assistance to  
mixed-status families, reducing access to programs

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3 like Section 8 and public housing. If enacted, it  
4 would increase housing instability, overcrowding in  
5 our shelters, and homelessness while needlessly  
6 separating families. I was proud to join Speaker  
7 Menin in opposing this rule and urging its  
8 withdrawal. We should be expanding access to safe,  
9 affordable housing, not restricting it. In that  
10 context, today's hearing will examine how the city  
11 supports immigrant tenants facing harassment and  
12 discrimination. At a time of hostile federal policy,  
13 it is critical that we continue advancing local  
14 solutions and pushing for broader protections so that  
15 all families can access safe and affordable housing.  
16 I also want to thank the service providers who work  
17 tirelessly to support our immigrant communities and  
18 our committee staff who made this hearing possible,  
19 Senior Legislative Counsel Nicole Kata [sp?], Senior  
20 Legislative Policy Analyst Rebecca Barilla [sp?],  
21 Principal Financial Analyst, Navi Bains [sp?], and  
Assistant Finance Director Florentine Cabor [sp?].  
Finally, I want to thank my team, my Deputy Chief of  
Staff, Stephanie Herrera and our Legislative Director  
Adam Newman Bernstein [sp?], and everybody working

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3 behind the scenes to make today run, including our  
4 Sergeant at Arms. Thank you so much. I now turn it  
5 back to Council Member Sanchez.

6 CHAIRPERSON SANCHEZ: Thank you so much,  
7 Chair Encarnacion, and with that I'll turn it over to  
8 our counsel to administer the oath.

9 COMMITTEE COUNSEL: Thank you. If you're  
10 here to testify on behalf of the administration,  
11 please raise your right hand. Do you affirm to tell  
12 the truth, the whole truth and nothing but the truth  
13 before this committee and to respond honestly to  
14 Council questions? Thank you. You may begin when  
15 you're ready.

16 DEPUTY COMMISSIONER SANTIAGO: Morning.  
17 Good morning, Chair Sanchez, Chair Encarnacion, and  
18 members of the Committee on Housing and Buildings,  
19 and members of the Committees on Immigration. I am  
20 AnnMarie Santiago, Deputy Commissioner for the Office  
21 of Enforcement and Neighborhood Services at the New  
York City Department of Housing, Preservation and  
Development. I am joined by my colleagues, Marti  
Weithman, Assistant Commissioner of Housing  
Litigation, and Tanaya Srini, Assistant Commissioner

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3 of Housing Policy. We are also joined, second row  
4 here, by Lorena Lucero, Deputy Commissioner of  
5 Programs and Policy, and Derick Gomez, Associate  
6 Director of Programs from the Mayor's Office of  
7 Immigrant Affairs, in addition to Salvatore Agostino,  
8 Assistant Commissioner for Strategic Enforcement from  
9 the Department of Buildings for questions. Thank you  
10 for the opportunity to testify today regarding Intro  
11 839 of 2026 on the Certificate of No Harassment pilot  
12 program and immigrant-related tenant harassment. All  
13 New Yorkers have the right to be safe in their homes  
14 and free from harassment. Harassing or  
15 discriminating against New Yorker based on their  
16 immigration status is illegal and the city will not  
17 tolerate it. Working with our sister agencies, HPD  
18 will do everything we can to identify and root out  
19 harassment and discrimination of any kind. When the  
20 city received allegations that landlords were  
21 threatening to call ICE on tenants making housing  
complaints, HPD, the New York City Commission on  
Human Rights, the Mayor's Office Immigrant Affairs,  
and the Public Engagement Unit began coordinate to  
educate immigrants about their housing rights as New

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3 Yorkers. We created educational materials in 11  
4 languages, a social media toolkit, and convened a  
5 roundtable for reporters. The material made clear  
6 that landlords cannot harass or threaten tenants  
7 regardless of their immigration status. 20 media  
8 outlets covered this public awareness campaign,  
9 helping get our message out broadly. Recommitting to  
10 this important work on February 6th, Mayor Mamdani  
11 issued Executive Order 13 stating- clearly stating-  
12 the city's Council Member to protect all New Yorkers  
13 regardless of immigration status. It established a  
14 formal process for interagency collaboration and  
15 response to safeguard immigrant rights. Work through  
16 a multi-agency taskforce is now underway. HPD  
17 recently launched a targeted social media campaign to  
18 help tenants recognize city staff and identify  
19 individuals falsely and illegally posing as  
20 inspectors. This administration will seek out every  
21 opportunity to identify and respond to bad actors.  
We look forward to continuing to collaborate with the  
Council on this critical work to safeguard the rights  
of immigrant New Yorkers. Now, we'd like to turn to  
the CONH program. This administration is focused on

3 identifying and eliminating harassment. CONH, the  
4 Certificate of No Harassment, is one of the city's  
5 most important anti-harassment deterrents. It is a  
6 targeted tool to protect tenants from landlords who  
7 might try to harass them out of the building in order  
8 to make major building renovations or redevelop the  
9 building. The CONH pilot program called, the pilot  
10 or the pilot program first enacted in 2018 and  
11 expanded in 2022 was born out of a 2016 Council-led  
12 multi-stakeholder working group. The working group  
13 conducted a thorough research process to identify the  
14 building characteristics most associated with  
15 harassment. Under the pilot program, the city would  
16 investigate buildings exhibiting these  
17 characteristics before granting permits for work that  
18 would allow owners to benefit financially from such  
19 harassment. This precise targeting can create a  
20 powerful disincentive for harassment. The CONH pilot  
21 launched in 2018 as a result of this rigorous and  
collaborative work. It included buildings with these  
research-backed risk factors: physical distress,  
enforcement activity, and ownership instability.  
Buildings with the following characteristics were

3 therefore put on the CONH list: If they were active  
4 in the alternative enforcement program and received  
5 an order to correct; if they received a full vacate  
6 order issued by HPD or the Department of Buildings;  
7 harassment findings; and if they were identified  
8 through HPD's building qualification index referred  
9 to as the BQI which captures buildings with high  
10 level of physical distress, measured through agency  
11 violations and frequent ownership changes. Once  
12 those buildings apply for permits, HPD conducts a  
13 thorough and tenant-focused investigatory process  
14 before determining whether harassment has occurred.  
15 As the Council considers the future of the CONH pilot  
16 program, it is important to ground this discussion in  
17 the original design and the lessons we have learned.  
18 After the original 2018 pilot, HPD identified  
19 important operational conflicts between CONH and the  
20 other enforcement programs. CONH sometimes delayed  
21 urgent repair work that certain buildings in AEP 7A  
and those with vacate orders needed to do because of  
the CONH process. These delays ran counter to the  
program's core goal of protecting tenants, and at the  
expiration of the pilot in 2022, working with the

3 Council, we changed the criteria to fix that problem.

4 Based on HPD's analysis of program implementation

5 since 2022, we believe that the CONH program is

6 identifying the right pool of buildings, protecting

7 tenants at-risk without adding unnecessary delays for

8 critical repairs and should be made permanent. The

9 report provides a detailed accounting of our

10 findings. We found that while only a small number of

11 buildings applied for a CONH, over 15 percent of

12 applications were denied because HPD found

13 harassment. This is a significantly higher rate than

14 the CONH requirement for single room occupancy

15 buildings or buildings in special districts, and

16 suggests to us that the program is well-targeted. As

17 the Council considers next steps, HPD recommends

18 transitioning to a permanent program with the

19 following refinements: Regularly updating eligibility

20 criteria including recalculating the BQI to ensure

21 the program continues to target buildings currently

at risk without creating loopholes; consider the cure

mechanism and ensure it is a viable path for property

owners who want to proceed with renovations while

remaining a deterrent to harassment; and maintain a

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3 clear and evidence-based approach to eligibility,  
4 ensuring that any additional criteria such as illegal  
5 eviction meet high standards, data accuracy, and  
6 enforceability. As you know, the CONH program is one  
7 of many tools that we use to protect tenants from  
8 harassment. The Mayor's Office to Protect Tenants,  
9 HPD's Anti-harassment Unit, the Department of  
10 Buildings, Office of the Tenant Advocate, the Mayor's  
11 Office of Immigrant Affairs, and the City's  
12 Commission on Human Rights work to address tenant  
13 harassment independent of any actions by an owner to  
14 renovate their building. In particular, the  
15 administration recognizes that tenant organizing is  
16 one of the most effective ways to prevent tenant  
17 harassment. We support tenants in forming tenant  
18 associations which is one more way we can ensure  
19 negligent landlords will be identified and held  
20 accountable. Through our Partners in Preservation  
21 program, we support a network of 21 tenant organizing  
groups to knock on doors, hold workshops, and  
organize new tenant associations. The administration  
views the CONH program as a targeted and very  
effective preservation tool. The data presented in

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3 our report indicates that the program is accurately  
4 identifying problematic buildings, incentivizing  
5 owners to maintain their property and reduce  
6 violations and protecting tenants from displacement.

7 For these reasons, HPD supports making the program  
8 permanent. We look forward to working with the  
9 Council around the newly proposed components of the  
10 CONH program outlined in the bill and to continue our  
11 work together to disincentivize and stop harassment  
12 in all forms. Thank you for the opportunity to  
13 testify. We are happy to answer any questions.

14 CHAIRPERSON SANCHEZ: I'm going to  
15 apologize on behalf of our body for our inconvenient  
16 seating arrangements, but maybe we could do a little  
17 bit of musical chairs so that MOIA can come up and  
18 give their testimony, and then we'll start off with  
19 questions. Okay?

20 DEPUTY COMMISSIONER SANTIAGO: MOIA is  
21 here for questions, so they're testimony, their top  
lines were included in my testimony.

CHAIRPERSON SANCHEZ: Understood. Okay,  
so-

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3 DEPUTY COMMISSIONER SANTIAGO:

4 [interposing] But if we're going to start with their  
5 questions, questions about the immigration  
6 harassment, we will switch chairs.

7 CHAIRPERSON SANCHEZ: Okay, so that was  
8 all of the administration's testimony.

9 DEPUTY COMMISSIONER SANTIAGO: That is  
10 all the testimony.

11 CHAIRPERSON SANCHEZ: Okay, okay.

12 DEPUTY COMMISSIONER SANTIAGO: Correct.

13 CHAIRPERSON SANCHEZ: Nevermind then.  
14 Thank you, Deputy Commissioner. So we will start  
15 with HPD and then we'll move to MOIA. I'd like to  
16 acknowledge that we've been joined by Council Member  
17 Zhuang. Okay, thank you. So, first, I just- again, I  
18 did so in my opening remarks, but want to thank HPD  
19 for your very swift action on coordinating to educate  
20 New Yorkers about their rights when there were these  
21 claims of imposters, you know, folks, agents, ICE  
agents pretending to be housing inspectors. Very  
happy to see the city move quickly to protect New  
Yorkers in that way. Okay. So, first question I'm  
going to ask is regarding HPD's coordination with the

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3 Commission on Human Rights, when there's a complaint  
4 alleging harassment and discrimination based on  
5 national origin or citizenship status- I speak  
6 English- does the city have a formal protocol, the  
7 two agencies have a formal protocol on how to  
8 collaborate on such claims?

9 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
10 Council Member. I think the agencies have been  
11 communicating on these issues for a long time,  
12 especially through our more tenant-focused programs  
13 like partners in preservation. There's very close  
14 relationship working between the agencies. I think  
15 under E013 we're looking to put more formal, you  
16 know, referral mechanisms in place for- amongst  
17 multiple agencies, not just between those two. So,  
18 we are engaged in that work through the Mayor's  
19 Office and we look forward to those changes.

20 CHAIRPERSON SANCHEZ: Got it. Thank you.  
21 And today, what is the- HPD's protocol if an HPD  
22 inspector arrives and encounters ICE at a building?

23 DEPUTY COMMISSIONER SANTIAGO: I believe  
24 that that has not happened at this time, Council  
25 Member. Whenever a housing inspectors encounters an

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3 unusual situation at a building, their protocol is to  
4 contact their supervisor immediately and report that,  
5 and we will deal with it a higher level in terms of  
6 what the next steps might be.

7 CHAIRPERSON SANCHEZ: Okay. Thank you.

8 The CONH report that HPD provided to the Council in  
9 March suggested that buildings placed on the list due  
10 a vacate order have an unusually high approval rate.  
11 Can you tell us why you think that is, and specifying  
12 this is for the pilot expansion that did not include  
13 buildings that had a vacate because of a fire, so why  
14 do you think that is, and how can the- should the  
15 program be changed to address this particular  
16 finding?

17 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
18 Council Member. I don't think that we have an  
19 empirical evidence suggesting why that might be, but  
20 clearly buildings that have vacate orders have a  
21 higher need for the types of covered work that would  
be required- that would require a Certificate of No  
Harassment. So, I would presume that that would be  
the answer, but I don't believe that we have any  
empirical data of that.

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3 CHAIRPERSON SANCHEZ: Got it. That does  
4 make sense. I'm very happy to be working with the  
5 agency on this and happy that there's alignment to  
6 make the program permanent. Regarding your  
7 recommendations for the transition to a permanent  
8 program, you recommend in your report and today  
9 regularly updating the eligibility criteria. So,  
10 just so I understand, regularly updating the  
11 eligibility criteria, would that be to include new  
12 properties every year or to remove existing  
13 properties, you know, that no longer, you know, get  
14 captured with the five-year look back, or how exactly  
15 would you use that new information?

16 DEPUTY COMMISSIONER SANTIAGO: Yeah,  
17 thank you, Council Member. I think a five-year  
18 period, a four-year period which is what it has been  
19 under the pilot is a long period of time. We are  
20 still doing our internal assessment of what might be  
21 the right period to refresh the list. I think too  
frequent a refresh could be problematic as too long a  
refresh could be. So we are happy to circle back  
with the Council once we have some suggestions on  
that time period.

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3 CHAIRPERSON SANCHEZ: Thank you. But  
4 what would you do with the refreshed information?

5 DEPUTY COMMISSIONER SANTIAGO: Meaning  
6 would we- well, we would do the same-

7 CHAIRPERSON SANCHEZ: [interposing] Are  
8 you running the list again to identify buildings to  
9 put in at that cadence?

10 DEPUTY COMMISSIONER SANTIAGO: I think it  
11 would be what we have done at the five-year periods  
12 right at the end of the programs at this point,  
13 right?

14 CHAIRPERSON SANCHEZ: Okay.

15 DEPUTY COMMISSIONER SANTIAGO: Which is  
16 add buildings and remove buildings, basically run the  
17 list fresh.

18 CHAIRPERSON SANCHEZ: Got it. Thank you.  
19 That makes sense. Just wanted to make sure I  
20 understood. And then considering- I think this is-  
21 I've had this question, this burning question, that  
is connected to your recommendation that the core  
mechanism to ensure that the cure- the design of the  
cure program works to disincentivize harassment- how  
do I frame this question? This is an important

3 program, and I think we're seeing very positive  
4 results. You know, the fact that as you say  
5 buildings that are identified in the pilot are then  
6 coming back their determinations of harassment being  
7 found. But do you- does the agency think, HPD or DOB  
8 that any work that is necessary is not able to happen  
9 because CONH buildings maybe are not opting to do the  
10 work?

11 DEPUTY COMMISSIONER SANTIAGO: You mean,  
12 do we think that the CONH programs is a deterrent for  
13 people to do necessary work? The way that the CONH  
14 program is designed is that repairs that are needed  
15 are- go forward, right? And that the target really  
16 for the types of work are that are covered work are  
17 really not basic repairs and necessary work that  
18 needs to happen. And so I think, you know, we are  
19 confident, and at times we do proactively have to  
20 tell people or DOB does when people apply, you can  
21 proceed with this work without a certificate of  
harassment, and that's very important to us. That's  
why we made the changes between the 2018 and 2022  
versions of the pilot.

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3 CHAIRPERSON SANCHEZ: Great. Thank you  
4 so much. That's almost like a devil's advocate  
5 question, because I can imagine that's an argument  
6 made against the expansion or the making permanent of  
7 CONH. So I appreciate that response. So how do the  
8 agencies understand the numbers that we're seeing?  
9 30 Certificate of No Harassment applications for a  
10 universe of 1,500 buildings does seem low. Is that  
11 low, and how do the agencies understand that number?

12 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
13 I will give Commissioner Srini a chance to- she does  
14 our data and our policy work, so more familiar with  
15 all the numbers than I. But I think, you know, at  
16 some part it reflects overall city investments in  
17 buildings and especially in the neighborhoods where  
18 there are concentrations of CONH buildings. So, if  
19 you have anything to add?

20 ASSISTANT COMMISSIONER SRINI: Yeah. Thank  
21 you. I think, you know, the important thing to note  
here as well is that it's a program of deterrence,  
and so only when a owner is opting to do covered  
work, that special category of where primarily  
changing occupancy is the CONH application coming

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3 into play. And so, it's hard to kind of predict via  
4 data how frequent that be, what would drive that  
5 interest or how it would be distributed across the  
6 city. Though, we're happy to share data on that  
7 distribution of applications.

8 CHAIRPERSON SANCHEZ: Is there a  
9 difference in the rate of this kind of covered work  
10 that was done by the 1,500 buildings versus the  
11 entire eligible pool or the city at large?

12 ASSISTANT COMMISSIONER SRINI: So, I  
13 don't have the data on the eligible buildings that  
14 are applying for a CONH. I only have the data here  
15 for the buildings that were flagged for the pilot.

16 CHAIRPERSON SANCHEZ: Okay. They just  
17 told me the same thing, too. So, you all have to be  
18 louder. Okay. It would just be helpful to have, you  
19 know, a comparable statistic of 30 out of 1,500  
20 compared to how many the city- for these kinds of  
21 work.

22 ASSISTANT COMMISSIONER SRINI: Yeah, we  
23 can follow up.

24 CHAIRPERSON SANCHEZ: Okay. And then one  
25 more question, and then I'll turn it over to our

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3 Deputy Whip. What is the average amount of time from  
4 CONH application submission to final determination?

5 Is there anything that can be- that we should  
6 consider in terms of making that timeline a little  
7 shorter? I understand it's seven months, but can it  
8 be made shorter, and what are sort of the drivers of  
9 delays?

10 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
11 Council Member. So, you'll see also in the report we  
12 had varying levels of staffing during the pilot  
13 period so that it of course affect where we were. We  
14 are at a relatively good place now with the staff.  
15 We do have a few vacancies that we are working to  
16 fill. But I think the processes in part defined by  
17 the requirements, right? So, there is a requirement  
18 to put out a public notice, give a comment period, do  
19 the investigation, talk to the tenants, and engage in  
20 that investigation. So, you know, we are always  
21 looking to improve administrative timelines, but  
there is certainly a built-in period where you really  
want to take a look closely, talk to all the people  
you can and don't want to rush that process to come  
to an appropriate finding.

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3 CHAIRPERSON SANCHEZ: Got it. Thank you.

4 Was there a difference in how long the process took  
5 with the first pilot versus the extension?

6 DEPUTY COMMISSIONER SANTIAGO: I don't  
7 know the answer.

8 ASSISTANT COMMISSIONER SRINI: That's a  
9 really good question. I don't have that data right  
10 now. I know that COVID obviously played a role in  
11 delays during the first pilot, but we can certainly  
12 follow up and provide information.

13 CHAIRPERSON SANCHEZ: Great. Thank you.  
14 Just acknowledging we've been joined by Council  
15 Members Krishnan, Majority Leader Abreu, and Council  
16 Member Gutiérrez on Zoom. Chair?

17 CHAIRPERSON ENCARNACION: Hello? And  
18 thank you for your testimony. I know that you're  
19 covering CONH but also other pieces of harassment,  
20 and you spoke about the Mayor's Office to Protect  
21 Tenants, HPD's Anti-harassment Unit, the Department  
of Buildings, the Office of Tenant Advocate, the  
Mayor's Office Immigrant Affairs, the City Commission  
on Human Rights, and that's a lot of folks, but  
there's a lot of people still falling through the

3 cracks. And the larger kind of universe of people  
4 that are not- that their buildings are not looking to  
5 make repairs. They're just living in really  
6 deplorable conditions. It's really what concerns me  
7 and what's kind of pushing some of my questions. And  
8 you also mentioned that there were the Partners in  
9 Preservation program, which actually has people go  
10 out, knock on doors, organizations that do that. Is  
11 there a formal prices where those folks come back and  
12 report, and that triggers inspections or fines or  
13 something for accountability measure for the  
14 landlords?

15 DEPUTY COMMISSIONER SANTIAGO: Sure. Let  
16 me just change the dais folks, and then I'll answer  
17 your question, because probably a lot of your  
18 questions too are going to need to be partially  
19 answered by the Mayor's Office. So, if you just give  
20 us one second. So, thank you for your question. So,  
21 I'll speak particularly to the Partners in  
22 Preservation program, and to the HPD programs, and  
23 then I'm sure that there are other details that maybe  
24 MOIA can fill in. So, the Partners in Preservation  
25 program has HPD staff working with these 21 based

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3 community groups. We jointly identify what buildings  
4 to go out to or what neighborhoods. Based on the  
5 findings of those community groups, and in fact, I  
6 think it was from one of those community groups where  
7 we heard about the allegation of the ICE agent in  
8 making, you know, claims to be an HPD inspector, that  
9 information comes back to us, and then our Partners  
10 in Preservation program is in close contact with MOIA  
11 and CCHR on the harassment side of things. On the  
12 maintenance condition side of things, Partners in  
13 Preservation does work close with my area which is  
14 code enforcement, whether that means we need to  
15 conduct inspections, whether that means we expedite  
16 311 complaints, whether that eventually leads to some  
17 other enforcement action and HPD has a number of  
18 enforcement programs that a building could fall into.  
19 We encourage them through their community organizing  
20 to seek housing court action and to take other joint  
21 actions in dealing with the landlord. So there are a  
lot of potential outcomes on the conditions of the  
building itself. But most of any follow-up that has  
to do with the discrimination is not an HPD

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3 enforcement opportunity. And so for that, that's  
4 where I would turn it over to my sister agencies.

5 COMMITTEE COUNSEL: I'm sorry, before you  
6 join, could you please raise your right hand? Do you  
7 affirm to tell the truth, the whole truth and nothing  
8 but the truth and to respond honestly to Council  
9 Member questions? You may proceed.

10 DEPUTY COMMISSIONER LUCERO: I'll add  
11 here that MOIA is often the first trusted point of  
12 contact for immigrants in particular, and immigrant  
13 communities engaging city government. And what we do  
14 is connect people with the appropriate agencies.  
15 There's a couple of different touch points in how we  
16 do that. If you want me to expand, I'm happy to in  
17 regards to-

18 CHAIRPERSON ENCARNACION: [interposing]  
19 I'm just trying to get an idea of- there's a  
20 building, has no heat, no hot water, but you-  
21 plumbing is a mess. Things are happening, ceilings  
falling. They are not reporting, because of the fear  
of ICE and retaliation, so now this building has been  
identified by one of the partners or someone made a  
call. The process by which these things get addressed

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3 is where I'm trying to get to. Like, does it go  
4 through MOIA, does it go through with MOIA, does it  
5 go through you guys? Where are the fines? How's  
6 making them do these repairs? Like, how does this  
7 actually translate to tangible things that change for  
8 the residents?

9 DEPUTY COMMISSIONER SANTIAGO: Sorry.

10 So, the conditions would definitely go through HPD,  
11 right? So, the Partners in Preservation would refer  
12 them to us depending on, again, whether people are or  
13 not filing complaints. We can dispatch both our  
14 Division of Neighborhood Preservation and our  
15 Division of Housing Code Enforcement, and violations  
16 will be written as per our usual process. So, it  
17 does require a level of coordination with the  
18 tenants, right, because we do need to get into the  
19 building and see conditions, and at that point  
20 sometimes the tenants prefer not to have that done.  
21 And maybe they deal with the organizing, they refer  
to work with the tenant organizers to try and  
advocate for change. If they allow us to come in, we  
would go in and do the work that we would normally do  
which is for heat and hot water for example. We would

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3 write a violation. If the violation warrants it, we  
4 would send our own emergency repair program. We have  
5 a program that will go in and attempt to repair  
6 boilers and restore hot water if the owner fails to  
7 do so. So, those processes would continue to happen  
8 however we got involved with the building.

9 CHAIRPERSON ENCARNACION: Okay. And then  
10 you also mentioned that there were materials that  
11 were translated into 11 languages. But how many  
12 languages can tenants currently file an HPD  
13 harassment complaint?

14 DEPUTY COMMISSIONER SANTIAGO: So,  
15 complaints in general go through 311, and 311 has  
16 access to Language Line for any of hundred+  
17 languages, right? Complaints about harassment might  
18 come to our Anti-harassment Unit. We also as an  
19 agency, and I would hazard [sic] to guess that most  
20 agencies do have Language Line as an option, right?  
21 So, whoever calls in whatever language, the option is  
to get Language Line on the phone. When we're  
dealing through our Partners in Preservation, often  
they have staff who speak those languages and can do  
kind of that translation for us. So, I think there's

3 a number of options. These are the types of  
4 materials I think- this one's in English, obviously,  
5 but that was designed with the joint agencies and  
6 delivered through our Partners in Preservation,  
7 organizers, our community-based organization  
8 partners, or through our staff to tenants so that  
9 they know how to navigate the system in terms of the  
10 harassment specifically. Because sometimes the  
11 harassment isn't related directly to the conditions.  
12 The landlord may just want the tenants to leave.

11 CHAIRPERSON ENCARNACION: Yeah. I mean,  
12 sometimes they want them to raise the rent to a  
13 ridiculous amount as well. Like, there's a  
14 [inaudible].

14 DEPUTY COMMISSIONER SANTIAGO: Right.

15 CHAIRPERSON ENCARNACION: Okay. And then  
16 so, what- can you walk me through so that process  
17 when they call, what kind of information is required  
18 from the tenant to give you? What kind of personal  
19 information do they- do you require for it?

19 DEPUTY COMMISSIONER SANTIAGO: When  
20 filing a complaint with HPD-

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3 CHAIRPERSON ENCARNACION: [interposing]

4 Yes.

5 DEPUTY COMMISSIONER SANTIAGO: we  
6 require- in most cases, if the condition is in your  
7 apartment, we need your name and we need your  
8 apartment and your building address. That is all.

9 CHAIRPERSON ENCARNACION: Okay.

10 DEPUTY COMMISSIONER SANTIAGO: And  
11 whatever condition you're complaining about. For  
12 conditions like heat and hot water, you can report  
13 that anonymously. So we would encourage folks, and  
14 this is the very reason, even going back many, many  
15 years why we allow anonymous complaints to be made.  
16 Not just immigration harassment, but harassment of  
17 any kind.

18 CHAIRPERSON ENCARNACION: And so going  
19 back to CONH, does HPD currently have the capacity to  
20 proactive investigate buildings on the pilot list  
21 that show indicators of repeated complaints or  
vacancies?

DEPUTY COMMISSIONER SANTIAGO: So, HPD  
has other programs that work proactively. The CONH  
program is an after-the-fact program. When an owner

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3 applies for Department of Buildings permit. HPD also  
4 has an Anti-harassment Unit that does things  
5 proactively. So we run a slightly different list of  
6 buildings, but it is also a building- I'm sorry, a  
7 list that has buildings with many of the same  
8 characteristics, high violations of hours, complaints  
9 at DOB, potentially other agencies, and we  
10 proactively send inspectors to those buildings. We  
11 don't wait for a complaint to come in.

12 CHAIRPERSON ENCARNACION: So, do they  
13 ever overlap in that way? Like, does it ever get-

14 DEPUTY COMMISSIONER SANTIAGO:

15 [interposing] A lot of our programs overlap. So, you  
16 can select a- just because a building is on the CONH  
17 pilot list does not mean that it will not be  
18 identified through the Anti-harassment Unit and  
19 proactive inspections conducted.

20 CHAIRPERSON ENCARNACION: Okay. Last  
21 one. Do you know how many of the buildings on the  
22 pilot list receive any form of city subsidy, tax  
23 exemption, public financing?

24 DEPUTY COMMISSIONER SANTIAGO: Thank you  
25 very much for that question. I don't believe we

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3 usually track that. We did that question, so we are  
4 looking into that data, and we're happy to share that  
5 once we put that together.

6 CHAIRPERSON ENCARNACION: Yeah. I have  
7 other- you know, I wasn't- we're still trying to  
8 figure out how we were doing all the questioning, so  
9 I was focusing most of my questions- I have questions  
10 for you, don't worry.

11 DEPUTY COMMISSIONER SANTIAGO: Okay.

12 CHAIRPERSON ENCARNACION: But I'm also  
13 going to try to open it up to some of the other  
14 Council Members here so that they can ask their  
15 questions, but I'll leave that to the Chair to  
16 manage.

17 CHAIRPERSON SANCHEZ: Thank you, Chair.  
18 So, now we'll turn to Council Member colleague  
19 questions. First up is Council Member Zhuang.

20 COUNCIL MEMBER ZHUANG: Thank you, Chair,  
21 and also I want to thank everyone come here for  
testify. I have a question. When we talk about  
tenants and the landlord call them ICE- I have a  
situation in my district. A developer calling,  
harassing people in the neighborhood saying if you

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3 keep protesting here, we're going to call police.  
4 You're going to get arrested. We'll call ICE on you.  
5 You're going to get deported. This type of  
6 situation, which department I can go to make a  
7 complaint? Is HPD, MOIA, or- it's a developer.

8 DEPUTY COMMISSIONER LUCERO: Yeah, I  
9 would say that all- just to start, all New Yorkers  
10 regardless of immigration status or national origin  
11 have the same housing rights. In that case, we would  
12 encourage folks to call the New York City Commission  
13 on Human Rights, developer or not, to file a  
14 complaint. But I don't know if you want to add  
15 anything else.

16 DEPUTY COMMISSIONER SANTIAGO: Yeah, if  
17 you-

18 COUNCIL MEMBER ZHUANG: [interposing] It's  
19 the developer. It's not renter and landlord.

20 DEPUTY COMMISSIONER SANTIAGO: If you  
21 believe that the developer is one that works with  
22 HPD, you can certainly reach out to us. I'm not  
23 familiar with the developers in my day-to-day work,  
24 but we're happy to take your complaint and look into  
25 it for whatever we can identify.

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3 COUNCIL MEMBER ZHUANG: Thank you. And  
4 also, from the program, are tenants aware of this  
5 program? And what's the language where you guys  
6 doing outreach? How many language do you have?

7 DEPUTY COMMISSIONER SANTIAGO: Thank you.  
8 You're talking specifically about the Certificate of  
9 No Harassment program?

10 COUNCIL MEMBER ZHUANG: Yes.

11 DEPUTY COMMISSIONER SANTIAGO: Or you're  
12 talking about-

13 COUNCIL MEMBER ZHUANG: No Harassment  
14 program.

15 DEPUTY COMMISSIONER SANTIAGO: So, when a  
16 building applies for the program, we do notice the  
17 building and we do send investigators out. We will  
18 make sure that the information that we give out is  
19 in, and the- I think- believe the bill lists out the-  
20 it should be the 10 languages, right, which we put  
21 most of our materials in. so, we will make sure that  
that is encompassed there, and we appreciate that  
change.

COUNCIL MEMBER ZHUANG: Because most of  
the people get harassed are immigrants and they- a

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3 lot of them don't speak English at all. So, if the  
4 team doing reaching out in English, it's very hard  
5 for people to know. In my district, a lot of people  
6 have no idea about this program.

7 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
8 Council Member. We're definitely going to work make  
9 sure that as much as we can in the 10 language that  
10 everything is understandable and that they have  
11 someone to reach to. Again, if someone should see  
12 our notice and call the Certificate of No Harassment  
13 program, they have access to Language Line to be able  
14 to talk back and forth and translate that  
15 information.

16 COUNCIL MEMBER ZHUANG: Appreciate it.  
17 Thank you. And also, I have the situation in my  
18 district, because ICE came to the neighborhood, a lot  
19 of people living in that neighborhood just ran away,  
20 the people that don't have document. Any way HPD can  
21 help those people?

DEPUTY COMMISSIONER SANTIAGO: I would  
turn that question to MOIA. I know they do a lot of  
outreach in neighborhoods just in general on  
immigrant rights. So, let me-

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3 DEPUTY COMMISSIONER LUCERO: Yeah, we're  
4 happy to follow up on that. And even thinking about  
5 your first question, because I think your first  
6 question I might have answered it wrong. We can  
7 follow up too with the development question, because  
8 I think that's a little bit different, and I know  
9 that was mentioned than a landlord. And then in  
10 regards to outreach, I don't know how often we have  
11 been in your neighborhood, but I can get back to you.  
12 I'm happy to-

13 COUNCIL MEMBER ZHUANG: [interposing] We  
14 have a situation. ICE came in, take one person away.  
15 I actually know the people leaving the building.  
16 They just moved. They're scared to live there any  
17 more.

18 DEPUTY COMMISSIONER LUCERO: Okay, got it.

19 COUNCIL MEMBER ZHUANG: Like every single  
20 one don't have document in that area. Everyone  
21 moved.

DEPUTY COMMISSIONER LUCERO: Because  
they're afraid that-

COUNCIL MEMBER ZHUANG: [interposing] Yes.  
Thank you.

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3 CHAIRPERSON SANCHEZ: Okay. Thank you,  
4 Council Member Zhuang. Council Member Joseph  
5 followed by Council Member Maloney then Avilés.

6 COUNCIL MEMBER JOSEPH: Thank you. Good  
7 morning. Couple of questions. You said a couple of  
8 great things, right? So, the off- to file the  
9 harassment complaint, the Certificate of No  
10 Harassment, how long does it take, and what are the  
11 criteria for the buildings to get on? And if they do  
12 want to apply, language access and language barriers  
13 usually the one- the main things that our communities  
14 of immigrants face. Can you walk us through the  
15 process?

16 DEPUTY COMMISSIONER SANTIAGO: Certainly.  
17 Thank you. So, the Certificate of No Harassment  
18 program as we're explaining is a program of  
19 deterrence, right? The idea is that identifying  
20 buildings that have certain characteristics, and just  
21 in general, those characteristics include violations,  
emergency repair charges, the building is an early  
alternative enforcement program, right, or the 7A  
program, there's been a vacate order, although not a  
fire vacate, right? [inaudible] and a harassment

3 finding, right? So, if there's been a finding of  
4 harassment against the property already in a court,  
5 those buildings are included. I am not the data  
6 person. So, if you really want to drill down, I can  
7 bring Assistant Commissioner back up, but the idea is  
8 that those characteristics are weighed against other  
9 similar buildings at the time that the list run.  
10 Right? The buildings get on the list. The owners  
11 are notified that they are on the list, and that if  
12 they wish to do certain work which is referred to as  
13 covered categories of work. When they apply for  
14 those- when they put those applications and apply for  
15 those permits from the Department of Buildings, they  
16 must get the sign-off from the HPD that after an  
17 investigation, we found no evidence of harassment in  
18 the five years prior to their application.

19 COUNCIL MEMBER JOSEPH: So, I have a  
20 building in my district, 75 Lennox [sp?] Road who's  
21 been on the news, that's- the management made sure  
that folks were walking around with security hats to  
intimidate the tenants, knocking on their doors.  
Then, within two days, ICE showed up at the building.  
So, this was a form of harassment, but I'm sure the

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3 tenants in those buildings don't know about this  
4 program that you talk about, because that building  
5 has several violations, many violations. And we did a  
6 walk-through. We met with the tenant association,  
7 and then we met with another building that said the  
8 minute they call 311, management is already at their  
9 door saying why are you calling 311?

10 DEPUTY COMMISSIONER SANTIAGO: And I'd  
11 be- I don't know this building as on the list or not,  
12 Council Member, but we'd be happy to talk with you  
13 further about this.

14 COUNCIL MEMBER JOSEPH: I would love  
15 that.

16 DEPUTY COMMISSIONER SANTIAGO: If the  
17 building is on the list, talk to you about what next  
18 steps we can-

19 COUNCIL MEMBER JOSEPH: [interposing]  
20 Yeah, I would love to do that along with their tenant  
21 association. When HPD go on site and they find let's  
say an ICE agent, what is the protocol?

DEPUTY COMMISSIONER SANTIAGO: Again, as  
I mentioned to the Chair, we have not yet had that to  
my knowledge to have that happen. But in any case

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3 where an inspector goes on site or a field staff  
4 person really, because we do have other field staff  
5 that go to buildings as well, the protocol is to  
6 escalate that within the agency. So, certainly, I  
7 would know if that has happened. We would take  
8 appropriate steps depending on the facts of what is  
9 actually happening the building at that case. So, I  
10 think, you know, our inspectors are fairly good at  
11 identifying unusual situations such as I would  
12 imagine that would be.

13 COUNCIL MEMBER JOSEPH: At 75 Lennox  
14 Road.

15 DEPUTY COMMISSIONER SANTIAGO: I'm  
16 talking about if they come across-

17 COUNCIL MEMBER JOSEPH: [interposing] Were  
18 to encounter-

19 DEPUTY COMMISSIONER SANTIAGO: Yes.

20 COUNCIL MEMBER JOSEPH: ICE. And MOIA,  
21 what are in place for you to work with HPD, DOB, if  
these situation occurs? What resources are out  
there, or community engagement for communities to  
know that these programs exist? Sometime we do great  
work, but no one knows it exists.

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3 DEPUTY COMMISSIONER LUCERO: Yeah, thank  
4 you for that- we've developed- well, there's several  
5 just guidance that we have that include our MOIA  
6 one-pager, and that includes also information for New  
7 Yorkers. It's available in over 50 languages, tenant  
8 rights. We've collaborated with CCHR to put together  
9 immigrants and New York City Human Rights working at  
10 housing. HPD also mentioned this other flyer that we  
11 put together with immigrants Know Your Rights in  
12 housing PEU. We also supported them in putting  
13 together a KYR that they have available at the portal  
14 of information and rights that they have regardless  
15 of status, and as well as the Tenant Bill of Rights.

16 COUNCIL MEMBER JOSEPH: Are these  
17 information also located inside of Housing Court?

18 DEPUTY COMMISSIONER LUCERO: I don't have  
19 the answer.

20 COUNCIL MEMBER JOSEPH: I think that would  
21 be a great place to start as well.

DEPUTY COMMISSIONER SANTIAGO: I would  
also say, and I- listing all those documents reminded  
me. When our inspectors do any inspection, we give  
out a pamphlet about-

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3 COUNCIL MEMBER JOSEPH: [interposing]

4 Okay.

5 DEPUTY COMMISSIONER SANTIAGO: a host of  
6 housing issues.

7 COUNCIL MEMBER JOSEPH: Right.

8 DEPUTY COMMISSIONER SANTIAGO: I think  
9 one of them on there is harassment. It's not  
10 currently specific to immigration harassment, but it  
11 gives them a referral to CCHR and it provides them  
12 information on contacts on who they can go to if they  
13 feel they're being harassed. The definition of what  
14 harassment is, that pamphlet is available in 10  
15 languages. We have a QR code on the back for people  
16 to scan and it says in the 10 languages if you want a  
17 copy of this in Spanish, scan the QR code and takes  
18 them to our website where they can find that document  
19 in their language.

20 COUNCIL MEMBER JOSEPH: In a time- in the  
21 moment that we are in right now, I hope there's a lot  
of collaboration into agency to make this work  
seamless as our tenants in New York City face a high  
rate of harassment, and folks are banking on this  
idea of ICE being in buildings to make sure they're

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3 scarring tenants. Thank you so much. Thank you,  
4 Chairs.

5 DEPUTY COMMISSIONER SANTIAGO: Yeah.

6 Thank you very much, Council Member. And under EO13,  
7 as I mentioned, the agencies are in a very  
8 coordinated way working towards making this  
9 information very educational and directed to the  
10 folks who need it.

11 CHAIRPERSON SANCHEZ: Great. Thank you  
12 so much, Council Member. And the question that you  
13 raised about the property in your district, I think  
14 that's a big part of the reason why we do want a  
15 faster refresh of the data so that we can be  
16 capturing buildings in more than a five-year cadence.  
17 It's really great feedback. Thank you. Council  
18 Member Avilés?

19 COUNCIL MEMBER AVILÉS: Thank you. Good  
20 afternoon. Thank you for being here. I wanted to-  
21 the issue that many immigrant communities face is an  
issue of overcrowding in units and all the safety  
that- safety issues that emerge from those kinds of  
conditions. Is HPD giving any incoming around like

3 severe overcrowding, and how are you addressing that  
4 issue?

5 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
6 Council Member. So, our inspectors have dealt with  
7 overcrowding over the years. I don't think it's a new  
8 issue for us. To the extent that we can allow people  
9 to remain in place, we do. I can't think of a recent  
10 incident where we found such significant overcrowding  
11 that a vacate was necessary on a large scale. We  
12 have in the past found those things. I think our goal  
13 is to make sure that people are safe. Right? To the  
14 extent possible. As you know, or as some of you may  
15 know, when we issue a vacate order, people do have  
16 our emergency housing process available to them, and  
17 that is also regardless of immigration status.

18 COUNCIL MEMBER AVILÉS: And in terms of-  
19 thank you. I mean, I think, obviously, it is an  
20 issue that has persisted over decades and obviously  
21 with the cost of rent in this city, it is no surprise  
that both in immigrant communities and non-immigrant  
communities you'd have overcrowding in units just to  
try to pay for them. However, there have been a  
number of issues related to overcrowding that we've

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3 got to figure out how to address, particularly in  
4 immigrant communities who have language isolation and  
5 maybe do not understand or have not had access to the  
6 kinds of programs information that the city has at  
7 its disposal. In terms of the Certificate of No  
8 Harassment process, once the average time from  
9 application to determination?

10 DEPUTY COMMISSIONER SANTIAGO: For the  
11 pilot period it was even months.

12 COUNCIL MEMBER AVILÉS: And is- what-  
13 seems like a long time. A lot happens in seven  
14 months. What kinds of elements determine that  
15 timeframe, and has HPD looked at ways to reduce that  
16 timeframe?

17 DEPUTY COMMISSIONER SANTIAGO: So, there  
18 are set periods in the law for us to do outreach.  
19 There's a 45-day response period that we can extend  
20 to 60 days. Our teams need to go out and speak to the  
21 residents, right, and we try to find people who used  
to live there as part of the application. It's not  
only the owner giving us information about the people  
who are currently living at the building, but any  
information they might have about people who have

3 moved during the period, where they have contact  
4 information. So, it does take us some time generally  
5 to do all of that investigation and outreach. That  
6 average also includes cases where there were initial  
7 determinations of harassment which maybe take a  
8 little bit longer time, because we really need to  
9 prepare after there's that initial determination of  
10 harassment. There's an OATH hearing, right, that  
11 needs to occur before the certificate is denied. We  
12 continue to look as always at administratively how  
13 you can reduce the time. We did have, as mentioned  
14 before, early in the period, right, coming out of  
15 COVID. You know, we had some staffing challenges,  
16 and now we're in a better place. And I think we will  
17 continue to try and for those landlords who have not  
18 harassed, right- we make a determination that there  
19 was no harassment, and we grant that certificate to  
20 try and minimize the time for that process. But  
21 again, we want to make sure that we're thorough, that  
we've investigated all potential allegations of  
harassment.

COUNCIL MEMBER AVILÉS: Thank you. In  
terms of any specific data, have you noted data-

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3 obviously you're not 311. But have you noted any data  
4 at the intersection of, you know, immigration  
5 enforcement, harassment that I think would- I guess  
6 do you have any data on that at all.

7 DEPUTY COMMISSIONER SANTIAGO: I don't at  
8 HPD. I think that might be a focus of this E013  
9 group, you know, to start looking at data across  
10 various challenges that immigrants are facing. I  
11 don't know. I'll turn it to my colleagues at MOIA if  
12 they have any data.

13 DEPUTY COMMISSIONER LUCERO: We don't  
14 have anything regarding 311, but we do have data  
15 regarding the Ask MOIA hotline where folks call-

16 ASSOCIATE DIRECTOR GOMEZ: Thank you for  
17 that question, Chairs. So, in 2025, there were 151  
18 calls to the MOIA hotline or emails to the email  
19 account having to do with housing, and that covers a  
20 wide swath of things. It's case of harassment.  
21 That's cases of folks looking for what types of  
housing assistance they may be eligible for. We  
don't break it down any further than that beyond it  
being housing related, but we do understand that that  
is a need.

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3 COUNCIL MEMBER AVILÉS: What was the  
4 percentage of the total related to housing?

5 ASSOCIATE DIRECTOR GOMEZ: It's about a  
6 little bit under 10 percent of the total calls that  
7 have come in and emails that have come in are related  
8 to housing.

9 COUNCIL MEMBER AVILÉS: Okay. It would be  
10 great to understand disaggregated- that disaggregated  
11 data given it is a small subset. It would be helpful  
12 to know what the buckets are that are concerning  
13 community members who are engaged in making that  
14 outreach. We want to make sure we're able to respond  
15 to them.

16 CHAIRPERSON SANCHEZ: Thank you, Council  
17 Member Avilés. Just a quick follow-up on the  
18 investigation that HPD conducts. So, you are not  
19 looking for harassment yourself as an agency. You're  
20 looking to external decisions on whether harassment  
21 has been found, is that right? And then what are you  
looking for?

DEPUTY COMMISSIONER SANTIAGO: Yeah. We-  
and to answer this question more fully, I'm going to

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3 call up Assistant Commissioner Weithman who oversees  
4 the program to give a more thorough answer.

5 CHAIRPERSON SANCHEZ: Thank you.

6 ASSISTANT COMMISSIONER WEITHMAN: Thank  
7 you for that question. So, the investigation  
8 includes- our investigators speak with former and  
9 current tenants. They do research in all of the city  
10 databases to find any violations, obviously issued by  
11 HPD, but also from DOB, the Health Department. It's a  
12 very broad-reaching investigation. We also look at  
13 HCR data. We visit the building. We do inspections,  
14 and based on the investigator's report, it then goes  
15 through a legal review. And so that's based on all  
16 the interviews of current and former tenants, as well  
17 as any stakeholders in the communities. We do get  
18 often- sometimes we get comments from elected  
19 officials office, obviously from CBOs and legal  
20 services providers. So, it's not so much of looking-  
21 if HCR has issued a determination of harassment, we  
would have known that, but it's really about our  
assessment of all of the data that we are collecting  
to make our own assessment as to whether or not we

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3 believe there's reasonable cause that harassment did  
4 occur.

5 CHAIRPERSON SANCHEZ: Got it. Thank you  
6 so much. That's really helpful. So, now back to  
7 Chair Encarnacion.

8 CHAIRPERSON ENCARNACION: Thank you. I  
9 am- you know, a lot of the questions about the timing  
10 and stuff is really important because I guess now  
11 with the harassment, it's like that threat is a phone  
12 call away from tearing someone's life away, apart.  
13 You know, and so it is the urgency of following up on  
14 these calls is really important, and I'm you know,  
15 hearing that 10 percent of the calls to MOIA kind of  
16 fall under that cross-section. It's surprising quite  
17 frankly. So I wanted to kind of understand how do  
18 you current define immigration status based tenant  
19 harassment?

20 DEPUTY COMMISSIONER LUCERO: I mean, the  
21 callers themselves would identify it. So, they would  
say- I can give you one example of a caller coming in  
and saying my landlord wants me out because- and  
people will say because I'm an immigrant. I would  
take that very broadly, and I know that the question

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3 was raised before regarding some of the buckets which  
4 we don't have handy, but that's like a very broad  
5 sort of statement that we've received from our  
6 External Affairs arm who manages some of these phone  
7 calls.

8 CHAIRPERSON ENCARNACION: So, the things  
9 like a whole building not having heat or hot water  
10 and then, you know, you seeing like further down the  
11 line, would that be tagged or flagged as possibly an  
12 immigrant-based threat or tactic or whatever by the  
13 landlord?

14 DEPUTY COMMISSIONER LUCERO: Yeah. so, I  
15 can walk you through what happens now.

16 CHAIRPERSON ENCARNACION: Okay.

17 DEPUTY COMMISSIONER LUCERO: I think that  
18 might sort of help based on how the calls and what  
19 we've received them. Typically, we get calls  
20 connected to code violations. So, if there's  
21 repairs- to the question you just asked, and if  
people say that it's basis of like natural origin or  
harassment, we refer those to HPD. we go a little  
bit further there. If there's additional questions  
that are identified as like this is something that's

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3 constant, we'll also make a referral to CCHR, to the  
4 Commission on Human Rights so folks have the ability  
5 to file complaints against that landlord based on  
6 harassment issues like that.

7 CHAIRPERSON ENCARNACION: Does anybody go  
8 out to the building?

9 DEPUTY COMMISSIONER LUCERO: Currently we  
10 don't have people that go out into the building.  
11 However, we did do some work with overseeing just  
12 where the buildings are, the program that's being  
13 talked about. Our outreach team has been in the  
14 neighborhoods since the beginning of the year. We've  
15 been in about 61 percent of the buildings that are  
16 part of the pilot program, and that was just in the  
17 beginning of January. We find that with immigrants  
18 especially the first touchpoint is also just to share  
19 information of what the thing might be called and  
20 identified as, and that's part of some of the work  
21 that we've done in the outreach level, but we haven't  
22 directly been deployed or go to buildings per say.

23 CHAIRPERSON ENCARNACION: Yeah, I think  
24 that that's where people are kind of falling through  
25 the cracks, because there's calls being made of- that

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3 all are kind of flagging possible tenant harassment  
4 due to this, but then nobody's really follow- like,  
5 the onus is on the tenant to explicitly say and then  
6 look for resources and then connect to folks, and I  
7 think that- you know, if there was someone kind of  
8 going on and following up on these calls, which I  
9 know that, you know, one of the issues is MOIA's  
10 current headcount and the budget that you have for  
11 tenant outreach. So, can you talk a little bit about  
12 that and how- what that looks like, what is the  
13 current headcount specifically for tenant outreach,  
14 Know Your Rights education, and- yeah.

12 ASSOCIATE DIRECTOR GOMEZ: So, MOIA

13 doesn't have currently a division dedicated to tenant  
14 outreach, but we do embed that work across our work  
15 as an agency, especially in our outreach team which  
16 consists of 17 individuals.

16 CHAIRPERSON ENCARNACION: How?

17 DEPUTY COMMISSIONER LUCERO: What type of  
18 work they do you mean?

19 CHAIRPERSON ENCARNACION: Yeah, like how  
20 is that embedded in-

21

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3 DEPUTY COMMISSIONER LUCERO: [interposing]

4 And then I could also just talk about MOIA just  
5 overall. So, with the External Affairs team, as I  
6 mentioned as one of the data points, we have folks  
7 who are deployed to immigrant dense neighborhoods.  
8 Again, 61 percent of them have been deployed to the  
9 districts or zip codes in which the pilot program  
10 that we're talking about at the beginning of the year  
11 have been providing, again, information regarding  
12 tenant rights generally. In connection to the work  
13 that we also do with our communications arm, we've  
14 also developed- and this was mentioned in the  
15 testimony, but we created and develop- support in  
16 developing a flyer and held a roundtable to share out  
17 information- this was back in 2025- on some of the  
18 issues that we were hearing regarding tenant  
19 harassment. So, those are two sort of touch points  
20 that are both with our external and outreach arm as  
21 well as with our communications arm.

18 CHAIRPERSON ENCARNACION: Yeah. I'm  
19 always going to, you know, fight for more to be done  
20 there. I just think that it's really hard, and that's  
21 one of the hardest things about, you know, tenant

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3 organizing is that you have to kind of go out to the-  
4 and build that trust with the residents and be on  
5 site with the tenants and connect them to those  
6 resources. It's laborious work and it's not easy,  
7 right? But it's necessary if we're going to start  
8 identifying and protecting tenants so they can feel  
9 safer, because right now the onus is really on them  
10 to step forward and that's a really scary thing and a  
11 really scary reality right now. So, I'm trying to,  
12 you know, kind of get to that point. So, when you do  
13 have a connection with someone who is facing  
14 harassment for the basis of- for the basis of their  
15 immigration status, what guidance do you have for  
16 them? Like, what do you tell them to do?

14 DEPUTY COMMISSIONER LUCERO: Yeah, we  
15 certainly inform them of their right to connect with  
16 either 311 or the Commission on Human Rights. If  
17 they're interested in filing a complaint as well as  
18 sharing that they could, you know, speak with- based  
19 on the language that they speak, that they can be  
20 filing those complaints. So, we do direct folks to  
21 CCHR.

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3 CHAIRPERSON ENCARNACION: But that's- so  
4 you're- they're calling you and you're telling them  
5 to call someone else. That's what I'm trying to get  
6 to. So, there's no connecting- MOIA connecting  
7 directly to those services. They would then just  
8 know that they could go and get the services  
9 elsewhere?

10 DEPUTY COMMISSIONER LUCERO: That's what's  
11 been done in the past, and I think Commissioner Ali  
12 [sic] when she first came to testify she indicated  
13 and mentioned that we as MOIA will be even more  
14 embedded within the affordability agenda. So step  
15 one of what we've done is increased the outreach to  
16 some of these neighborhoods that we've mentioned.  
17 Currently, the process is as I mentioned, but I know  
18 that after this hearing and also based again on the  
19 needs across the city and citywide efforts, connected  
20 to the affordability agenda with the mayor there will  
21 be potential other touch points, but that's currently  
what we have as it stands.

CHAIRPERSON ENCARNACION: Okay, perfect.

And I will-

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3 DEPUTY COMMISSIONER SANTIAGO:

4 [interposing] And again, I'd like to say the Partners  
5 in Preservation program, through their community  
6 organizers, again, if you have not seen the flyer, we  
7 certainly can get those for you- are also in the  
8 neighborhoods, in the buildings talking to people and  
9 directing them directly to the Commission on Human  
10 Rights.

11 CHAIRPERSON SANCHEZ: Awesome. Thank  
12 you. Yeah. I just feel like there's a lot being  
13 surfaced that's really helpful for us to know and  
14 understand and, you know, continue to push for and  
15 during the budget process as well. I have some more  
16 questions, but I kind of just- I feel compelled to  
17 make a statement, in part because of my constituents  
18 and some of the things- some of rhetoric that I hear  
19 on the ground sometimes, and then of course you know,  
20 it's repeated in the media about how immigrants get  
21 everything. Immigrants are taking advantage of so  
many services, and the reality that- I think and our  
committee report has highlighted and what we're  
talking about here today, that, you know, immigrant  
New Yorkers and particularly undocumented immigrant

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3 New Yorkers are really not eligible for most of the  
4 programs that the city has available. And so when  
5 we're talking about the anti-harassment programs that  
6 you all run and that we're trying to strengthen here  
7 today through the Certificate of No Harassment, it's  
8 just really critical work, because there are  
9 immigrant New Yorkers and particularly our  
10 undocumented immigrant New Yorkers are already living  
11 in such precarious conditions. So we really do have  
12 to advance this work further. So, I want to follow  
13 up on a question that I asked before, but from the  
14 DOB perspective. If our Assistant Commissioner could  
15 join us at the dais. Again, it's a fun game of  
16 musical chairs. We're going to administer the oath  
17 and then I'll go into the question.

18 COMMITTEE COUNSEL: Please raise your  
19 right hand. Do you affirm to tell the truth, the  
20 whole truth and nothing but the truth before this  
21 committee and to respond honestly to Council Member  
questions? Thank you. You may proceed.

19 CHAIRPERSON SANCHEZ: Thank you,  
20 Assistant Commissioner. So, HPD touched on this  
21 earlier. HPD CONH pilot program report indicated

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3 that when buildings are placed on the list they tend  
4 to avoid undertaking serious projects that would  
5 require certification. DOB foresee- sorry, that  
6 sentence is not very good looking English. Well,  
7 essentially the question is from DOB's perspective.  
8 Do you- do you see any essential work being delayed  
9 from buildings that are participants in the CONH  
10 program that are on the list?

9 ASSISTANT COMMISSIONER AGOSTINO: Well,

10 the program is the deterrent, and I think that  
11 reflects in the numbers, and the essential work  
12 whether it's gas or plumbing or electrical or  
13 essential services, that is something that is a  
14 carve-out and we do proceed with that, right? The  
15 CONH program is really there to prevent changes in  
16 the layout, right, and changes to the occupancy of  
17 the building or to see major changes that room count  
18 or the number of units. So, those essential services  
19 would not be held up unless they're all combined  
20 together. They file one large application. So,  
21 those are things that could complicated it, but yeah,  
that's where we come in when we see something like if  
a building is vacated. Right? That's a situation

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3 where exceptions are made, right? If there's a fire  
4 or something along those lines or a structural  
5 issues.

6 CHAIRPERSON SANCHEZ: Thank you. Have  
7 you- have we seen a lot of these sort of bigger  
8 applications that have alteration work, but also some  
9 of the essential work? I mean, and then just getting  
10 to the bottom of it, I think I just really want to  
11 make sure that from the agency's perspective there is  
12 not the thinking that these buildings are putting off  
13 any essential work, any work that is essential to the  
14 health and safety of tenants?

15 ASSISTANT COMMISSIONER AGOSTINO: That's  
16 not what we generally see. That's like a complicated  
17 type of situation. To try to answer your question,  
18 that's how essential work might be delayed, but the  
19 architects and engineers-

20 CHAIRPERSON SANCHEZ: [interposing] But it  
21 can be disaggregated.

22 ASSISTANT COMMISSIONER AGOSTINO: The  
23 architects and engineers that file these jobs,  
24 they're aware of the CONH limits. And if they put in  
25 extra work that will limit them from getting their

3 permit, it'll complicate it. So they will  
4 specifically put in- they have to answer a question  
5 that says are you changing the layout? If they check  
6 no, they can proceed with their permit. If they  
7 check yes, then they have to the CONH, and then they  
8 then get restricted by the program. So, they are  
9 aware of the restrictions.

10 CHAIRPERSON SANCHEZ: Yeah. No, that  
11 makes a lot of sense, and does HPD- have you've  
12 received applications for CONH like that where it's a  
13 big scope of work? Do you advise them to separate  
14 the work so that the essential work is completed?  
15 Welcome back, Marti.

16 ASSISTANT COMMISSIONER WEITHMAN: Thank  
17 you, Chair. From HPD's perspective, we really rely  
18 on DOB to make- to identify the buildings that do  
19 require the CONH. so we don't necessarily dig into  
20 the plans. So, I can't really speak to how often  
21 that happens.

CHAIRPERSON SANCHEZ: Okay. Does HPD or  
Buildings, do you have any recommendations or changes  
in the definition of covered work for this either  
because we want to make sure that no essential work

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3 is, you know, not being done, or because there's  
4 other categories of work that we should be limiting  
5 for covered buildings?

6 ASSISTANT COMMISSIONER WEITHMAN: At this  
7 time, we do not have any recommendations to expand  
8 that definition.

9 CHAIRPERSON SANCHEZ: Okay. Thank you.  
10 Okay, so moving back to just the structure of the  
11 program, local and state laws often change what  
12 constitutes tenant harassment. How does- two part  
13 question. How does the CONH integrate any changes  
14 from other local laws? And second, the first pilot  
15 was before the HSTPA that strengthened rent laws in  
16 New York City, and then the pilot extension was after  
17 HSTPA. So, I'm curious of HPD has analyzed or  
18 uncovered any changes in the landscape for CONH  
19 covered buildings in the pilot versus the pilot  
20 extension.

21 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
Council Member. Definitely the change with the HG-  
with the state laws impacted the incentive to harass  
tenants how to be able to increase the rent, you  
tremendously upon vacancy. And so, we would have to

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3 say that definitely those changes have made this type  
4 of harassment less profitable, right? I think that  
5 that's clear. I think in terms of doing any specific  
6 analysis around it, I don't think that we have done  
7 that. I will turn it over to Assistant Commissioner  
8 Srini.

9 ASSISTANT COMMISSIONER SRINI: It's  
10 limited, but we do- we did look at rent impairing  
11 violations before the 2022 pilot and after the 2022  
12 pilot for pilot-buildings as compared to eligible  
13 buildings, and we found that for rent impairing  
14 violations in pilot buildings-

15 CHAIRPERSON SANCHEZ: [interposing] For  
16 what violations?

17 ASSISTANT COMMISSIONER SRINI: Rent  
18 impairment violations.

19 CHAIRPERSON SANCHEZ: Rent- yes.

20 ASSISTANT COMMISSIONER SRINI: There  
21 were- there was a reduction in those violations for  
pilot buildings of around 16, nearly 17 percent,  
whereas for eligible buildings rent impairing  
violations increased by 38 percent. So, we do see

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3 some benefit. We can't establish causation, of  
4 course, but we did find them.

5 CHAIRPERSON SANCHEZ: But it indicates  
6 the program is incentivizing the right kind of  
7 behavior which is ultimately what this is about,  
8 right, incentivising the kind of behavior we want to  
9 see or disincentivizing the behavior we don't want to  
10 see. This may or may not be my last question, but  
11 the CONH program currently uses changes in ownership  
12 to calculate the building quality index, BQI. How  
13 does HPD define owner for the purposes of the BQI and  
14 how does HPD track when ownership has changed?  
15 Because we are interested in application of the CONH  
16 to buildings- building owner's entire portfolio, not  
17 just the specific property.

18 ASSISTANT COMMISSIONER SRINI: Yeah,  
19 thank you for that question. Have noted that  
20 proposed change and understand the thinking behind  
21 it. I think we would just say that the- there's  
22 limited methodologies for identifying ownership and  
23 linking ownership, and so our data will there only be  
24 as good as the property registration is. That's what  
25 we use to identify the owner right now.

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3 CHAIRPERSON SANCHEZ: Which we are going  
4 to make an online process after I get that bill back  
5 and we change the multiple dwelling registration.

6 Okay, understood. But just in terms of the way that  
7 our bill defines buildings with a common owner.

8 We're using the head officer, buildings with a head  
9 officer, counting those as having a common owner.

10 What are you- what is HPDs thinking or opinion on  
11 this proxy?

12 ASSISTANT COMMISSIONER SRINI: Yeah, I  
13 think we're still looking into it. Again, the head  
14 officer is not always the per- we're concerned about  
15 when the head officer is not always the person that's  
16 responsible for the harassment and holding the right  
17 entity accountable and so we're going to continue to  
18 look into this and provide some recommendations.

19 CHAIRPERSON SANCHEZ: Thank you.

20 CHAIRPERSON ENCARNACION: I just had one  
21 more question. For MOIA, how do you collaborate with  
the state when it comes to tenant harassment? Like,  
would you ever connect someone to someone such as the  
attorney general's office, for example?

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3 DEPUTY COMMISSIONER LUCERO: We

4 collaborate with them mostly, and again, like some  
5 things will be I think shifting soon, but we  
6 collaborate with them mostly on legal services. So  
7 work very closely on ONA [sic]. On the state, not as  
8 much, with housing certification, not that much.

9 CHAIRPERSON ENCARNACION: Okay, perfect.

10 And then last one, last, last one. When a resident  
11 comes into any one of our Council Members's offices  
12 and we feel that we are hearing from our intakes that  
13 this sounds like a perfect case of a tenant being  
14 harassed by their landlord, because of their  
15 immigration status. Who should be the first call  
16 that we make it to?

17 DEPUTY COMMISSIONER LUCERO: You can  
18 always make it to us, and we will- and have in the  
19 past, it's one of the central hub to then connect  
20 them with the right resource, the right agency.

21 CHAIRPERSON ENCARNACION: Perfect. Thank  
you.

DEPUTY COMMISSIONER SANTIAGO: I would  
just say if there are buildings conditions as well,  
you should reach out to HPD's intergovernmental

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3 office to see if we are already involved with the  
4 building or if we should be. So, with a little bit  
5 of detail about what actually is happening in terms  
6 of the physical conditions of the building. Mia  
7 Perez [sp?], our Intergovernmental team takes those  
8 referrals from Council Members all the time.

9 CHAIRPERSON ENCARNACION: I think it's  
10 important too that you all see us as a resource as  
11 well as being people connected to our communities.  
12 So, for example, if there are a cluster of buildings  
13 in any one of our districts, we should also be  
14 alerted so that we can help and work with those  
15 residents and offer resources that we might find  
16 available to them as well, because I think that there  
17 are many times in the four months that I've been in  
18 office now, I've already encountered four buildings  
19 within my district that are in very bad condition,  
20 falling in disrepair, and completely related to this  
21 topic. And a few feet away from my district office  
that we didn't even know if things were happening and  
they are connected to HPD or DOB, maybe to like  
telling their neighbors, but I think that closing the  
loop and seeing us as a resource is important as

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3 well. So hopefully that's something that we can add  
4 on, especially when there's like more than one or one  
5 property manager that has many developments in our  
6 district.

7 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
8 Council Member. We'll definitely keep you on speed  
9 dial instead.

10 CHAIRPERSON SANCHEZ: You know where to  
11 find us. Well, with that I- oh, yeah, I wanted to  
12 make this PSA, right, to the millions of people  
13 watching at home, billions- no. But to the press,  
14 right, as you cover this hearing and you cover what  
15 we're talking about here today, I think it is very  
16 important to underscore the importance for New  
17 Yorkers to call 311, right? Buildings and their  
18 tenants, tenants and landlords should always try to  
19 talk to each other first. They should try to resolve  
20 issues first, but there are those landlords who are,  
21 you know, for one reason or another not doing as they  
should, and when you call 311, when you make that  
complaint and HPD is able to go out there and  
agencies are able to go out there, you build the data  
sets that are quite literally triggering all of these

3 actions by our agencies, the CONH program and  
4 countless others. So, to the millions of you  
5 watching- maybe dozens- to the millions of you  
6 watching, just really underscoring that point. And  
7 to the members of the administration, thank you so  
8 much for your testimony. We're going to be moving to  
9 the public.

10 DEPUTY COMMISSIONER SANTIAGO: Thank you.

11 CHAIRPERSON SANCHEZ: We're just taking a  
12 two minute recess, and we will start up with the  
13 public comment.

14 [break]

15 CHAIRPERSON SANCHEZ: Alright. Chair  
16 Encarnacion will be right back, but I'm going to open  
17 the hearing for public testimony. I remind members  
18 of the public that this is a formal government  
19 proceeding and that decorum shall be observed at all  
20 times. As such, members of the public shall remain  
21 silent at all times. The witness table is reserved  
for people who wish to testify. No video recording  
or photography is allowed from the witness table.  
Further, members of the public may not present audio  
or video recordings as testimony, but may submit

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3 transcripts of such recordings to the Sergeant at  
4 Arms for inclusion in the hearing record. If you  
5 wish to speak at today's hearing, please fill out and  
6 appearance card with the Sergeant at Arms and wait to  
7 be recognized. When recognized, you will have two  
8 minutes to speak on today's hearing topic of the  
9 tenant harassment against immigrant New Yorkers and  
10 the Certificate of No Harassment program, including  
11 the following legislation, Intro. 839. If you have a  
12 written statement or additional written testimony you  
13 wish to submit for the record, please provide a copy  
14 of that testimony to the Sergeant at Arms. You may  
15 also email written testimony to  
16 testimony@council.nyc.gov within 72 hours of this  
17 hearing. Audio and video recordings will not be  
18 accepted. And I will now call the first panel:  
19 Ibrahim Ramoul from Make the Road, Divya Korada,  
20 Urban Justice, Sebastian Perez, Legal Aid, and Katie  
21 Anderson, NYLAG. And we're going to add Peter Estes  
to this panel from ANHD. And whoever is ready can  
begin.

DIVYA KORADA: Good morning, Council  
Members. My name is Divya Korada and I'm a Staff

3 Attorney with Urban Justice Center's Safety Net  
4 Project. The Safety Net Project combines direct legal  
5 services, community organizing and policy advocacy to  
6 build social and economic justice for indigent New  
7 Yorkers. As a staff attorney I work primarily on  
8 eviction defense in the Bronx through the Right to  
9 Counsel program. While I'm here today to talk about  
10 the concerning pattern of landlord harassment of  
11 tenants that I've personally seen, the tenants I work  
12 with, I want to highlight that the tenants who face  
13 this discrimination are hesitant to testify because  
14 of the risk further harassment. Our office has  
15 encountered a troubling pattern of landlords  
16 targeting tenants based on their immigration status  
17 which has even led tenants to self-evict in some  
18 cases. We've seen landlords who systematically use  
19 the threat of immigration enforcement to prevent  
20 their tenants from asserting their rights, for  
21 example through making calls to 311. We recommended  
that HPD can and must take action against these  
landlords by aggressively litigating 70 proceedings  
and comprehensive HPs to limit these landlords'  
engagement with vulnerable tenants. We found that in

3 the Bronx tenants may not have pathways to legalize  
4 their status which makes them especially vulnerable  
5 in this climate. The tenants that we work with had  
6 individual meetings with our managing director for  
7 immigration advice. And this is partially what has  
8 empowered them to step up and take action. However,  
9 many legal services providers do not have these kinds  
10 of resources, and the city must do more to fund the  
11 resources for immigration advice in these situations.  
12 We've also seen landlords successfully utilize calls  
13 to ICE about tenants. A tenant I worked with refused  
14 to show up to court because his landlord had been  
15 telling him that ICE would show up at the courthouse.  
16 Through the course of this case after his landlord  
17 had actually asked me personally personally about his  
18 immigration status. This tenants was detained by ICE  
19 and my office had to scramble to find immigration  
20 support for him. This is something we were able to  
21 do because we had the recourse, but ultimately, legal  
services providers do need to be able to provide this  
time of life as well.

CHAIRPERSON SANCHEZ: Thank you.

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3 IBRAHIM RAMOUL: Good morning. My name  
4 is Ibrahim Ramoul and I'm a housing attorney a Make  
5 the Road, a community-based organization representing  
6 tenants in Brooklyn and Queens. We represent 100s of  
7 tenants each year in eviction proceedings, legal  
8 lockouts, HP cases, and 7As. Make the Road fully  
9 supports the proposal to expand and make permanent  
10 HPD's Certificate of No Harassment program. Indeed,  
11 in the past year we have seen a worrying uptick in  
12 landlord harassment and threats related to tenant's  
13 perceived or actual immigration status.

14 Particularly, we're very concerned with the  
15 increasing number of tenants who have received  
16 threats by the landlords to call ICE or have had ICE  
17 been called on them. These threats are often  
18 leveled not just as retaliation, as Chair Sanchez  
19 mentioned in the introduction, but also in an attempt  
20 to secure an outcome for the landlord that they would  
21 otherwise not be entitled to. For example, we've had  
landlords threaten to call ICE if a tenant didn't  
vacate within 10 days, and we know there's no  
eviction process scheduled or no court proceeding in  
the works. We've also had a landlord threaten to

3 call ICE when a tenant did not pay a new higher rent  
4 that the landlord had decided they wanted to charge,  
5 even though they had not offered a corresponding  
6 lease agreement. There are obviously laws in place  
7 and institutions, corresponding institutions where  
8 these issues are dealt with. Sometimes however, they  
9 can feel inadequate as has been said often now for  
10 starters when a political climate when immigrant  
11 tenants are understandably very hesitant to seek out  
12 state or local agencies, law enforcement, or other  
13 resources that are meant to help them. We've had  
14 members at Make the Road, for example, who have  
15 shared with us that their landlord threatened to call  
16 ICE on them, but who are too afraid to even tell us  
17 the full story even anonymously for fear of  
18 retaliation. Some of the forums are also  
19 understaffed or underfunded and are not set up to  
20 provide suitable and timely remedy, at least not on  
21 their own. For example, the fines and compensation  
structure in Housing Court can sometimes not be  
enough or it may not deter landlords from continuing  
to engage in this unlawful behavior. So as a result  
in our- it's the case in our practice usually that

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3 harassment counter claims are worked in with other  
4 issues during settlement negotiations and it's  
5 historically not a strong incentive to seek out  
6 harassment findings specifically [inaudible]  
7 landlords versus obtaining some rent reduction or  
8 related benefit which would benefit the tenant. So  
9 we, you know, support this pilot program and we think  
10 it's be a great- another avenue for tenants to pursue  
11 justice. Thank you.

12 CHAIRPERSON SANCHEZ: Thank you.

13 KATIE ANDERSON: Good morning and thank  
14 you for the opportunity to testify in support of this  
15 legislation. My name's Katie Anderson. I'm a staff  
16 attorney at New York Legal Assistance Group in the  
17 Tenants' Rights Unit. Across all of NYLAG's programs  
18 we represent immigrant communities including in True  
19 [sic] where we represent immigrants and their  
20 families as they're being evicted. And in our  
21 practice at True we've seen alarming pattern of  
landlords attempting to circumvent the legal  
proceeding for an eviction, for starting a new  
eviction case by threatening retaliation against our  
clients based on their immigration status. This

3 pattern is across many different housing types from  
4 rent stabilized apartments to public housing, to even  
5 superintendent apartments. One of our clients in a  
6 rent stabilized apartment had his landlord stop  
7 accepting rent and told him if he did not vacate his  
8 apartment, that he would call ICE, even though no  
9 formal eviction process had been commenced at that  
10 point. Another immigrant client in public housing  
11 was told by a NYCHA employee they would call ICE if  
12 he continued to try to assert his son's [sic] rights  
13 to the apartment. And in another case, an  
14 undocumented client of ours was working as a super  
15 where his only compensation was his apartment. When  
16 he found an employment complaint, his landlord  
17 started multiple eviction proceedings against him to  
18 the point that our client left the apartment and  
19 self-deported back to the D.R. The threat of  
20 retaliation deeply impacts our clients as there's  
21 little recourse available for this behavior,  
especially since many of our clients don't want to go  
on the record in Housing Court on these issues and  
face further retaliation. Housing is just one of the  
ways our immigrant clients face this harassment in

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3 their day-to-day lives, and this proposed legislation  
4 is a meaningful step towards extending protection and  
5 accountability, with our immigrant clients being  
6 especially vulnerable to harassment and retaliation.  
7 Based on their immigration status, it's our sincere  
8 hope that City Council will make this pilot program  
9 permanent and ensure that immigrant New Yorkers are  
10 not harassed out of their homes.

11 SEBASTIAN PEREZ: Good morning, Chair  
12 Sanchez, and Chair Encarnacion. My name is Sebastian  
13 Perez and I am staff attorney with the Legal Aid  
14 Society- that was fast- the Legal Aid Society's  
15 Housing Justice Group Advocacy Unit in Manhattan.  
16 Thank you for the opportunity to testify in support  
17 of the proposed enhancement to the Certificate of No  
18 Harassment program. While this program is a vital  
19 shield against unlawful displacement, our practice  
20 sees firsthand how the current framework can leave  
21 our city's most vulnerable neighborhood, particularly  
immigrant tenants exposed to predatory tactics. As  
the Council is aware, harassment is defined by any  
act or omission intended to force a awful occupant to  
surrender their rights to vacate their home. For

3 immigrant New Yorkers, this harassment often takes a  
4 specific sinister form. The threat of ICE or DHS  
5 involvement and deportation. His glooming threat  
6 creates a silence tax where tenants endure illegal  
7 living conditions out of the fear of retaliation.  
8 Our case stories illustrate why we need more robust  
9 protections and earlier triggers proposed in our  
10 recommendations. For example, in Manhattan we  
11 represent tenants who live without heat or hot  
12 weather for a full decade. They remain silent  
13 because their landlord told them that as immigrants  
14 they had no rights and that any complaint would  
15 result in ICE removal. It was only when the building  
16 lost all water and electricity this year that they  
17 felt they had no choice but to seek legal help. In  
18 the Bronx, a landlord attempted to dismantle a tenant  
19 association by threatening to call ICE residents for  
20 simply meeting in the lobby. The landlord went as  
21 far a posting physical notice throughout the building  
using federal immigration enforcement as a tool to  
suppress organized advocacy. A second case in the  
Bronx, after an immigrant family with minor children  
refused an illegal \$700 rent increase on the

3 mis-classified market rate unit. The landlord filed a  
4 false criminal complaint with ICE and left copies of  
5 the filing on the families' doorstep to terrorize  
6 them. We are currently seeking a permanent  
7 injunction to stop this egregious behavior. These  
8 are not isolated incidents, they are every day  
9 reality for immigrant tenants, because an ultimate  
10 legal finding of harassment is notoriously difficult  
11 to secure and often requires years of litigation. We  
12 urge the Council to incorporate earlier triggers for  
13 CONH required lists. We cannot wait for the most  
14 egregious cases to reach a final judgement. Before  
15 the program's connections kick in, by then the damage  
16 is often done and tenants are often gone.

14 CHAIRPERSON SANCHEZ: You conclude?

15 SEBASTIAN PEREZ Yes.

16 ASSISTANT COMMISSIONER NECKLES: Yes,  
17 okay. Alright, thank you.

18 PETER ESTES: Good morning and thank you  
19 to the Committee Chairs Sanchez and Encarnacion and  
20 members of the committees for the opportunity to  
21 testify today. My name is Peter Estes and I'm senior  
housing policy associate at the Association for

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3 Neighborhood and Housing Development. ANHD is  
4 composed of over 80 community-based organizations  
5 working toward housing, economic and racial justice  
6 all across the city. Tenant harassment is one of the  
7 most pernicious tools of displacement. Landlords  
8 neglect essential services, ignore repairs, use  
9 unpermitted construction to make homes unlivable, and  
10 inundate tenants with unsolicited buyout offers.  
11 These tactics are wielded most effectively against  
12 those with fewest resources to fight back, elderly  
13 and disabled tenants, mixed-status families and low  
14 income New Yorkers. As highlighted clearly today,  
15 our immigrant neighbors face additional layers of  
16 harassment. ANHD members reported landlords- an  
17 increase in landlords calling ICE on tenants who  
18 organized to improve building conditions, targeting  
19 them through discriminatory racial and ethnic  
20 profiling. These chilling acts come against the  
21 backdrop of intensified federal attacks on immigrants  
and require urgent action. We must do everything in  
our power at the local level to reaffirm our  
commitment to safety through community and strong,  
stable neighborhoods. The CONH program is a critical

3 tool to deter harassing behavior. ANHD helped lead  
4 the original campaign for the program passed in 2018  
5 and improved by the Council in 2021 which targets  
6 buildings at elevated risk of harassment. When an  
7 owner of a listed building seeks permits for covered  
8 categories of alterations, they must first  
9 demonstrate that no harassment has occurred or face a  
10 five-year freeze on permits that put tenants at risk  
11 of displacement with an option to cure the denial by  
12 providing permanently affordable housing. The  
13 program covers just 2.5 percent of eligible  
14 buildings, perhaps too few, but it is working to  
15 identify the buildings where tenants are most at  
16 risk. Denial rates are significantly higher than  
17 incomparable CONH programs, and buildings on the list  
18 have seen noteworthy reductions in violations  
19 relative to similar buildings. I have a few-

20 CHAIRPERSON SANCHEZ: [interposing] You  
21 may conclude.

PETER ESTES: ANHD strongly supports  
making the program permanent with a few targeted  
improvements. First, extending protections  
portfolio-wide when a landlord is denied a CONH.

3 Similar spirit as the proposed changes from the  
4 Council Member's current bill, but maybe go beyond.  
5 Two, requiring a CONH before any building sale to  
6 interrupt cycles of displacement. Recalculating the  
7 building qualification index annually rather than  
8 every five years, and retaining buildings with  
9 pre-2021 harassment findings so that landlords cannot  
10 simply age out of accountability for actions during  
11 some of the most tumultuous years in our city. We  
12 also do not think that HPD's proposed changes to the  
13 cure presented in their report which would replace  
14 the affordable housing requirement with an  
15 independent monitor is sufficient deterrent for a  
16 meaningful consequence. I have other recommendations  
17 related to strengthening the program that we've  
18 discussed and their included in my written testimony.  
19 Thank you again for the opportunity to testify.

20 CHAIRPERSON SANCHEZ: Thank you.

21 CHAIRPERSON ENCARNACION: I just want to  
say thank you. I know many of you have actually  
worked with some of the residents in my district  
specifically in some of the cases, and so I just  
thank you for the work that you do.

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3 CHAIRPERSON SANCHEZ: Thank you, Chair. I  
4 just have one follow-up question on the many stories  
5 that you all highlighted. So, are you in every  
6 instance pursuing a finding of harassment in these  
7 cases, and if you are, you know, what are the time  
8 drivers or what are the barriers to that finding  
9 being ruled by the judge?

10 KATIE ANDERSON: I can start. One of the  
11 biggest barriers is obviously in a Housing Court the  
12 record is public so many of our clients don't want to  
13 have that be on the public record, and we are always  
14 cognizant of that and sometimes we're talking circles  
15 around these. Also, it can be very difficult to find  
16 a harassment finding in Housing Court. You would have  
17 to go to trial. That obviously exposes clients to a  
18 lot of risk in that sense, too, and you know,  
19 depending on the kind of case at the end of the day,  
20 even if a judge finds harassment, they might just  
21 say, well, you still owe \$50,000 in rent. So, it's-  
there's a lot of complicating factors to actually  
pursuing that in Housing Court.

CHAIRPERSON SANCHEZ: Judges don't award  
damages or anything like that when there's-

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3 KATIE ANDERSON: [interposing] They could,  
4 but it would also- but they can still say that  
5 there's still rent that's owed and ultimately in a  
6 lot of nonpayment cases, that's what judges are  
7 focused on, at least in my experience.

8 CHAIRPERSON SANCHEZ: Okay. And are you  
9 always filing for harassment?

10 KATIE ANDERSON: At least in my case, it  
11 depends on the client how much they want to be  
12 included on the record.

13 CHAIRPERSON SANCHEZ: So, the stories  
14 that you're sharing with us- I mean, it would- we  
15 would love to follow up, would love to just  
16 understand the breakdown of how often you did file,  
17 whether CONH should, you know, consider anything  
18 different in our own- and the determination that  
19 we're enabling HPD to find.

20 SEBASTIAN PEREZ: To answer I think one  
21 of your later questions, we- well, I, at least, we  
always try to include harassment in our pleadings,  
because it's such a broad definition that it's kind  
of easy to meet when our clients are telling us the  
stories of why they want to pursue litigation to

3 begin with. And then the difficult part, I think  
4 just to kind of piggyback off of that is yes, it  
5 requires- the presumption is that a finding of  
6 harassment, you have done all this leg work up front,  
7 that you have found a client- if you've been working  
8 a group, you've been able to form a group together  
9 that kind of wants to move forward to begin with, and  
10 then you get the initial court date then the second  
11 court date. If you need a hearing, and once again,  
12 that's all presumed to have happened if you are  
13 requiring a final determination of harassment.

14 CHAIRPERSON SANCHEZ: Thank you. Thank  
15 you so much, and we'll- we'd love to follow up with  
16 you. Thank you. The next panel will consist of Anna  
17 Baker-Heans, Cooper Square Committee, Van Xelo from  
18 Mixteca, Thomas Duklett, Ruihra- apologies if I'm  
19 mispronouncing that- Ruihra Lubega, and Zachary Hall.  
20 And whoever is ready can begin.

21 ANNA BAKER-HEANS: Hi, can you hear me?  
22 Okay. Good morning- or good afternoon. My name is  
23 Anna Baker-Heans. I'm a tenant organizer with Cooper  
24 Square Committee, and I'm speaking on behalf of a  
25 tenant I organize with, and I just want to note that

3 three of us here are all testifying about the same  
4 building. So, now I'm switching to my tenant's  
5 testimony: "Good afternoon. My name is Shera  
6 Beckwith [sp?]. I have been a tenant at 109 East 9th  
7 Street which is a single-room occupancy building  
8 since 1992. When we got a new landlord a few years  
9 ago, I learned about the CONH program from the HPD  
10 investigator who is responsible for determining if  
11 the landlord should get a CONH or not. The landlord  
12 was successful in getting a CONH, and as soon as he  
13 got it, he moved to evict me and some other tenants,  
14 and significantly stepped up his harassment in other  
15 ways. My buildings tenants association was  
16 successful in having his CONH rescinded this year  
17 with a ton of help from Take Root Justice and Cooper  
18 Square Committee. Without this help, I would have  
19 already lost my home and I think other tenants would  
20 be way worse off. Even though we had a bumpy road  
21 with the CONH program, I believe the CONH program is  
good and necessary. Since the CONH has been  
rescinded, the landlord hasn't been able to do any  
further major work on the building where he had  
proposed construction, including removing the roof

3 and having all of the tenants move out for an  
4 unspecified period of time. I am definitely in favor  
5 of landlords needing Certificates of No Harassment.

6 In my experience, the current program is far from  
7 perfect and needs some work. My landlord should not  
8 have been able to get one in the first place and it  
9 required a full trial at OATH, the Office of  
10 Administrative Trials and Hearings, to get it

11 rescinded. But at the same time, I can imagine that  
12 without this program tenants in situations like ours  
13 would be way worse off. I hope you will vote to make  
14 this CONH program permanent and will work with

15 tenants who have gone through the program to improve  
16 it and better protect us. And some of my fellow  
17 neighbors who are here today will provide some  
18 specific suggestions for how they believe the CONH  
19 program can be improved." And when we circle back to

20 questions, I, Anna, a tenant organizer would love to  
21 speak more to the question that you, Council Member  
Sanchez, asked about the ability to get repairs under  
the CONH program. Thank you.

CHAIRPERSON SANCHEZ: Thank you.

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3 VAN XELO: Good morning, Council Members.

4 My name is Van. I'm the committee organizer at  
5 Mixteca, a community-based organization in Sunset  
6 Park, Brooklyn that serves immigrant, Latin, and  
7 indigenous communities for over 25 years. As a  
8 community-based organization that provides direct  
9 services to our community members, we've heard  
10 several stories of their lived experiences, many of  
11 which are around housing. We've heard stories of  
12 community members being harassed by their landlords  
13 or they're being threatened to move out of their  
14 apartments or have ICE called on them. We've heard  
15 community members during Know Your Rights workshops  
16 share how they're worried to ask for housing repairs  
17 because they're unsure of how their status might  
18 impact the relationship with their landlords.  
19 Through our Know Your Rights workshops we try our  
20 best to inform our community members about their  
21 tenant rights regardless of their immigration status.  
But this is just one part of addressing these issues.  
This is why we should have the Intro 0839 be passed.  
Having the Certificate of No Harassment, the pilot  
program, become permanent would be creating an

3 additional solution around these harassments.

4 Requiring property owners to undergo an investigation

5 of harassment or of any violation of tenant's rights

6 would not only hold them accountable, but ensure

7 there's an end to these ongoing threats and coercion.

8 There are many of our community members who are also

9 not fully aware that you can look up building's

10 harassment history. On top of that, several of our

11 community members also lack computer literacy in

12 order to do this type of research. Having clear

13 visible signage of any harassment filing against

14 building owners for tenants to see would aid

15 community members drastically. Being aware of the

16 tenant- of the building owner's harassment history

17 and of their tenant rights would empower our

18 community members to speak up when there is a housing

19 repair that is needed to occur. Thank you so much

20 for your time and hearing us all today.

21 CHAIRPERSON SANCHEZ: Thank you.

Zachary HALL: Good morning. My name is

Zachary Hall. I am a tenant in an SRO building that

until recently had a CONH. CONH programs help

protect tenants from predatory landlords by ensuring

3 they cannot obtain permits or drastically alter their  
4 buildings if they're engaging in harassing conduct.

5 I believe that CONH programs are an important tool  
6 not just for SRO buildings but also other forms of  
7 affordable housing. I feel the CONH program should  
8 be expanded and redesigned to further protect tenants  
9 that have affordable housing. This program protected  
10 me and other tenants in my building from having our  
11 homes taken from us by the landlord. To my mind, the

12 person that bought our building five years ago had a  
13 predatory intention. Because I am an SRO tenant, I

14 ran a private room, but share a common area of  
15 facilities with my neighbors in the building, like

16 showers, toilets, and kitchen. When our landlord

17 purchased our building, he removed two of shared  
18 toilets, one of our showers, and the building's only  
19 kitchen. He told us he did this to cure an old DOB

20 violation that he needed to secure a CONH to restore  
21 the shared facilities. At the time he applied for

the CONH, I wasn't aware that this conduct counted as  
harassment. I was under the impression that was in  
the more common sense of the world. After he secured

the CONH, the landlord started doing construction on

3 vacant units in the building but did not restore  
4 shared facilities, and he started to try to convince  
5 my neighbors and I to move out. We became concerned  
6 that the landlord might be trying to displace us.  
7 After months of organizing with my neighbors and  
8 diligent communication with HPD about the issues we  
9 were facing, HPD found probable cause for harassment  
10 and initiated a case in the office of Administrative  
11 Trials and Hearings to rescind the building's CONH.  
12 during the trial, the OATH judge concluded that the  
13 landlord provided on credible evidence that he  
14 removed our essential services to clear a DOB  
15 violation, even when the landlord was supposed to  
16 prove it in court. The judge concluded that tenant  
17 harassment had occurred by the landlord, and the  
18 building CONH was rescinded, which means that our  
19 landlord can longer pursue redeveloping our building  
20 for at least three years after which he will be  
21 eligible to apply for a CONH unit I have a little  
bit more.

CHAIRPERSON SANCHEZ: You may conclude.

ZACHARY HALL: One way I think the CONH  
program can be improved is by helping ensure NYDC

3 tenants are better informed of the various forms of  
4 tenant harassment that can occur. There are a vast  
5 array of tactics and loopholes that new landlords  
6 could use to pressure long-standing tenants with  
7 affordable rents. In fact, I've seen multiple  
8 websites that reference the CONH as just a mere  
9 formality to acquire in the pursuit to redevelop the  
10 building. Had we been better informed by the city  
11 and the CONH program about all the possible forms of  
12 harassment, we may have been able to prevent the  
13 landlord from receiving a CONH in the first place.  
14 However, the CONH program still protected us in the  
15 long-run by creating important checks and balances  
16 that help protect tenants. I hope that you will vote  
17 to make the CONH program permanent, and if anything,  
18 figure out methods to expand it. I hope you can also  
19 find ways for tenants to be made better aware of  
20 their rights and help them identify and understand  
21 the true meaning of what constitutes tenant  
harassment. Thank you.

CHAIRPERSON SANCHEZ: Thank you.

THOMAS DUKLETT: [inaudible] read the  
three minutes into two. I've just got a list of

3 things. [inaudible] addressed. Thomas Duklett, the  
4 resident 109 East 9th street, Manhattan. We've  
5 endured harassment followed by the landlord CONH  
6 application over which I learned of course doesn't  
7 [inaudible] the application. And ongoing problems  
8 since the OCNH's and extraordinary recision following  
9 a court finding of harassment at the OATH court. An  
10 entry signage rule should be considered to direct  
11 tenants to information about how to recognize and  
12 report harassment and protections for doing so.  
13 Complaints, you need to be allowed some form of free  
14 text for when drop-down forms are inadequate to  
15 describe the problem. HPD complaint forms are  
16 especially problematic in not allowing many  
17 complaints to be filed, merely because the drop-down  
18 field does not provide a means to properly identify  
19 the location or nature of the problem. Inspectors  
20 should be able to gain access and due course of time  
21 and not merely close complaints for landlord refusal  
to provide access. Effective protection of tenants  
should not have some complaint or violation  
inspectors presumptively giving landlords the benefit  
of the doubt. Tenants almost always exhausted the

3 cooperative approach when they have finally made  
4 complaints. Some inspectors presuming that it's  
5 generally overstate complaints and that landlords  
6 should not be bothered by complaints relating to  
7 fundamental building functions simply ignore the  
8 world world. Yes, I've met such inspectors.  
9 Landlords should not have blanket allowance to  
10 self-certify curing violations, especially when they  
11 have a problematic pattern of complaints or suspicion  
12 of harassment. Tenants should have some means of  
13 providing information to violation hearings.  
14 Landlords all too easily act with impunity for having  
15 violations repeatedly dismissed for benign given the  
16 benefit of the doubt when falsely claiming the  
17 violations have been cured or never actually just in  
18 the first place. Outstanding violations should have  
19 enforcement. There should be no presumption that  
20 landlords are above enforcement.

17 CHAIRPERSON SANCHEZ: You may conclude.

18 THOMAS DUKLETT: The CONH application  
19 process should be accompanied by notices posted in  
20 common areas and in individually distributed to  
21 tenants guiding tenants to resources describing the

3 function, the risk of landlords having a CONH and how  
4 to effectively allow to oppose CONH which would be  
5 recognized by the CONH issuing agency. Risks  
6 identified should include how to discover real world  
7 information about what landlords can do and have done  
8 to undermine tenant protections after being granted a  
9 CONH. CONH application investigators inquiring of  
10 tenants should have training about recognizing tenant  
11 intimidation and coercion and acting for such a  
12 process.

13 CHAIRPERSON SANCHEZ: And you can submit  
14 all of this testimony, if you want to wrap up.

15 THOMAS DUKLETT: Tenants in the building  
16 where I've experienced accelerated efforts to drive  
17 us out,- after the CONH was suspended and even  
18 rescinded- I'd like to raise a point that I think  
19 Anna said she'd go back to in some questions. When  
20 the landlords is [inaudible] destroyed the housing  
21 units and essential facilities without a CONH, there  
should be some process for restoring those facilities  
without granting a CONH. Granting a CONH for  
harassing destruction would be rewarding the  
landlords for that destruction. There is no obvious

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3 resolution to get to an impasse between some types of  
4 repairs and a lack of a CONH, but Council should be  
5 cautioned against opening a loophole for abuse. A  
6 possible resolution might involve a very limited  
7 exemption with a carefully constrained contract to  
8 which all parties agree, but the law may not allow  
9 for such contracts. Changing the law to provide an  
10 exemption could too easily make any CONH protections  
11 meaningless. So, please be careful.

12 CHAIRPERSON SANCHEZ: Thank you. Thank  
13 you so much for those additional ideas. Please do  
14 submit them so that we can- we have them during the  
15 amendment consideration process. I did want to  
16 follow up on your earlier point about the tenant  
17 perspective on whether a CONH holds back any  
18 necessary work?

19 ANNA BAKER-HEANS: Thank you so much.

20 And I want to start with just like a quick disclaimer  
21 that the three of us are speaking about an SRO  
22 building, so that's part of a CONH program prior to  
23 this pilot program, and I'm not sure if there's like  
24 nuance in how repairs can or cannot be made. That's  
25 different between like the SRO buildings and the

3 pilot program buildings. But the tenants have spoken  
4 to the fact that their landlord removed their common  
5 area facilities, so all tenants only have access to  
6 two toilets, one shower, and no kitchen in their  
7 building. And he also- the landlord also gutted  
8 vacant apartments which can be a fire hazard. DOB  
9 has asserted that the building is completely safe for  
10 tenants to be in, and we completely agree, but since  
11 the CONH has been rescinded, DOB and HPD have  
12 asserted that a CONH would be required to restore  
13 common facilities and to restore the gutted  
14 apartments. We don't agree with that stance. We  
15 think that there should be room for very specific, as  
16 Thomas said, and supervised work to add to tenant  
17 safety and their experience at the building, but we  
18 have to be really careful about, like, what kind of  
19 work is allowed so that landlords aren't taking  
20 advantage of this to make conditions worse for  
21 tenants, but in the experience of the tenants at 109,  
they have not been able to get repairs or services  
restored in ways that they'd like.

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3 CHAIRPERSON SANCHEZ: Got it. Thank you.  
4 That's very helpful, and it sounds like more of an  
5 exception to the general rule than-

6 ANNA BAKER-HEANS: [interposing] We're not  
7 exactly sure the difference. I think it'd be worth  
8 following up with HPD.

9 CHAIRPERSON SANCHEZ: Okay, great.

10 THOMAS DUKLETT: [inaudible]

11 CHAIRPERSON SANCHEZ: Sir, we do have to  
12 move forward, but last comment and then we'll go.

13 THOMAS DUKLETT: [inaudible] follow  
14 [inaudible]

15 ZACHARY HALL: I also feel that the  
16 consequences for landlord committing tenant  
17 harassment are very low and perhaps this program can  
18 deal with these matters. In our case, once the  
19 landlord acquired a CONH, the harassment against  
20 tenants increased exponentially as if he proved he  
21 didn't harass tenants. He continues his harassments  
with us with little to actually deter even after the  
CONH has been revoked.

CHAIRPERSON SANCHEZ: Got it. Okay.  
Thank you. Thank you so much for testifying today,

and I look forward to your testimony in writing.

3 There was one person we'd called before. Just making

4 sure she's not here or they're not here. Ruihra

5 Lubega? So Lubega will be first, and then we have

6 Amadou Ly, Amar Dieng, Gora Ndiaye, Mdeye Sire

7 Mdiuka, Chiekh Diaw, and Moustpha Kane. I think they

8 might be- they might be next door, so come on over

and testify. Good to see you. Let me read them again.

9 Amar Dieng, Gora Ndiaye, Mdeye Sire Mdiuka, Chiekh

10 Diaw, and Moustpha Kane. Okay, I think the best

11 place is for you to sit next to the microphone and

the person who you are translating to, they switch.

12 Is that okay? But Mr. Lubega, do you want to go

13 first? You speak English, yeah?

14 RUIHRA LUBEGA: Yes.

15 CHAIRPERSON SANCHEZ: Perfect. So, Mr.

16 Lubega can start and then we go with those who need

the translation support.

17 RUIHRA LUBEGA: Good afternoon.

18 [inaudible] I'm a transgender man. I'm a migrant from

19 Uganda. I'm here to complain about [inaudible] that

20 shelter located in Queens. It is under designation

21 [sic] tomorrow. Last year, I was bitten, and I was-

3 they took me to the hospital. I've tried to reach out  
4 to DHS to civil human right defenders to see that  
5 they advocate for me. I never got support. As I  
6 migrant, I'm in this country I love. I ran out of my  
7 country back home, Uganda, to seek for safety as a  
8 transgender person. But that way they treat me at  
9 the shelter is not good. Sometimes I feel even like  
10 ending my life. I work as a home health aide. I work  
11 36 hours. I told them that please help me at least  
12 you get me for a settle [sic] voucher [sic]. I know  
13 I'm hardworking. I- after the lease, I will manage  
14 to pay for that rent. I give them all my  
15 information, but when the package came back, they  
16 just told me that there's some information that was  
17 not there. When I tried to reach out to the  
18 program's director, the shelter, Mr. Sherry [sp?], is  
19 the same woman that told that case worker to fight  
20 me. I have their pictures. By the time when I was in  
21 the hospital, she just told me that I should go back  
to my home country. This is not my country. So, I  
wasn't supposed to be treated like that. Back home I  
have not my family. They disowned me. I come here.  
I'm learning this country. Why is that I'm being

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3 treated like that? I don't [inaudible] for the  
4 shelter. They don't give me anything.

5 CHAIRPERSON SANCHEZ: Thank you. Mr.  
6 Lubega, you are not alone. Thank you for coming here  
7 to share your story. We're going to- I'm going to  
8 have somebody follow up with you just to get your  
9 information to make sure that we can follow up, but  
10 you are not alone, and this country is supposed to be  
11 a place where you can feel safe and be safe and be  
12 yourself. So you have my commitment and I know Chair  
13 Encarnacion's too, that we will follow up with you  
14 and see what is it that happened here and how can we  
15 step in.

16 CHAIRPERSON ENCARNACION: Absolutely.  
17 Thank you for coming.

18 RUIHRA LUBEGA: Thank you so much.

19 CHAIRPERSON SANCHEZ: Thank you, Mr.  
20 Lubega.

21 RUIHRA LUBEGA: Thank you so much.

CHAIRPERSON SANCHEZ: So now I believe  
folks are together, so you begin when you are ready.

TRANSLATOR: Okay. Thank you so much for  
staying here and listening to the concern of our

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3 community. I'm reading this on behalf of her. Her  
4 name is Nysie Ray [sp?]. I want to speak about what  
5 it feels like when housing insecurity slowly become  
6 part of your daily life, even when you are doing  
7 everything right. As a woman, I have learned that  
8 instability do not always look like eviction notices.  
9 Sometimes it looks like constant pressure to stay  
10 afloat, taking any work available, even when it does  
11 not match your skills, just to make sure rent is  
12 paid. It looks like living month-to-month without  
13 knowing if you will be stable next month. I have  
14 training and experience, but stable employment is  
15 still difficult to secure. That job instability  
16 directly affect housing stability. When income is  
17 uncertain, housing becomes uncertain, too. You  
18 cannot fully plan your life when every decision is  
19 shaped by survival. I have also seen how women in my  
20 community often endure unfair treatment in housing  
21 situation quietly. Some do not report problems or  
harassment, because they are afraid of losing their  
housing or creating conflict with landlords. Even  
when conditions feel wrong, silence can feel like the  
only option. This is why protection like the

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3 Certificate of No Harassment program matters. They  
4 help ensure that tenants are not pushed out or  
5 pressured through harmful practices and that there is  
6 accountability before displacement happens. At the  
7 same time, I also want to highlight something very  
8 important. When housing instability happens, people  
9 need a way to move quickly and safely while  
10 investigation are taking place. This is why I  
11 support the bilingual workforce program proposed by  
12 the Amadou Ly Foundation which will help people  
13 access jobs and guidance in languages they  
14 understand. For many of us, this is the kind of  
15 support that would allow us to stay stable or  
16 relocate without falling into crisis if housing  
17 problems or harassment makes situation unsafe. That  
18 was on behalf of her.

19 CHAIRPERSON SANCHEZ: Thank you. And if  
20 they want to speak in their language first and you  
21 translate, that is welcome.

TRANSLATOR: Okay.

CHAIRPERSON SANCHEZ: So they can feel  
like they're, you know, speaking.

TRANSLATOR: Okay, yeah, yeah, yeah.

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3 CHAIRPERSON SANCHEZ: Both are welcome.

4 TRANSLATOR: Okay, great. So, yeah.

5 [inaudible]

6 ALFA BALDE: [speaking non-English] Thank  
7 you. Hi. [speaking non-English]

8 TRANSLATOR: Okay. My name is Alfa Balde  
9 [sp?]. I'm currently in the shelter. I get mistreated  
10 a lot in there. I'm going to go into what he wrote,  
11 because I think he's a bit shy. I arrived in the  
12 United States as an asylum-seeker in 2023, hoping for  
13 safety and a better life. Since my arrival, the  
14 conditions I face have been extremely difficult.  
15 When I first arrived in New York, I had no shoes, no  
16 laces, and had to spend my first night outside in  
17 freezing temperatures. I then stayed at Jamaica  
18 Center and later at Hall Street Center Shelter in  
19 Brooklyn where I was often ignored when I asked for  
20 help. The staff was unkind and at times the treatment  
21 felt racist. The food was frozen and inedible, and I  
lost weight. Now, in my current shelter, the food is  
much better, and I would like to say that I do  
appreciate those changes. As an immigrant, I have  
seen how easily people like me can be taken advantage

3 of in housing system. Tenant harassment, especially  
4 against immigrants is a real problem. We often face  
5 discrimination, unfair treatment and fear of being  
6 displaced because we don't have the same protections  
7 or resources that others do. Many of us live in  
8 constant fear of losing our home, especially in  
9 shelters or in housing. This is why I strongly  
10 support the Certificate of No Harassment program and  
11 the proposal to make it permanent. It is crucial  
12 that protection against harassment do not end once we  
13 leave the shelter system. When shelter residents  
14 like myself face harassment or instability in  
15 shelter, we are at risk of being pushed into housing  
16 under unfair conditions where landlord may harass us,  
17 overcharge us, or even attempt to displace us. If  
18 this program is extended to cover more people, we can  
19 protect vulnerable immigrants from these kinds of  
20 abuse.

17 CHAIRPERSON SANCHEZ: Thank you.

18 CHEIKH DIAW: [speaking non-English]

19 TRANSLATOR: [speaking non-English]

20 CHEIKH DIAW: Hi. Good afternoon,  
21 members of the Council. My name is Cheikh Diaw

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3 [sp?]. I want to explain in Wolof translated by  
4 Amadou Ly.

5 TRANSLATOR: Y'all going to have to pay  
6 me for this.

7 CHEIKH DIAW: [speaking non-English]

8 TRANSLATOR: Hi. My name is Cheikh Huna  
9 [sp?] Diaw. I'm truly happy to be here. In my  
10 community, including myself, many times when we  
11 inquire about housing or apartment issues, if it's  
12 done via email or if it's done via message, it's  
13 usually not a problem. However, when we appear  
14 physically, then it becomes a problem. We would like  
15 for the Council to make it more flexible within  
16 whatever power is available within your  
17 discretionary. That way we can- they can be a  
18 solution to pretty much the discrimination that takes  
19 place within that. I believe that's what he's trying  
20 to say. Alright.

21 GORA NDIAYE: Good afternoon, Council  
Members. My name is Gora Ndiaye. I want to speak  
about what mean [inaudible] on education and career  
while also trying to keep a stable place to live.  
I'm currently a student while also working to support

3 myself. I go to school to BMCC. I'm passionate  
4 about finance and market strategies and building  
5 business at great values. So my long term is to  
6 combine finance, and entrepreneurship to develop  
7 [inaudible] project in the future. Like many  
8 immigrants I know I'm trying to do everything at  
9 once, study, work, and manage rent in one of the most  
10 expensive state and city in the country. Because of  
11 the pressure many of us end up sharing rooms and  
12 subletting space. Not because we want to, but  
13 because it is the only way to survive financially.  
14 The kind of housing situation affects everything. It  
15 is hard to focus on school when you are ordered about  
16 whether you're living [inaudible] a real chance at  
17 next month. It is hard to plan for the future when  
18 your housing depend on informal arrangement that can  
19 shift at any time. I have also seen how housing  
20 [inaudible] if that ability can become a wash when  
21 people do not fully understand their right or the  
housing systems. Some tenants accept unfair  
condition or silence them because they are afraid of  
losing the only place they have, especially when  
communication is unclear or there is a language

3 barrier. Amadou Foundation has been very important in  
4 that regard. They help people understand city  
5 systems in a way that is greater and impractical.

6 The expend housing information connected to people  
7 through associates and translate the information so  
8 we can [inaudible] and make informed decision in  
9 stead of [inaudible] or relaying or other may not

10 have our best interest in mind. For many of us, they

11 are the first to place return when something about

12 housing or service is confusing. The Certificate of

13 No Harassment program is also important because it's

14 recognizes that housing instability is not just about

15 rent, it is also about whether people are being

16 pressured or pushed out in way that they are not

17 always visible. When tenants are protected from

18 harassment, they are more likely to stable long

19 enough to finish school. Keep working and build a

20 future thank you for these programs. I hope you can

21 also [inaudible] in a civil support system, and

guidance we can actually use when we are under

pressure. Thank you.

CHAIRPERSON SANCHEZ: Thank you.

TRANSLATOR: Good job.

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3 AMAR DIENG: [inaudible]. Hi, my name is  
4 Amar Dieg . I'm truly grateful for this opportunity  
5 and thank you for being here to listen to what we  
6 have to say. I want to speak about respect,  
7 communication and safety in housing situations,  
8 especially for immigrants. In many cases the problems  
9 faced are not always visible or direct. They often  
10 come from fear, misunderstanding, and lack of clear  
11 communication. When someone does not fully  
12 understand english, even simple housing issue can  
13 become confusing and overwhelming. People not know  
14 their rights or may not be able to clearly explain  
15 what is happening. One of the biggest fears in  
16 community is what can happen when tenants speak up.  
17 There are situations where people feel that if they  
18 complain about rent increases, poor conditions or  
19 unfair treatment, they risk retaliation. Some  
20 tenants even fear that landlord or brokers may try to  
21 involve immigration authorities as a way to pressure  
them or to force them out. Whether or not is openly  
stated, this fear exists and it may- and it makes  
many people stay silent even when they are being  
treated unfairly. This is why protection is not just

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3 about housing laws. It is also about what happens  
4 when situation escalate beyond housing. I want to  
5 highlight the importance of reinforcing the Amadou  
6 Ly's Foundation Habeas Urgent Response Program. In  
7 our community, this program has supported families in  
8 moments where someone was suddenly detained by ICE  
9 including situations where people believed the  
10 detention may have been triggered after housing or  
11 community disputes. In those moments, families are  
12 often confused, afraid and completely unsure when  
13 their loved one is- where their loved one is or what  
14 steps to take. The Amadou Ly Foundation steps in  
15 quickly to locate individuals, provide guidance and  
16 connect families to legal support. That rapid  
17 response is often the only resource or source of  
18 clarity in a very chaotic situation. So, for many of  
19 us, knowing this support exists changes how safe we  
20 feel when speaking up. It means that if reporting  
21 housing harassment or unfair treatment ever leads to  
immigration enforcement consequences, there is an  
organization that will respond, guide us, and help  
protect our right in real time. This is why  
reinforcing the Habeas Urgent Response program is so

3 important. It gives people the confidence that they  
4 are not alone if things go wrong after they report  
5 harassment or unfair treatment. Thank you.

6 CHAIRPERSON SANCHEZ: Thank you. Thank  
7 you to this panel, and I just want to underscore,  
8 discrimination in this city is illegal, and you have  
9 rights no matter your immigration status. It does not  
10 matter. And so if you don't feel comfortable or if  
11 you know people who do not feel comfortable making  
12 the complaint, Amadou, welcome you to again contact  
13 me, right? Contact my office. Contact any of your  
14 City Council Members, because we are here to defend  
15 you, you know? And the biggest barrier sometimes is  
16 that education and knowing what the rights are, but  
17 since you are here today, you should know and bring  
18 it back to the rest of the community that you break  
19 bread with that you- that is your family. You let  
20 them know they have rights and we're here to defend  
21 and protect. So, thank you so much for your  
22 testimony today. I hear you on the advocacy for the  
23 budget. We have our Deputy Whip here today who's in  
24 key conversations and it's very important that you're  
25 here today. So thank you so much.

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3 AMADOU LY: Thank you. [speaking  
4 non-English].

5 CHAIRPERSON SANCHEZ: The next group is  
6 Modoudiop Diop, Thierno Ndiaye, Alpha Balde, Serigne  
7 Faye, Mamadou Niang, and Ibrahima Diallo. Later you  
8 have to give me a grade on how my pronunciation is.

9 AMADOU LY: I think you're doing fine.  
10 Because trust me, you do fine. I warned them earlier.

11 [speaking non-English] Alright. Good afternoon,

12 Council Members. My name is Abdou Tall [inaudible].

13 I want to speak about how quickly stability can- I'm  
14 sorry, this is on behalf of him, Abdou Tall, who was

15 apprehended. My name is Abdou tall. I want to speak

16 about how quickly stability can disappear and how

17 everything becomes connected, housing, work, family,

18 and safety. On October 22nd, 2025, I was apprehended

19 by ICE on Canal Street. It was sudden, confusing,

20 and frightening. In a moment, I went from trying to

21 live my life and work to being taken away without

understanding why. My friends and family did not

know where I was. I did not know what would happen

next. A video of my arrest was captured and spread

online. It went viral. People across the country saw

3 me being taken away, and because of that attention,  
4 when I was finally released, that video also went  
5 viral, but what those videos do not show is what  
6 happens in between. When someone is detained,  
7 housing stability can collapse immediately. Rent  
8 cannot be paid. Rooms are lost, and families are  
9 left trying to survive without support. Everything  
10 you were building can disappear in a matter of days.  
11 The Amadou Ly Foundation stepped in when I had no one  
12 else. They filed a habeas petition, sent commissary  
13 funds, challenged my detention, and stayed in contact  
14 with my family the entire time. They made sure that  
15 I was not lost in the system. On Christmas Day 2025,  
16 I was released and reunited with my friends and  
17 family. I'm standing here today because of that  
18 intervention. And I want to be clear, my case became  
19 visible because it went viral, but many others do  
20 not. There are many people who are detained quietly  
21 without cameras, without attention and without anyone  
knowing their names. The Amadou Ly Foundation  
continued to step in for those people, too. They  
have helped many detainees in our community, people  
who would have otherwise remained lost in the system

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3 by challenging unlawful detentions and helping them  
4 bring back to their families. I also want to thank  
5 the members of the Council Members who came out and  
6 protested when I was arrested. I did not have the  
7 chance to meet you at that time, but your support  
8 matters. What happens to me has created fear in the  
9 community. When people see someone taken like that,  
10 it makes them feel afraid to speak up, even in  
11 housing situations. If someone is facing harassment  
12 or unsafe conditions, they may stay silent because  
13 they're afraid of what could happen next. That is why  
14 laws like the Certificate of No Harassment program  
15 are important, because they help protect tenants from  
16 being pushed out. But protection alone are not  
17 enough. People are too afraid to use them. This is  
18 why it is critical to strengthen our foundation so we  
19 can actually- so they can be more comfortable  
20 presenting. Thank you.

17 CHAIRPERSON SANCHEZ: Thank you. Remind  
18 them they can speak, too.

19 AMADOU LY: [inaudible]

20 CHAIRPERSON SANCHEZ: That way they hear  
21 each other.

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3 AMADOU LY: [speaking non-English] Oh,  
4 sorry.

5 ALIBAN SIMBEL: [speaking non-English] My  
6 name [inaudible]

7 AMADOU LY: Okay. Hi, my name is Aliban  
8 Simbel [sp?]. I came to America with my family. I  
9 have two kids. And I live in a shelter right now  
10 with my family. Previously I was detained by ICE  
11 when I went for a check-in. Had it not been for the  
12 Amadou Ly Foundation I probably wouldn't be here. But  
13 what I would like to also speak about is that at the  
14 shelter we face many hardships. One of those is the  
15 food that is given. Many times we cannot eat those  
16 foods. Sometimes- [speaking non-English]

17 ALIBAN SIMBEL: [speaking non-English]

18 AMADOU LY: At times, the food is frozen.  
19 At times the food isn't adapted to what the kids  
20 should eat, and he's asking that they could be- it'll  
21 be awesome if they can take in consideration those  
things and make it better, but that he is grateful  
that he has a place to live, that he is welcome also  
in this place as well and his family. That's what he  
wanted to say.

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3 CHAIRPERSON SANCHEZ: Thank you. How do  
4 you say thank you?

5 AMADOU LY: [speaking non-English]

6 CHAIRPERSON SANCHEZ: [speaking  
7 non-English]

8 AMADOU LY: [speaking non-English]

9 MODOU DIOP: [speaking non-English]

10 AMADOU LY: Hi, my name is Modou Diop.

11 I'm going to cheat and look at the documents,  
12 alright. So don't mind me. My name is Modou Diop.

13 I'm here to share my experience after living in a  
14 shelter system for three years, and I would like to  
15 thank the Council for being- for listening to us and  
16 for taking your time. We truly appreciate it. I would

17 also like to urge your support into Intro 1630-  
18 T2026-1639 and T2026-1582 to make the Certificate of  
19 No Harassment program permanent and expand its

20 protection. During my time in the shelter, I have  
21 experienced serious instability. My belongings

including clothing and important documents were  
thrown away, and I was moved from one shelter to

another after being- after not being notified. This  
made it difficult to be remain stability- to maintain

3 stability or move forward with my life. Many of us  
4 in shelters are there because we are pushed out of  
5 housing in the first place. As an immigrant, I have  
6 seen how fear and vulnerability are often used  
7 against people. Tenant harassment happens when  
8 landlords try to force people out of their homes by  
9 making difficult- life difficult or scary, like  
10 refusing repairs, using threats or treating tenants  
11 unfairly. For immigrants this can be even worse,  
12 because some people are afraid to speak up or may not  
13 know their rights. I also faced discrimination and  
14 favoritism in the shelter system. At times, it felt  
15 like residents were not treated equally and decisions  
16 were made without explanation. I experienced  
17 religious discrimination as well. Personal religious  
18 items including the Quarans and other symbols were  
19 discarded. This raised serious concern about whether  
20 our rights are respected at these stages from housing  
21 to shelter. The rules in shelters were also very  
strict. Missing curfew could result in being forced  
to wait in isolation, adding stress to people already  
trying to rebuild their lives. These conditions show  
what can happen when people lose stable housing due

3 to lack of protection and accountability.

4 Organizations like the Amadou Lee Foundation have  
5 been a lifeline when landlords attempt to take  
6 advantage of immigrant tenants sometimes by forcing  
7 them out without legal process or using intimidation.

8 We turn to them for support. They provide critical  
9 Know Your Rights information and help us understand  
10 what these actions are formed- that these actions are  
11 a form of tenant harassment, not legal evictions.

12 Because of their intervention, many families have  
13 been able to remain in their home instead of being  
14 displaced. This is why this Certificate of No

15 Harassment program is so important. It is like a  
16 check-point. Before landlords can do major

17 renovations, they must prove they did not harass  
18 tenants. This helps stop landlords from pushing  
19 people out just to make money. Please make this

20 program permanent and expand it to more build- and

21 expand it to more people. I urge the Council to pass  
these bills and strengthen protection against tenant  
harassment so that fewer people, especially

immigrants, are forced into the shelter system in the  
first place. I also urge the Council to please

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3 provide language access to the Amadou Ly Foundation  
4 so that they can be an outreach and- and these bills  
5 can be explained to the community.

6 CHAIRPERSON SANCHEZ: Thank you. Thank  
7 you.

8 AMADOU LY: Thank you. Alright.

9 CHAIRPERSON SANCHEZ: [speaking  
10 non-English]

11 AMADOU LY: Okay. Good afternoon,  
12 Council Members. Thank you so much for being here  
13 and for listening to us. My name is Elija Do [sp?].  
14 I want to speak about what it means to work hard  
15 every day but still live with uncertainty about  
16 housing and income. I work in security, and like many  
17 immigrants I know, I'm constantly adjusting to  
18 unstable schedules and temporary assignments. Some  
19 weeks there's enough work, and other weeks there's  
20 still very little. Even when you are employed, the  
21 income is not always stable enough to guarantee  
steady housing, especially in a city where rent  
changes quickly and costs keep rising. I also want to  
share something many people do not talk about, the  
challenge of not finding work, but understanding how

3 to move forward in work. Many immigrants are ready  
4 to do more, but job system, training programs, and  
5 applications are often not explained in language they  
6 fully understand. This makes it difficult to move  
7 from survival jobs into stable careers. This is why I  
8 strongly support the idea of the workforce program  
9 proposed by the Amadou Ly Foundation that is  
10 language-friendly. When job training, job fairs, and  
11 employment guidance are explained in language people  
12 actually understand like French, like Wolof, like  
13 Pulaar or others in our community, it changes  
14 everything. It means people are not just working  
15 randomly to survive, but actually learning how to  
16 build a stable path forward. I have personally  
17 benefited from the Amadou Ly Foundation. They helped  
18 me find job opportunities when I was struggling, and  
19 they also keep informed- informed us about important  
20 updates that affects work and immigration status.  
21 For many of us they are the bridge between systems  
that are hard to understand and real opportunities we  
can actually access. The Certificate of No  
Harassment program also matters because housing  
instability are connected. When someone loses

3 housing or under pressure, it becomes even harder to  
4 maintain employment. And when income is unstable, it  
5 becomes even harder to protect housing. This is why  
6 we need both protections and opportunity together,  
7 but opportunity only work when people can understand  
8 it. A language access workforce program would help  
9 thousands of us move from temporary survival jobs  
10 into stable employment.

11 CHAIRPERSON SANCHEZ: Thank you.

12 AMADOU LY: [speaking non-English]

13 MAMADOU NIANG: [speaking non-English]

14 AMADOU LY: [speaking non-English] So,  
15 hi, my name is Mamadou Niang. Thank you so much for  
16 taking the time to speak to us today. I would like to  
17 highlight an incident that took place as an Uber  
18 driver. I was driving and then-

19 MAMADOU NIANG: [speaking non-English]

20 AMADOU LY: And someone- [speaking  
21 non-English]

MAMADOU NIANG: [speaking non-English]

AMADOU LY: So- as a delivery- as a Uber  
delivery- deliverer, I was riding and then a car hit  
me, and then the person that walked out of the car

3 instead of checking up on me, once they realized that  
4 I was an immigrant they starting making threats  
5 pretty much that are aimed- if you call- if you  
6 pretty much do anything I will call ICE on you. And  
7 then what happened is when he tried to explain to the  
8 person that he was not at fault, that particular  
9 person actually proceed to actually assault him. So  
10 that's what he's explaining. And then he also  
11 explained that when people- people were there but  
12 many people sort of did not understand what was sort  
13 of happening. And I think it's this sort of  
14 highlights just the constant discrimination that- or  
15 the constant threat of ICE that they face whether it  
16 is inside of these housing situations or even  
17 outside. There is a video that he's shown me where  
18 he's actually being assaulted. He said the video  
19 went viral, but that there are- you know, this is a  
20 sample, but there are also many people going through  
21 this in housing situations where threats are made of  
ICE. It's a constant fear.

CHAIRPERSON SANCHEZ: Thank you for  
sharing the story. It's exactly what we're trying to  
get at.

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3 AMADOU LY: [speaking non-English]

4 CHAIRPERSON SANCHEZ: It's not legal to  
discrimination against.

5 AMADOU LY: [speaking non-English]

6 MAMADOU NIANG: [speaking non-English]

7 AMADOU LY: [speaking non-English]

8 MAMADOU NIANG: [speaking non-English]

9 Thank you. Thank you. Thank you.

10 IBRAHIMA DIALLO: [speaking non-English]

11 AMADOU LY: [speaking non-English]

12 IBRAHIMA DIALLO: [speaking non-English]

13 AMADOU LY: Thank you.

14 CHAIRPERSON ENCARNACION: I think that one  
15 was merci, right? Merci?

16 AMADOU LY: Yes, yes.

17 CHAIRPERSON ENCARNACION: Right, alright.  
I was picking up. I was picking it up.

18 AMADOU LY: We going to get some French  
19 and Wolof going on here. You know what I'm saying?  
Good afternoon, Council Members. My name is Ibrahima  
20 Diallo. My first experience with housing in New York  
was not about finding an apartment it was about  
21 understanding whether I was being charged fairly. I

3 remember traveling to see a room where the price was  
4 already high, but once I arrived, additional fees  
5 were introduced that had not been clearly mentioned  
6 before. At the time, I did not question it because I  
7 thought it was standard. Later, I saw similar  
8 situations again, different listings, different  
9 brokers, but the same patterns of unclear costs and  
10 shifting conditions. The Amadou Ly Foundation later  
11 explained that this is a common experience for  
12 newcomers, especially those- especially those  
13 unfamiliar with housing systems and pricing  
14 structures. They helped me understand what  
15 legitimate charges look like and what should concern-  
16 what should raise concern. That changed how I  
17 interrupt housing interaction entirely. From that  
18 perspective, the Certificate of No Harassment program  
19 is important because it creates accountability in  
20 buildings where tenants may not fully understand  
21 their rights, or when pressure builds quietly over  
time. But what I learned most is that harm is often  
not obvious at first. It becomes clear only after  
information is explained.

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3 CHAIRPERSON SANCHEZ: Thank you so much.

4 Thank you.

5 AMADOU LY: [speaking non-English]

6 CHAIRPERSON SANCHEZ: But I am so curious  
7 what Mr. Mamoud [sp?] had to say about the police.

8 AMADOU LY: Yes, okay. Yes, okay.

9 [speaking non-English]

10 MAMOUD: [speaking non-English]

11 AMADOU LY: [speaking non-English]

12 MAMOUD: [speaking non-English]

13 AMADOU LY: [speaking non-English]

14 MAMOUD: [speaking non-English]

15 MAMOUD: [speaking non-English]

16 AMADOU LY: [speaking non-English] So,  
17 he's stating that during the interaction, during the  
18 fight, the guy actually ended up choking him, and  
19 when the cop, the police, came he asked a witness and  
20 some of them actually still were discriminating  
21 against him and they told the police that nothing  
actually happened- took place. Had it not been for  
that video which actually shows him being choked and  
him going through that, nothing would have been  
happening. He said until today, nothing has been

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3 done as well. And he also said- I asked him what did  
4 the police do? Did they capture the individual? He  
5 said no, as well. And yeah, so yeah. That's what's  
going on.

6 CHAIRPERSON SANCHEZ: Thank you. Thank  
7 you for sharing the rest of the story.

8 CHAIRPERSON ENCARNACION: No. I mean,  
9 just let him know that these kinds of stories are  
10 important for us to hear. We're constantly having  
11 conversations with people like the Police  
12 Commissioner, right? We questions folks all the time  
13 and we work with their offices to [inaudible] bring  
14 really the larger voice, right? Not individual- not  
15 so much the individual. Even though this is very  
16 impactful to hear, but really how this spreads across  
17 multiple occurrences and how that really does impact  
18 systematic change, right? And so here we're finding  
19 out, like, there's an issue here with the police,  
20 with his job, with follow-up, with feeling- being  
21 able to communicate with the people that are on the  
scene right there and there. Like, there's so many  
levels to this that we can really address these  
things, and I'm just really grateful for the trust in

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3 sharing it with us in this moment, but hopefully  
4 addressing that we will then take that on to do the  
5 work that is required to shift how people are feeling  
6 in these moments. So, just thank you. And we're  
7 going to be working really hard on really addressing  
8 some of these like terrible experiences that you're  
9 having.

10 AMADOU LY: Thank you. [speaking  
11 non-English]

12 MAMOUD: [speaking non-English]

13 MAMOUD: [speaking non-English]

14 AMADOU LY: I didn't do it for me, but I  
15 do it for the community because I understand that I  
16 know they're going to do it to other people. So  
17 that's why I highlight it.

18 MAMOUD: [speaking non-English]

19 AMADOU LY: He said the reason why he's  
20 saying it is because if he does it to someone else  
21 and that person is a weak person and they choke him  
and he dies, then it's going to be- that's why him  
trying to prevent those actions is why he's  
highlighting it.

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3 CHAIRPERSON ENCARNACION: Yeah, we should  
4 be clear, he shouldn't be choking anybody.

5 MAMOUD: Thank you.

6 AMADOU LY: [speaking non-English]

7 CHAIRPERSON SANCHEZ: Thank you.

8 AMADOU LY: Thank you.

9 CHAIRPERSON SANCHEZ: I think our Chair  
10 of Immigration has to leave a little early.

11 CHAIRPERSON ENCARNACION: Yes, I do. I'm  
12 actually going to be speaking to a commissioner and  
13 we'll be bringing some of this up, but I just really  
14 want to take a moment to thank all of you for coming  
15 out. Thank you for organizing this and bringing them  
16 out. I know that this particular hearing is around  
17 tenant harassment and we seeing how this bleeds into  
18 everyday life for the folks that are here today. So,  
19 thank you so much for sharing your stories. I will be  
20 reviewing a lot of this, and I have a meeting pending  
21 with you and the rest of you as well.

AMADOU LY: Oh, the roundtable.

CHAIRPERSON ENCARNACION: Yes, yes.  
Alright, take care.

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3 AMADOU LY: Thank you. [speaking  
4 non-English]

5 [applause]

6 CHAIRPERSON SANCHEZ: Thank you so much.  
7 There's more panel, right?

8 AMADOU LY: There's two more, I think.

9 CHAIRPERSON SANCHEZ: So we'll call them  
10 up.

11 AMADOU LY: So, we're almost done.

12 CHAIRPERSON SANCHEZ: Papamama Thieng and  
13 Ibrahina Keinde.

14 AMADOU LY: I think we- yeah, that's it.

15 CHAIRPERSON SANCHEZ: And just to repeat  
16 out loud too that it is- I know you're taking the  
17 time- everybody who is here is taking the time to be  
18 here, but you represent so many who cannot take the  
19 time, and we take that seriously. We take that to  
20 heart. So, absolutely- you know, I just want to  
21 again invite for the specifics- there's been  
shelters, conditions in the shelters that have been  
mentioned. I want to know what shelters those are so  
we can route those to the proper channels. There  
have been instances of maybe it's police misconduct,

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3 maybe it's improper protocols followed. We want to  
4 know and I want to know what those details are so we  
5 can help with the follow-up, okay?

6 AMADOU LY: Okay.

7 CHAIRPERSON SANCHEZ: Because I don't  
8 just want it to be you come here, you testify, and  
9 then we never, you know, connect again, but how do we  
10 also follow up?

11 AMADOU LY: Okay. Thank you. [speaking  
12 non-English] Alright [speaking non-English] Okay.

13 KUMBASAL: Good afternoon, Council  
14 Members. My name is Kumbasal [sp?]. I want to speak  
15 about vulnerability during homelessness. When I  
16 first arrived I experienced [inaudible] shelter. The  
17 most difficult part was not only safety, but knowing  
18 where to go for help or where to go exactly.

19 Protecting women from homelessness also means having  
20 programs like the Certificate of No Harassment  
21 program. We can help create long-term stability in  
safe housing where tenants are not subject to  
[inaudible] or intimidation. In our community, we  
have seen many women experience mistreating by  
landlords, but they do not [inaudible] report it

3 because they fear consequences, especially when they  
4 are completely unsure of their rights. There are  
5 also situation where landlords in the apartment  
6 without proper notice. Sometimes cleaning, they are  
7 fixing something when nothing has been requested or  
8 reported. The Certificate of No Harassment program  
9 could help prevent this kind of experience by holding  
10 landlords accountable and reducing abusive practice.  
11 Lastly, the foundation- lastly, the Amadou Ly  
12 Foundation help me understand immigrants housing,  
13 [inaudible]. They also assisting families during  
14 detention emergency, helping [inaudible] information  
15 when people are separated. That showed me how  
16 important rapid response is when system fail to  
17 communicate clearly. This Certificate of No  
18 Harassment program matters because it has prevent  
19 people from enter homelessness through housing and  
20 stability. Thank you.

17 CHAIRPERSON SANCHEZ: Thank you so much.

18 PAPAMAMA THIENG: Hello. Good afternoon.

19 My name is Papamama Thieng. [speaking non-English]

20 AMADOU LY: Hi, my name is Papamama

21 Thieng. I live in [inaudible] Queens. I live in

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3 Queens with other friends of mine. In May of last  
4 year there was a fire. We live in the basement. The  
5 fire was close to the basement, but it didn't really  
6 destroy the basement. The owner of the place  
7 actually took his kids and they left, and they told  
8 us that we would be able to find other- he would find  
9 other places for us. This was May. There's no heater  
10 from 2025, from May until now. There's no heater.  
11 There is no-

12 PAPAMAMA THIENG: [speaking non-English]

13 AMADOU LY: There's no electricity from  
14 May to now.

15 PAPAMAMA THIENG: [speaking non-English]

16 AMADOU LY: There was difficulty with the  
17 water, but now the water is back, but still there's  
18 no heater. There's no hot water as well. He was  
19 forced to actually go to the place where he works  
20 which is not far, so he would bring hot water so  
21 those people can actually take shower. He said that  
because of the cold, his teeth- actually, his two  
back teeth, one day it was so cold, that until now he  
goes back and forth to the hospital just so he can  
get some medical attention because it affected him.

3 The landlord constantly tells them look for an  
4 alternative place and whenever they find an  
5 alternative place, the landlord doesn't follow  
6 through with his promise of actually having to pay  
7 for that place. He said they work. They're open to  
8 paying, it's just it's been extremely difficult for  
9 them to actually find a place to live. That's what  
10 he wanted me to highlight as well. I think- I mean,  
11 first of all, me, I'm just learning about this, but I  
12 think it just shows how, you know- it is a lot of  
13 situations even when I hear about it, it's like wow,  
14 what? You know? And I think it'll be awesome maybe  
15 if they can have- if we can expand the language or  
16 outreach where we can actually remind people of some  
17 of the laws and how they can be protected. Because  
18 he's not alone. There's a lot of these guys  
19 sometimes. He lives elsewhere. They'll come and  
20 they'll tell you stories, and this is like what, in  
21 America? So, yeah.

18 CHAIRPERSON SANCHEZ: Absolutely. Thank  
19 you. Thank you for that story.

20 IBRAHINA KEINDE: My name is Ibrahimina  
21 Keinde [sp?]. [speaking non-English]

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3 AMADOU LY: [speaking non-English]

4 IBRAHINA KEINDE: [speaking non-English]

5 AMADOU LY: Thank you so much. My name  
6 is Ibrahina Keinde. I'm here today because I would  
7 like to highlight some difficulty that a lot of our  
8 community members face, and it revolves around legal  
9 assistance in regards to immigration. I understand  
10 that this is another- this is probably not the right  
11 place. But I'll just translate just so you understand  
12 what he just said. Many of these attorneys  
13 [inaudible] the people of \$7,000, \$8,000, and in the  
14 midst of that, when they're respected the issue that  
15 many of these people in our community face is that  
16 they cannot reach those lawyers. They will take a  
17 substantial amount of money, but when you try to reach  
18 them, you cannot reach them. A lot of these  
19 attorneys- he's given an example where he couldn't  
20 reach the attorney to understand when was his court  
21 date. So, when he finally reached the attorney, the  
attorney tried sort of blowing him off and blew him  
off and tell him hey, February 15, 2028. And then he  
reached out to me, and then I looked at his  
appointment, and I said you don't have an appointment

3 yet, right? So, he's saying that many in our  
4 community, and this is actually a very serious issue.  
5 I think Adam [sic] was trying to point this out at  
6 some point where many of them, many of these  
7 attorneys, they accept money, however, they're hard  
8 to reach. Even when you're supposed to rehearse  
9 prior to attending an immigration hearing, you don't  
10 see them, right? So, I think this is- I'm sure,  
11 again, we're highlighting this. It might not be the  
12 right place, but this is an issue in the community  
13 and it's massive. It's like half of these people  
14 have that issue, and we know ones that are  
15 notoriously known for that.

16 CHAIRPERSON SANCHEZ: Thank you. On the  
17 case of the immigration attorney, I don't- it's not  
18 my area of expertise.

19 AMADOU LY: Yeah, I got you. I got you.

20 CHAIRPERSON SANCHEZ: But there- I think  
21 there is a question there about what role we can have  
in the sort of- making sure that they are behaving  
with integrity. They have licenses. They have  
boards to be attorneys in the city and so there  
should be a complaint mechanism for that kind of

3 case. And then the story of the basement without the  
4 services, this is exactly the kind of building that  
5 CONH would apply to. They would not be able to  
6 secure permits in order to do any work. There's a  
7 finding that they're behaving in this kind of way.  
8 So I just want to make sure to get information about  
9 how big is the building that he's talking about to  
10 make sure that what we're trying to capture in CONH  
11 gets his kind of case.

12 AMADOU LY: Got it. [speaking  
13 non-English] Yeah, he said even the insurance paid  
14 them and they're fixing the place, but until today  
15 they're not- I mean, this is something that we're  
16 going to have to look deeper into. But now that I'm  
17 aware- but I also wanted to highlight- I think we're  
18 done, right? I think we're done. I want to read the  
19 final testimony which is, I think, me. Thank you  
20 again for taking the time to listen. My name is  
21 Amadou Ly and I'm the founder of the [speaking  
non-English]. My name is Amadou Ly and I'm the  
founder of the Amadou Ly Foundation. What you heard  
today is only a small portion of what is happening in  
our community. There are many people here with us

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3 today who did not get the chance to speak, and beyond  
4 this room there are thousands more driving taxis,  
5 making deliveries, working in home care, supporting  
6 hospitals, and keeping this city running every single  
7 day. They're contributing. They're working, but  
8 many feel invisible. Today's not the full story.  
9 It's an introduction, an introduction to a community  
10 that is grateful to be here, but is still struggling  
11 to access systems that were meant to protect and  
12 support them. We had to turn away many people,  
13 because there was not enough space or time. So, that  
14 alone shows the scale of the need. That is why we  
15 are respectfully requesting a roundtable with the  
16 City Council so we can come together and fully  
17 discuss the issues raised here and the many that  
18 could be shared- that could not be shared today,  
19 because there is a disconnect. The city has invested  
20 in preventing homelessness and protecting vulnerable  
21 population, but many people are still falling through  
the cracks, still facing housing instability, still  
lacking clear information and still navigating fear.  
We also want to be clear about something. The  
greatest fear in many of our communities, not just

3 housing instability, it is what can happen when  
4 something goes wrong, when people are detained, when  
5 families are separated, when someone disappears in  
6 the system without answers. That is why we're asking  
7 for support in our Urgent Habeas Response Program.

8 This program has helped secure the release of many  
9 individuals, not only Africans, but people from many  
10 communities who were unlawfully detained or at risk  
11 of being lost in the system. It has brought fathers  
12 back to their children, reunited families, and  
13 restored stability in a moment of crisis. But right  
14 now, we are doing this work with limited resources.

15 If people are expected to report harassment, unsafe  
16 housing conditions or unfair treatment, they must  
17 also know that there's a system in place to protect  
18 them if that reporting leads to consequences. That  
19 is why our habeas program provide a safety net when  
20 everything else goes wrong. We're also asking for  
21 support for our workforce program. As you know,  
Council Member, many of these individuals are the  
Canal Street vendors, and many were impacted by the  
bill that was passed which many felt excluded. A lot  
of these guys actually attended the rally that we

3 did. We believe that the workforce program- it can  
4 be in the Bronx. It can be citywide. Many of them  
5 would benefit from it, especially now that the city  
6 including the mayor is on- they're on the verge of  
7 cleaning up Canal Street. So, I have been in contact  
8 with your office, but it would be awesome to have a  
9 moment of your time so we can actually have some  
10 concrete solution regarding to their need in regards  
11 to workforce. But thank you so much for taking the  
12 time for being here and for listening to our  
13 community members and their needs.

14 CHAIRPERSON SANCHEZ: Absolutely. Thank  
15 you all so much for coming. You leave me inspired to  
16 work harder and do more and try to figure out more  
17 solutions. But I just want to also congratulate you,  
18 because I know it is not easy to organize  
19 constituents, right, and folks who are in need and  
20 are on the front lines of the support that you're  
21 seeking, you know, to provide them. It's very  
difficult to them also having to get here and speak  
for themselves. So, I congratulate you. I welcome  
more conversation, and I thank every single person  
who is here for your participation.

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3 AMADOU LY: Thank you. Alright. [speaking  
4 non-English] Okay, yeah. So all of these guys- okay,  
5 alright. So, yeah. So, thank you again for  
6 listening to us and we truly appreciate it and we  
7 look forward working with you guys. Thank you.

8 CHAIRPERSON SANCHEZ: Thank you. Thank  
9 you so much. Thank you. Yes, and if anybody had not  
10 submitted a slip, but did speak, if you could just  
11 make sure that we have their name for the record. We  
12 will now turn to remote testimony. Once your name is  
13 called, a member of our staff will unmute you and the  
14 Sergeant at Arms will give you the go-ahead to begin.  
15 Please wait for the Sergeant to announce that you may  
16 begin before delivering your testimony. Dr. Tabitha  
17 Julien?

18 SERGEANT AT ARMS: You may begin.

19 DR. TABITHA JULIEN: Hi. Good afternoon.  
20 Good morning, Chair and members of the committee. My  
21 name is Dr. Tabitha Julien. I am a public health  
researcher and journalist focused on housing  
instability, housing insecurity, and housing policy  
as drivers of health. And I'm also a rent-stabilized  
tenant in New York City. I'm also a first-generation

3 immigrant. My family came to this country and into a  
4 rent stabilized apartment. My research examines  
5 patterns of landlord rent stabilization  
6 non-compliance, and I conducted a study from 2016 to  
7 2021 analyzing these trends, including lease renewal  
8 failures, rent overcharges, and rent reductions in  
9 services across gentrifying and non-gentrifying  
10 neighborhoods. What I found is that landlord rent  
11 stabilization non-compliance is not random, but it is  
12 concentrated. It is significantly more common in  
13 rent stabilized units located in gentrifying  
14 neighborhoods where there's an increased pressure to  
15 displaced tenants. These patterns reflect what I  
16 describe as structural harassment, systemic practices  
17 that destabilize tenants and create ongoing threats  
18 of displacement even within a regulated system. This  
19 is especially concerning because immigrants make up a  
20 substantial share of rent stabilized tenants in New  
21 York City, meaning these patterns disproportionately  
impact immigrant communities. So, when we talk about  
harassment we are not only talking about isolated  
incidents, we are talking about a broader system of  
landlord rent stabilization non-compliance that

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3 creates sustained instability, displacement pressure  
4 and harm. These conditions are not only structural,  
5 they're also physical and psychological, producing  
6 chronic stress, fear, and a loss of safety that  
7 directly impacts tenant's health and wellbeing. And I  
8 want to be clear, this is not something that I just  
9 study, it is something that I am currently  
10 experiencing. For the past several years, my  
11 neighbors and I and organized-

12 SERGEANT AT ARMS: [interposing] Thank  
13 you. Your time expired.

14 DR. TABITHA JULIEN: body have-

15 CHAIRPERSON SANCHEZ: [interposing] You  
16 may conclude, but your time has expired. So, you can  
17 quickly conclude.

18 DR. TABITHA JULIEN: For the past several  
19 years, my neighbors and I and organized tenant body  
20 have taken the appropriate steps to address ongoing  
21 harassment in our building. We partnered with a  
community-based legal organization called Communities  
Resist, and filed a harassment case in Housing Court.  
The case has now been pending for approximately three  
to four years with no meaningful movement. It is not

3 on the calendar, and we haven't been called to  
4 testify, and there have been no updates. At the same  
5 time, the harassment has escalated. I have  
6 experienced tampering and theft of my personal mail  
7 containing highly-sensitive information, interference  
8 with my personal property, and incidents that have  
9 made my living environment unsafe. I have also  
10 experienced as a tenant organizer my management  
11 company calling the police on our organizing efforts  
12 at least twice. In the context of this hearing, that  
13 is deeply concerning. For many immigrant tenants,  
14 any interaction with law enforcement carries fear of  
15 exposure or potential entanglement with immigration  
16 enforcement. The presence of police alone can  
17 silence organizing efforts and discourage tenants  
18 from asserting their rights. When landlords use law  
19 enforcement in response to organizing, it creates a  
20 chilling effect, particularly in immigrant  
21 communities already living with the fear of ICE and  
deportation. I reported all of these issues to my  
local precinct and was told to take them to  
landlord/tenant court. I also contacted the New York  
State Attorney General's office and was told that

3 they could not intervene because the case is already  
4 in court. So, despite going through every  
5 appropriate system, Housing Court, law enforcement,  
6 and the Attorney General, no system has taken  
7 responsibility and the harm continues. As a result,  
8 I'm current displaced from my home. And while the  
9 Certificate of No Harassment program is an important  
10 step, it is limited by design. It's a pilot program  
11 and only applies to certain buildings and is  
12 triggered only when landlords seek permits, not when  
13 tenants are actively experiencing harm. A system  
14 that activates only during redevelopment cannot  
15 address ongoing structural harassment or protect  
16 tenants in real-time. I urge the Council to recognize  
17 that landlord rent stabilization non-compliance and  
18 housing harassment, especially in immigrant  
19 communities are public health crises that require  
20 urgent real-time enforcement. Specifically, I  
21 suggest make tenant harassment reportable through  
311, creating an immediate pathway for intervention.  
Also, to ensure rapid response enforcement by HPD,  
similar to their emergency repair responses. Expand  
CONH beyond a limited reactive pilot and strengthen

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3 protections for tenant organizers and immigrant  
4 tenants, particularly against retaliation involving  
5 law enforcement, because without enforcement rent  
6 stabilization is not protection-

7 CHAIRPERSON SANCHEZ: [interposing] Thank  
8 you, Dr. Julien.

9 DR. TABITHA JULIEN: it is a promise that  
10 is not being upheld. As a researcher, I also want  
11 to-

12 CHAIRPERSON SANCHEZ: [interposing] Okay,  
13 Dr.--

14 DR. TABITHA JULIEN: emphasize that  
15 there's a strong opportunity-

16 CHAIRPERSON SANCHEZ: [interposing] Dr.  
17 Julien, I'm sorry. Your time- you're about  
18 double-time, but I encourage you to please submit  
19 your testimony so that we can take a closer look at  
20 the situation you're describing as a test case, and  
21 invite you to let us know about your- more about your  
case on an individual basis. So we'll try to get  
your email so that we can open up a channel of  
communication with you. Alright, thank you. Thank

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3 you so much for participating today. And the next  
4 person is Christopher Leon Johnson.

5 SERGEANT AT ARMS: You may begin.

6 CHRISTOPHER LEON JOHNSON: Yeah. Hello.

7 My name is Christopher Leon Johnson. I support your  
8 bill when it comes to the Certificate of No  
9 Harassment program, but I want to make this clear  
10 that the New York City Council needs to introduce a  
11 bill to where that the NYPD will be barred from  
12 working with the Marshals when it comes to evicting  
13 tenants. The thing that nobody said today is that- I  
14 think Caban will make it later on, that the police  
15 and real estate works together, and that's a big  
16 problem. Let's make it clear that- I know this got  
17 nothing to do with the topic at-hand, but there's a  
18 lot of these buildings that are ran by cops and they  
19 work hand-in-hand with the police to harass people  
20 that- you know, who they don't approve of. And  
21 unless you become tenant organizing, it's like the  
worse. These landlords are friends with the police,  
and so when they call the cops, the cops will always  
take the side of the landlord or something I call the  
slumlord over the tenants. And I think going forward

3 the City Council need to make aware that that had to  
4 stop. And I hope that our Mayor Mamdani, because  
5 he's acting like he care about tenants, make this  
6 hap- make this stop. And I'll say this right not  
7 that it's not about having sham hearings like what  
8 happened in the mayor's office. It's about really  
9 making real action. And you know, the tenant- the  
10 Executive Director of the Office to Protect Tenants,  
11 Sia Weaver [sp?] needs to be on top of this. And like  
12 I said, there's a lot of tenant harassment. I know it  
13 happens all over the city, but like I said, unless  
14 there's bills that really mitigate tenant harassment  
15 especially when it comes to cops working with these  
16 landlords and slumlords to harass people even  
17 organizing- and to the point of where working with  
18 the New York City marshals to evict people, nothing  
19 really going to change, because like I said I think  
20 in the last session, I think the last year, that cops  
21 always make things worse when it comes to tenant  
issues. And I'll say this right now that the reason  
there's a lot of tenant harassment, because they want  
people who makes less than market rate rent out of  
the-

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3 SERGEANT AT ARMS: [interposing] Thank  
4 you. Your time expired.

5 CHRISTOPHER LEON JOHNSON: Alright, thank  
6 you so much. Enjoy your day.

7 CHAIRPERSON SANCHEZ: Thank you. Thank you  
8 for your testimony. Ryan Patrick Cole?

9 SERGEANT AT ARMS: You may begin.

10 CHAIRPERSON SANCHEZ: Felicia Gordon?

11 SERGEANT AT ARMS: You may begin.

12 CHAIRPERSON SANCHEZ: Thank you. If we  
13 have inadvertently missed anyone that has registered  
14 to testify today and has yet to be called, please use  
15 the Zoom raise hand function if you are testifying  
16 remotely, and you will be called in the order that  
17 your hand has been raised. If you are testifying  
18 in-person, please come to the dais. Seeing none, I  
19 will now close the hearing. Thank you to the members  
20 of the administration and the members of the public  
21 who have joined us today. This hearing is adjourned.

[gavel]

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C E R T I F I C A T E

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



Date June 3, 2026