

COMMITTEE ON CONSUMER AND WORKER PROTECTION
CITY COUNCIL
CITY OF NEW YORK

1

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND WORKER
PROTECTION

----- X

June 17, 2025
Start: 10:09 a.m.
Recess: 11:01 a.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 14TH
FLOOR

B E F O R E: Julie Menin, Chairperson

COUNCIL MEMBERS:
Shaun Abreu
Amanda Farías

OTHER COUNCIL MEMBERS ATTENDING:
Chris Banks

A P P E A R A N C E S

Carlos Ortiz, Deputy Commissioner for External Affairs for the New York City Department of Consumer and Worker Protection

Andrew Schwenk, Associate General Counsel for the New York City Department of Consumer and Worker Protection

Zafar Ahmed, business owner

Pat Grace, Program Manager at Getting Out, Staying Out

Kevin Mestritch

Max Bookman, attorney for New York City Newstand Operators Association

James Coakley, New York State Self-Storage Association

Laura House, Moms Demand Action and Everytown for Gun Safety

David Pucino, Legal Director of Giffords Law Center

Ia Sofocleous, Rising Junior at Stuyvesant High School and volunteer with Students Demand Action

James Allen, Director of Government Affairs and Sustainability at Savers Value Village

Christopher Leon Johnson, self

2 SERGEANT-AT-ARMS: This is a microphone
3 check on the Committee on Consumer and Worker
4 Protection recorded by James Marino on the 14th Floor
5 Hearing Room on 6-17-2025.

6 SERGEANT-AT-ARMS: Good morning, good
7 morning, and welcome to today's New York City Council
8 hearing for the Committee on Consumer and Worker
9 Protection.

10 At this time, we ask that you silence all
11 electronic devices, and at no time is anyone to
12 approach the dais. I repeat no one is to approach the
13 dais.

14 If you would like to sign up for in-
15 person testimony or have any other questions
16 throughout the hearing, please see one of the
17 Sergeant-at-Arms.

18 Chair Menin, we are ready to begin.

19 CHAIRPERSON MENIN: [GAVEL] Good morning.
20 My name is Julie Menin. I'm Chair of the Council
21 Committee on Consumer and Worker Protection, and I
22 just want to welcome everyone to today's hearing on
23 Introduction Numbers 495, 1016, 1231, 1290, 1308, and
24 1311.
25

I'll be recognizing my fellow Council Members as they arrive.

The bills we're hearing today touch on a variety of consumer protection and business licensing issues. Introduction Number 495, sponsored by Council Member Brannan, would limit increases of occupancy fees for self-storage units to 2 percent per year and restrict storage facilities from terminating an occupancy agreement for any reason other than non-payment of required fees.

Introduction Number 1016, sponsored by Council Member Bottcher, would require dealers in firearms, rifles, and shotguns to display a warning sign where the firearms, rifles, or shotguns are displayed or where they are transferred to the purchaser.

Introduction Number 1231, sponsored by Council Member Banks, would require tax preparers to provide customers with statements that itemize all of the various charges.

Introduction Number 1290, sponsored by myself, would establish a licensing requirement for self-storage warehouses.

2 Introduction Number 1308, also sponsored
3 by myself, would reform many of the City's business
4 licensing laws by eliminating fees for duplicate
5 licenses, eliminating bond requirement for certain
6 business license types, exempting secondhand clothing
7 stores from licensing requirements, shifting the
8 locksmith licensing requirement from individuals to
9 businesses, combining the electronic stores and
10 electronic store service dealer license, allowing
11 licensed e-cigarette dealers to relocate within their
12 community districts, amongst other reforms.

13 And then, finally, Introduction Number
14 1311, also sponsored by myself, would prohibit food
15 establishments from using a dynamic pricing model
16 that increases the price of any menu item based on
17 real-time demand.

18 I look forward to hearing from the
19 Department of Consumer and Worker Protection, as well
20 as relevant stakeholders who are here today.

21 And now, I want to turn it over to my
22 Colleague, Council Member Banks, to make a statement
23 on his bill.

24

25

COUNCIL MEMBER BANKS: Good morning, Chair, and good morning to everyone who's in the room. Thank you, Madam Chair.

It's an honor to be here today to speak on behalf of Intro. 1231, which would require tax preparers to provide customers with an itemized statement of charges. This would include fees for state and federal tax returns, software filing, and any charges related to refund anticipation loans or checks. Tax preparers would be required to provide the statement in both physical and electronic forms. This bill was inspired by a constituent complaint, a tax preparer who contacted my office after a client refused to pay a fee of about 150 dollars. What should have been a straightforward transaction turned into a frustrating ordeal for the business owner who had to jump through unnecessary hoops just to get paid, and the customer who honestly just wanted to know what they were paying for. The thought behind this is if customers had a clear itemized breakdown of charges, something they could understand and reference to, it could prevent misunderstandings and make things easier for everyone involved. This is a straightforward, common-sense bill, and that's the

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION

7

2 goal of Intro. 1231, to offer transparency and
3 protection for both the consumers and the tax
4 preparers.

5 I want to thank my staff, the Leg
6 Department, for helping draft this bill, and Madam
7 Speaker, thank you so much for your Committee for
8 hearing this bill.

9 CHAIRPERSON MENIN: Thank you so much to
10 Council Member Banks. I fully support that bill. I
11 think it's great, and it really leads to increased
12 transparency.

13 So, we will now go to testimony from the
14 administration. We have with us today Carlos Ortiz,
15 the Deputy Commissioner for External Affairs for
16 DCWP; Andrew Schwenk, Associate General Counsel for
17 DCWP.

18 So, I'm now going to turn it over to
19 Committee Counsel to administer the affirmation.

20 COMMITTEE COUNSEL: Do you affirm to tell
21 the truth, the whole truth, and nothing but the truth
22 before this Committee and to respond honestly to
23 Council Member's questions?

24 DEPUTY COMMISSIONER ORTIZ: I do.

25 GENERAL COUNSEL SCHWENK: I do.

2 DEPUTY COMMISSIONER ORTIZ: Good morning,
3 Chair Menin, Council Member Banks, and Members of the
4 Committee on Consumer and Worker Protection. My name
5 is Carlos Ortiz, and I am Deputy Commissioner for
6 External Affairs at the Department of Consumer and
7 Worker Protection. Today, I am joined by our
8 Associate General Counsel, Andrew Schwenk. Thank you
9 for the opportunity to testify before the Committee
10 today on these bills regarding our consumer
11 protection work.

12 DCWP is a key resource for all New
13 Yorkers, providing fundamental consumer and worker
14 protections and financial empowerment programming
15 across the five boroughs. We are dedicated to
16 ensuring that consumers who have been exploited or
17 deceived have recourse, that workers have a
18 passionate defender of their rights, and that all New
19 Yorkers have the support they need to improve their
20 financial health. These protections and resources are
21 available to all New Yorkers, regardless of
22 immigration status. In the past three years, under
23 Commissioner Mayuga's tenure, we have delivered more
24 than 1.3 billion dollars back to New Yorkers through
25 our protections, policies, and programming. Since our

2 landmark Consumer Protection Law was enacted in 1969,
3 we have been the nation's leading municipal consumer
4 protection agency. For nearly 60 years, we have
5 consistently leveraged our authority to protect New
6 Yorkers from deceptive business practices, securing
7 financial restitution for consumers whose rights have
8 been violated by bad actors in the marketplace. In
9 the last few years, our efforts have played a role in
10 the recovery of about 28 million dollars in financial
11 restitution, trust fund disbursements, and debt
12 relief for consumers.

13 A key component of protecting New Yorkers
14 is supporting and facilitating compliance among
15 businesses with the laws that we enforce through
16 education and other key services. DCWP's licensure
17 plays a critical role in safeguarding our consumers
18 and maintaining industry standards across more than
19 45,000 businesses in 40 license categories.
20 Businesses across the five boroughs have access to
21 our educational materials, as well as direct outreach
22 from our team. In the last several years, we have
23 hosted nearly 400 business engagement and outreach
24 events, reaching more than 30,000 business owners.
25 Our Visiting Inspector Program provides new brick-

2 and-mortar businesses that we regulate the
3 opportunity to receive an educational visit from one
4 of our inspectors, and we look forward to working
5 with the Council to streamline compliance, reduce
6 costs, and highlight our balanced approach to support
7 small businesses while still providing robust
8 consumer protections for all New Yorkers.

9 Turning to today's legislation,
10 Introduction 1290 would require licensing of self-
11 storage warehouses. We strongly support the Council's
12 efforts to expand our licensing to a key sector of
13 the storage industry from which we frequently receive
14 consumer complaints.

15 Introduction 495 would limit increases of
16 occupancy fees for self-storage facilities by no more
17 than an increase of 2 percent per year. In addition,
18 self-storage facilities would not be permitted to
19 terminate occupancies for any reason other than
20 nonpayment of fees. As drafted, this legislation may
21 unintentionally discourage self-storage companies
22 from renewing occupancy agreements with existing
23 customers. We recommend a required rate disclosure to
24 be provided to consumers ahead of time in the event
25 of an increase, similar to what exists in our parking

2 lot and garage category, where rate increases must be
3 communicated to consumers and to the agency at least
4 60 days in advance of implementation. Strong pricing
5 disclosures would work well with the expanding
6 licensing requirements proposed in Introduction 1290.

7 Introduction 1231 would require tax
8 preparers to provide customers with an itemized
9 statement of charges, which would have to be provided
10 in both a physical and electronic format. We support
11 this legislation, which will increase transparency in
12 the paid tax preparer industry and help protect
13 consumers, particularly lower income New Yorkers, as
14 we look ahead to the next tax season.

15 Introduction 1311 would prohibit food
16 establishments from using a dynamic pricing model
17 that increases the price of any menu item based on
18 real-time demand. We support the intent of the bill.
19 Dynamic pricing is a relatively new consumer
20 protection issue, particularly for brick-and-mortar
21 businesses like restaurants. We welcome the
22 opportunity to work with the Council and stakeholders
23 to better understand the scope and impact of this
24 practice on New Yorkers and to refine the legislation
25 accordingly.

2 Introduction 1308 would reform many of
3 the City's business licensing laws. We strongly
4 support this bill as a common-sense reform that will
5 benefit many business categories and deliver
6 meaningful savings for small businesses. The
7 legislation would streamline owners' requirements and
8 is another step to provide a more efficient system
9 for all New Yorkers. We would like to recommend for
10 the legislative record and redlining process that
11 additional measures be added within the legislation
12 to reduce operational hurdles for businesses. For
13 example, this bill eliminates onerous fingerprinting
14 requirements for certain license categories. We
15 believe that requirement should also be removed for
16 the merged electronic store category. Ultimately, we
17 believe that the fingerprinting requirement is not
18 only burdensome, but it also hinders prospective
19 small businesses from being able to participate in
20 the market, and it does not create greater protection
21 for consumers. We think that the bond requirement
22 should be removed for all secondhand dealers,
23 especially where it is duplicative of State
24 requirements. We agree with the Council that licenses
25 in good standing, compliant with local laws and

2 rules, should be able to move locations within a
3 community district. Currently, the bill permits this
4 for electronic cigarette retailers. We believe this
5 should also be allowed for tobacco retailers. We also
6 recommend an online sales exemption for secondhand
7 dealer licensees and eliminating outdated
8 manufacturer and qualifications provisions in our
9 locksmith category. Lastly, while the current
10 requirement to audit process service is overly
11 burdensome on these businesses, we believe we should
12 retain discretion to be able to conduct an audit when
13 necessary.

14 Finally, Instruction 1016 will require
15 dealers in firearms, rifles, and shotguns to display
16 a warning sign where the firearms, rifles, or
17 shotguns are displayed or where they are transferred
18 to the purchaser. The Administration has submitted
19 written testimony for this bill, and we defer to our
20 colleagues at the Health Department and NYPD on this
21 legislation.

22 Thank you for the opportunity to testify
23 before your Committee on our essential work of
24 lifting New Yorkers and today's legislation. We look
25 forward to working with you all to further our

2 efforts to protect New Yorkers in the marketplace,
3 and I welcome any questions you may have for further
4 discussion.

5 CHAIRPERSON MENIN: Great. Thank you very
6 much. So, I'm just going to dive right into some of
7 the bills because I have a number of questions, and
8 then I'll turn it over to my Colleague, Council
9 Member Banks, for his questions.

10 I want to start with Intro. 1290. So, in
11 relation to self-storage warehouses, can you talk
12 about how many complaints about self-storage
13 warehouses the agency is receiving annually, and what
14 is the nature of these complaints?

15 DEPUTY COMMISSIONER ORTIZ: I think, in
16 general, with respect to storage warehouses, the
17 overall category, we've received about 340 complaints
18 since 2022, probably consistently across each year.
19 The complaints range from topics such as increase in
20 rates or deceptive practices, but realistically, many
21 of those complaints tend to be in the self-storage
22 sector of the industry, which currently has that
23 loophole in licensing that we want to make sure we
24 work with the Council on closing.

2 GENERAL COUNSEL SCHWENK: I would just
3 add, Council Member, in addition to what Carlos had
4 identified, many of those complaints are about
5 property damage, consumers' access to their property
6 in the storage unit itself, and then the conditions
7 of goods and the storage unit itself.

8 CHAIRPERSON MENIN: Great.

9 GENERAL COUNSEL SCHWENK: Some of the
10 themes we see in there.

11 CHAIRPERSON MENIN: Okay. And why are
12 self-storage warehouses currently exempt? I know you
13 say it's a loophole, but was there any rationale
14 behind that loophole?

15 DEPUTY COMMISSIONER ORTIZ: It's not our
16 understanding there was a rationale. It probably
17 dates back to a time when self-storage warehouses
18 were not a typical business practice. Definitionally,
19 it's a loophole now that we'd like to close.

20 CHAIRPERSON MENIN: Okay. And do you think
21 limiting increases of self-storage fees to 2 percent
22 annually is appropriate?

23 DEPUTY COMMISSIONER ORTIZ: Well, with
24 respect to the limits on fee increases, I do think we
25 are concerned with unintended consequences. Limiting

2 the business' ability to increase fees could result
3 in them perhaps not offering renewed contracts to
4 consumers. So, our thoughts are, particularly in
5 balance with the expanded licensing, that we could
6 instead provide consumers with disclosure much more
7 ahead of time of any prospective rate increases, and
8 that way the consumer has an option, has a choice,
9 has the information they need to make a decision of
10 whether or not they want to renew their contract.

11 CHAIRPERSON MENIN: Do you believe there
12 are other reasons other than non-payment of fees that
13 should warrant a self-storage facility to terminate
14 an occupancy agreement?

15 GENERAL COUNSEL SCHWENK: Thank you,
16 Council Member, for the question. Yeah, I think that
17 there could be. I think protecting consumer property
18 in storage units is important, and I think that there
19 could be a risk of misuse by other consumers of that
20 space, and that's unrelated to fee payments. So, we
21 are concerned about that and cutting off the ability
22 of a storage unit to be able to manage safety and
23 access for other consumers.

24 CHAIRPERSON MENIN: And how would DCWP,
25 getting back to the fee increases, how would you

2 enforce a limitation on fee increases for self-
3 storage warehouses?

4 DEPUTY COMMISSIONER ORTIZ: I think
5 ultimately a limit on fee increases, I think, is not
6 our preferred model for how we want to address
7 pricing in the industry. Our preferred model would be
8 focusing on disclosures that need to be made to the
9 customers and to the agency. If a business does not
10 submit those disclosures, that is grounds for us to
11 investigate, to issue summonses to the business for a
12 consumer to bring forward a complaint. I think
13 that's, we would fold that into our typical
14 processes.

15 CHAIRPERSON MENIN: Okay. And I'm going to
16 pause for a minute because I've been joined by my
17 Colleague, Council Member Bottcher, and I'd like to
18 turn it over to him for a statement on his bill.

19 COUNCIL MEMBER BOTTCHEER: Thank you so
20 much, Council Member Menin, Chair Menin, really
21 appreciate your leadership and the opportunity today
22 to have a hearing on Introduction 1016, which would
23 require firearm dealers in New York City to post on
24 the wall written warnings about the public health
25 risks of having a gun in the home, as well as a

2 graphic warning of the public health risks of having
3 a gun in the home. I can't think of a deadlier
4 consumer product that requires no warning at the
5 point of purchase. So today, our legislation is
6 requiring that warning and applying a graphic warning
7 to it as well, drawing from public health research
8 that shows that a graphic attached to a public health
9 warning is effective, that it breaks through. So, the
10 Department of Health, if our legislation passes, will
11 develop that graphic and it could be something like a
12 child reaching into a drawer for a handgun next to a
13 bedstand. If that breaks through to one person who's
14 in a gun store about to buy a handgun for their home,
15 then this legislation would be worth it. And think
16 about all the different consumer products that have
17 warnings at the time of purchase. Toys, motorized
18 vehicles, food products, pharmaceuticals, yet
19 firearms isn't on that list. So, we're changing that
20 today and this is the first time in the United States
21 that legislation is being proposed that will require
22 a graphic on the wall.

23 I want to thank Everytown for Gun Safety
24 and Moms Demand Action and Giffords and all the
25 organizations that are part of this effort, and I'm

2 hoping that this will inspire similar legislation
3 around the country because this will save lives.
4 41,000 people dead from gun violence last year alone.
5 The number one cause of death in children surpassing
6 vehicular accidents. This is not who we are as
7 Americans. We could do so much better. So, let's pass
8 this legislation and let's save lives.

9 CHAIRPERSON MENIN: Thank you so much,
10 Council Member Bottcher, and I really want to thank
11 you for this legislation. This is incredibly common
12 sense and will save lives. And as Council Member
13 Bottcher said, from a consumer perspective, you go
14 into a store, if you're a parent and you're buying a
15 toy for your child, there is a warning that says
16 small parts, choking hazard for children under three.
17 There are warnings on alcohol, there are warnings on
18 cigarettes, there are warnings on, as you point,
19 pharmaceuticals, all sorts of products and yet guns,
20 no warnings on this, and so I so support this and I
21 really want to thank you for introducing this
22 incredibly commonsense piece of legislation.

23 Okay. So, we're going to continue and
24 then I'm going to continue with my questions and then
25

2 I'll pass it over to my Colleague, Council Member
3 Bottcher, for his questions.

4 So, getting back to the legislation at
5 hand, we're now going to move to Intro. 1308, which
6 is in relation to reforming certain business
7 licensing requirements. So, do you have any concerns
8 about removing the licensing requirements for
9 secondhand clothing dealers?

10 DEPUTY COMMISSIONER ORTIZ: Thank you for
11 the question, Chair. I think for us, removing the
12 secondhand dealer requirement for clothing stores, I
13 think is a commonsense approach to what we want to do
14 in reducing burdens for businesses. You know, I think
15 there's the secondhand dealer license, should really,
16 we can focus that on certain products, key record
17 keeping that has to be there for jewelry, for
18 example. But in the case of clothing, I think we
19 would be in agreement with the Council that that
20 should be removed.

21 CHAIRPERSON MENIN: And how many
22 secondhand clothing dealers are currently licensed by
23 DCWP?

24

25

2 DEPUTY COMMISSIONER ORTIZ: We don't have
3 the clothing dealer category broken out in that type
4 of way.

5 CHAIRPERSON MENIN: Okay. Any concerns
6 about removing the licensing requirements for
7 distributors that deliver to general vendors?

8 DEPUTY COMMISSIONER ORTIZ: I don't
9 believe that we have any concerns with that. We don't
10 think that it provides, that license category has
11 historically provided significant consumer
12 protections or consumer protections at all, so I
13 think it's a type of category that I think at this
14 day and age has become somewhat outdated.

15 CHAIRPERSON MENIN: And what about any
16 concerns about removing the bonding and audit
17 requirements for process servers?

18 DEPUTY COMMISSIONER ORTIZ: In terms of
19 the audit requirements, because I'll speak to that
20 and then I can toss it over to my colleague, Andrew
21 Schwenk. The process server audit, and I think it's
22 something that was mandated, I think, 2017, 2018. I
23 think it really resulted in process servers being
24 captured with a lot of ministerial errors that
25 because of the penalties that were in that category

2 ended up being very, very burdensome for them. So,
3 our thoughts are that the process server audit is not
4 really capturing server service, which was the intent
5 of that original bill, and we can maintain the
6 discretion to audit when we need to. But ultimately,
7 no, we don't want to be putting people out of
8 businesses just because of heavy fines that don't fit
9 the violation, so to speak. And then let me toss it
10 over to my colleague, Andrew.

11 GENERAL COUNSEL SCHWENK: Yeah. Just to
12 follow up on the process server audit requirement, I
13 think we want to be in a place where we have the
14 ability and resources to target what we identify as
15 repeat offenders. You know, if we notice a pattern in
16 complaints, have the ability to target audits at
17 those individual licensees. And I think getting rid
18 of the sort of mandatory audit requirement would
19 allow us to do so. But putting back in language that
20 used to be there prior to the mandatory audit that
21 would allow us discretionary authority to conduct
22 those audits.

23 CHAIRPERSON MENIN: And any concerns about
24 removing bonding requirements for storage warehouses
25 or industrial laundries?

2 GENERAL COUNSEL SCHWENK: Yeah. No, I
3 don't think we have concerns there, Chair Menin. I
4 think that the license requirements for those
5 industries are providing good protections. That gives
6 us the ability to go after penalties collections
7 against our licensees. You know, we have the ability
8 to suspend licenses if penalties aren't paid. And so,
9 in a lot of cases, that makes the bond a little bit
10 unnecessary and redundant and, of course, is a cost
11 to the business. And that's, of course, why we want
12 to target some of these repeals of bond requirements.
13 It really saves a lot for those business communities,
14 particularly in the aggregate, but even for
15 individual small businesses, getting rid of that
16 cost.

17 DEPUTY COMMISSIONER ORTIZ: I think just
18 to reinforce that as well, I think a legacy item of
19 some of these categories is that they had a bond
20 requirement in there. But ultimately, from our
21 perspective, we can use license verification as the
22 compliance stick, so to speak. And ultimately, the
23 bond requirements end up becoming more of a payment
24 that goes to the bond industry rather than protecting
25 consumers.

CHAIRPERSON MENIN: Understood.

Understood. Any consumer protection implications about merging the electronic store and the electronic or home appliance service dealer licenses?

GENERAL COUNSEL SCHWENK: No, I don't think we do have concerns there, and I think that the bill that you've introduced here, it does a really nice job of merging those categories. And just to speak to, I think, the really beneficial effect there, I don't have the exact number in front of me, but from some past reviews we've done, we think upwards of 75 percent of those categories hold both licenses. So, we're talking about a community of businesses that's engaging in conduct for which they need two licenses right now, and that's wasteful. It's wasteful for the City, and it's wasteful for those business communities. And so, I think that tailored approach where we have a single license cuts down on the costs associated, but also continues the protections that are required for each of those industries within that overall category is the best approach here.

CHAIRPERSON MENIN: And just so we have it on the record, I know you referred to this in your

2 testimony, but do you support allowing licensed e-
3 cigarette dealers to relocate within a community
4 district so long as they give the agency 20 days'
5 notice?

6 DEPUTY COMMISSIONER ORTIZ: I think in
7 general, in concept, we do support that. In fact, we
8 would also support that for our tobacco retail
9 dealers as well. I think ultimately those laws also
10 date back from the previous administration, and I
11 think we've seen through our experience is that some
12 businesses, because the license is fixed to the
13 premise, might lose that license because their rent
14 has gone up, something has happened to the building,
15 and ultimately we don't want that outcome to be
16 unfair or overly draconian. I don't know if Andy, if
17 you want to speak to the number of days question.

18 GENERAL COUNSEL SCHWENK: Yeah, I would
19 just add into that. I think allowing for businesses
20 to move within a community district really does also
21 maintain the benefits of the caps that are currently
22 in place. We are seeing the attrition of the number
23 of overall dealers coming down to the cap levels in
24 many districts, and so adding in a simple provision
25 to allow relocation in the event that a business is

2 pushed out due to rent increases or a building being
3 developed is common sense to maintain the ideas
4 behind the cap while also allowing small businesses
5 to keep their license when they're in good standing
6 and when they're following the laws.

7 DEPUTY COMMISSIONER ORTIZ: I mean,
8 ultimately, I think we want our compliant businesses
9 to be able to operate, and we don't want,
10 unfortunately at times now, we're in a circumstance
11 where businesses that's following the laws loses
12 their license, and now almost we're pushing them into
13 an unlicensed activity situation so I think this is a
14 great addition to the bill.

15 CHAIRPERSON MENIN: Okay. I also want to
16 mention we've been joined by Council Member Abreu,
17 who is on remotely on Zoom.

18 Moving to dynamic pricing, so my bill to
19 prohibit pricing increased based on real-time demand
20 at food services establishments. To your knowledge,
21 are there businesses engaging in this practice right
22 now, and if so, could you try to quantify how many
23 businesses you feel are engaging in this?

24 DEPUTY COMMISSIONER ORTIZ: I don't
25 believe we have, to our knowledge, that there are

2 businesses that have been engaging in this in large
3 numbers in the city. I've spoken recently with, for
4 example, restaurant advocates, and they've mentioned
5 this is not a practice that has come up. That said, I
6 think we want to be vigilant as well, and we want to
7 make sure that we are keeping an eye out for anything
8 that could have potential consumer harm, which is why
9 I think being proactive in this way and why we
10 support the intent of this bill, we'd like to work
11 with the Council on making sure that pricing
12 protections are in place always for consumers.

13 CHAIRPERSON MENIN: And how, in effect,
14 would you implement this type of bill? How would you
15 enforce any kind of surge pricing?

16 DEPUTY COMMISSIONER ORTIZ: I think it's
17 something we still need to... we want to see where the
18 bill lands in its final form. Particularly for us,
19 this hearing is a good format for us to learn from
20 stakeholders about how they are utilizing dynamic
21 pricing, whether that's the business side or whether
22 it's the consumer experience. I mean, ultimately, a
23 change like this, I think it would require certain
24 operational changes for sure that we want to talk
25 with the Council, too, about those cost implications.

2 CHAIRPERSON MENIN: Okay. Given that, we
3 do want to hear from stakeholders, seeing no
4 questions from Colleagues, I am now going to then
5 close this portion of the hearing, and thank you so
6 much for testifying today. We really look forward to
7 working with you on these various bills.

8 DEPUTY COMMISSIONER ORTIZ: Thank you,
9 Chair, and thank you very much for your bills, too.

10 CHAIRPERSON MENIN: Thank you.

11 Okay. So, we are now going to open up the
12 public comment period for testimony.

13 I want to remind members of the public
14 that this is a formal government proceeding and that
15 decorum should be observed at all times. As such,
16 members of the public need to remain silent at all
17 times.

18 The witness table is reserved for people
19 who wish to testify. No video recording or
20 photography is allowed from the witness table.
21 Furthermore, members of the public may not present
22 audio or visual recordings as testimony, but they may
23 submit transcripts of such recordings to the
24 Sergeant-at-Arms for inclusion in the hearing record.

2 If you wish to speak at today's hearing,
3 please fill out an appearance card with the Sergeant-
4 at-Arms and wait to be recognized. When recognized,
5 you will have two minutes to speak on today's hearing
6 topic. Just to remind everyone, today's hearing topic
7 is on Introductions 495, 1016, 1231, 1290, 1308, and
8 1311.

9 If you have a written statement or
10 additional written testimony that you wish to submit
11 for the record, please provide a copy of that
12 testimony to the Sergeant-at-Arms. You may also email
13 written testimony to testimony@council.nyc.gov within
14 72 hours of this hearing. Audio and video recordings
15 will not be accepted.

16 I'm now going to call the first panel to
17 come up. Zafar Ahmed, James Grace, Kevin Mestritch
18 (phonetic), if you could please come up. Thank you.

19 Okay, please begin. You just press the
20 red button. So, the first speaker is Zafar Ahmed, if
21 you could please begin. Thank you.

22 ZAFAR AHMED: Good morning, and thank you
23 so much, Chair Menin and Members of Council and
24 audience. I'm really grateful to providing this
25 opportunity. This is my first experience.

2 CHAIRPERSON MENIN: We welcome you. Thank
3 you.

4 ZAFAR AHMED: I'm so grateful to you to
5 provide this opportunity for me to speak on this bill
6 introduced today, 1308. My name is Zafar Ahmed, and I
7 am a 68-year-old small business owner on the Upper
8 East Side. For the past 28 years, I have proudly
9 operated International News and Magazine Incorporated
10 at 302 East 86th Street, a corner store and community
11 hub that has served generations of the New Yorkers
12 with newspapers, magazines, everyday essentials, and
13 legally licensed tobacco, cigarettes, and electronic
14 cigarette products. I have kept my door open through
15 snowstorms, blackouts, during Second Avenue subway
16 construction, and even the pandemic. Every single
17 day, I have shown up because I believe in this
18 neighborhood and the people, New Yorkers, who make it
19 special. However, after nearly three decades of
20 service, I am being forced to close, not because of
21 anything I did wrong, but because my building has
22 been sold by a developer who plans to demolish it to
23 build a luxury condo tower. I have until June 30,
24 2025, to vacate the space I have served our community
25 (TIMER CHIME) for decades.

2 CHAIRPERSON MENIN: Okay, just because
3 every speaker is allowed two minutes under the rules,
4 if you could take, please provide your written
5 testimony to the Sergeant-at-Arms when we're done and
6 we will take that.

7 ZAFAR AHMED: Yes, I do that.

8 CHAIRPERSON MENIN: Thank you so much.

9 ZAFAR AHMED: My pleasure.

10 CHAIRPERSON MENIN: Okay, our next
11 speaker.

12 PAT GRACE: Hello. Thank you for this
13 opportunity to testify today. My name is Pat Grace,
14 Program Manager at Getting Out, Staying Out, a
15 reentry and anti-violence program that has served
16 more than 15,000 people over two decades. At GOSO, we
17 work directly with 16- to 24-year-old young people
18 who are incarcerated in Rikers Island and juvenile
19 facilities, people in the community who have been
20 directly impacted by the criminal justice system, and
21 those who are at risk. I work with GOSO's Cure
22 Violence Program, Stand Against Violence, East
23 Harlem, SAVE. In 2024, we did 269 violent
24 interruptions and 102 mediations, held 21 events, and
25 connected 41 participants to GOSO's supportive

services. This work, combined with GOSO community-based education, mental health, job readiness, and paid internship programs, has reduced gun violence and led to better outcomes for young people we serve. While gun violence is still a serious problem in our community, we are proud to say that the area in East Harlem that we serve has seen gun violence drop to its lowest level since 2019. A key part of anti-violence work is education to our community about the dangers of gun violence. Public service messages like the ones in this legislation, which warns against the dangers of gun violence, will bolster these effects. It's a fact that owning guns can have a negative consequence or owning a firearm in a home increases the chance of serious harm and even death. It's important that guns, just like potentially dangerous items available for sales, come with a warning. Treating gun violence like a public health epidemic is key to what we do, and that includes spreading positive norms and changing negative behaviors. That effort must be supported by public education efforts like the one proposed in this legislation. We support Intro. 1016 and requiring (TIMER CHIME) consumer warnings for guns where they are available for sale.

2 CHAIRPERSON MENIN: Thank you very much.
3 Thank you.

4 PAT GRACE: Thank you.

5 CHAIRPERSON MENIN: Oh, no, no, please.
6 Oh, you don't. Sir, do you? Oh, you're not
7 testifying.

8 KEVIN MESTRITCH: No.

9 CHAIRPERSON MENIN: Oh, okay.

10 Any questions for the panel?

11 Okay, great. Thank you. Thank you so much
12 for this panel. We really appreciate your testimony
13 today. Thank you.

14 Okay, I'm going to call the next panel,
15 who is James Coakley, Max Bookman.

16 JAMES COAKLEY: Hi, my name is James
17 Coakley. I'm here today on behalf of the New York
18 State Self-Storage Association. We have provided
19 written testimony that gives some facts and figures
20 about our industry as a whole. Due to the time
21 constraints, I think we'll get into some of the key
22 points. In particular, I certainly need to have a
23 conversation with the gentlemen prior that were here.
24 I think they're not taking into several significant
25 procedural requirements of a self-storage operator

when making changes to their agreement, so we'll have to have a conversation.

In particular, to Intro. 1290, this bill seems to be contradicting certain points in the State statute and seem to be adding other points that are duplicative with the State statute. This would be challenging for State operators to both interpret and then ultimately comply with. The bill is unclear in language about the ability to store household goods and not business materials. We have several small business customers who use our facilities to store files, marketing materials, or other inventory items for their primary businesses. Most self-storage operators themselves would be considered small business owners, so I think there's some direct conflict there. Self-storage facilities do not accept goods. Our business model is based on a self-service storage whereby the customer puts their property in the storage space. There's lack of clarity as to who gets to license each facility or the operator. There are numerous approvals that we have to get to, including CFOs for our buildings, Fire Department approvals, amongst other agencies.

2 Regarding insurance, self-storage
3 operators should not be required to offer insurance.
4 We think this would remove certain consumer choices
5 and could infringe ultimately on some privacy issues.
6 It should be the operator's choice to offer that as
7 it is a business decision. There are a number of
8 (TIMER CHIME) customers who might decide to use a
9 renter's policy...

10 CHAIRPERSON MENIN: Okay. I'm just going
11 to ask if you could provide your written statement to
12 the Sergeant-at-Arms.

13 JAMES COAKLEY: I did. So that was on
14 1290. Would I get another two minutes on?

15 CHAIRPERSON MENIN: No. I'm sorry. Our
16 rules are every speaker gets two minutes.

17 JAMES COAKLEY: Okay. I appreciate it.

18 CHAIRPERSON MENIN: Yeah, but please
19 submit the written testimony. We will definitely look
20 at it. Thank you so much.

21 JAMES COAKLEY: I appreciate the attention
22 today. I really do.

23 CHAIRPERSON MENIN: Thank you.

24 MAX BOOKMAN: Good morning, Chair Menin,
25 Council Member Bottcher. I'm speaking on 1308. My

name is Max Bookman. I'm an attorney. I represent the New York City Newstand Operators Association, which represents over 300 DCA-licensed sidewalk newsstands in our city. I also, in my private law practice, represent several hundred newsstands and convenience stores, including Zafar Ahmed's store. I didn't know he was going to be here today. I've represented him in various items over the past 10 years.

Sidewalk newsstands and convenience stores and bodegas are the backbones of our neighborhoods or our communities. They need to be treated with dignity and respect, and we have to recognize that when their electronic cigarette or tobacco retail dealer licenses are jeopardized, it is a big problem for the business. It jeopardizes the business and its employees and its ability to stay in the neighborhood. Just like with alcohol and cannabis, tobacco is a legal product that comes with its dangers, but it needs to be regulated appropriately and have places where it could be legally sold.

Relocation of a tobacco or e-cig license within a community district is a good reform, but for it to be effective, there needs to be two changes to

the bill. Number one, as the Administration agreed, the tobacco license also needs to be part of this bill. Most of these businesses have two DCA licenses, a tobacco license and an e-cig license. Saying that you could move the e-cig license but not the tobacco license is like telling someone to cross the street with one of their feet cemented to the ground. You can't do it. You need both licenses to be able to move. Second is, the bill needs to be made clear, and I was concerned by the Administration's testimony on this, that good standing review should not be allowed for this type of change. Good standing review came from the 2017 law under the de Blasio administration that said when a business is sold, if the license is not in good standing, if there's prior violations, then the tobacco license can't go along with it. But this is not a situation where a business is being sold. This is a business just moving, and if a business has a violation from like three years ago, they should still be allowed to move, especially if they've settled that violation with DCA, shown that they fired the employee that was responsible for it (TIMER CHIME) they should be allowed to move as well. Thank you very much.

2 CHAIRPERSON MENIN: Thank you very much.

3 Okay, thank you very much for the
4 testimony today.

5 We're now going to call the next panel.

6 Okay, Laura House, David Pucino, Ia Sofocleous.

7 Okay, thank you. Please begin.

8 LAURA HOUSE: Hello, my name is Laura
9 House, and I am here representing Moms Demand Action
10 and Everytown for Gun Safety. Chair Menin, I strongly
11 applaud Council Member Bottcher's ordinance to
12 enhance warning signs inside of federally licensed
13 firearm dealers in New York. As you both know, our
14 City and State have passed some of the strongest gun
15 safety laws and has the fourth lowest rate of gun
16 deaths in the country. But gun violence continues to
17 impact New York workers. As Council Member Bottcher
18 so clearly laid out, enhanced warning signs like
19 these visual images can save lives. And we urge all
20 of our members of City Council to support this
21 ordinance so that it can become law in New York City.
22 The research shows that access to firearms in the
23 home significantly increases the risk of suicide,
24 death during domestic violence disputes, and
25 unintentional deaths, shootings by children. And

people must be made aware of these risks when considering purchasing firearms. Gun violence prevention requires the involvement of all of us, survivors like myself, advocates, law enforcement, and state and local lawmakers. This ordinance will empower the Department of Health and Mental Hygiene to study the efficacy of visual warning signs, and if they find that they'd be impactful, to design and require the display of signs that will be most effective at educating New Yorkers about those risks and how to mitigate them. This is another step toward protecting our loved ones from gun violence, and we hope that it will become law swiftly to start saving lives. Thank you for your commitment to the prevention of gun violence prevention for all New Yorkers.

CHAIRPERSON MENIN: Thank you very much for your advocacy. We really appreciate it.

DAVID PUCINO: Thank you, Chairman Menin and Members of the Committee. My name is David Pucino. I'm the Legal Director of Giffords Law Center, which is the gun violence prevention organization founded and led by former congresswoman and gun violence survivor Gabby Giffords. I live in

2 New York City. I make my home here. I'm raising my
3 children here, but I work across the country, and so
4 I have the opportunity to speak to folks in different
5 communities with different perspectives, folks who
6 own guns, folks who don't own guns. And I think
7 there's a lot of common ground between those
8 communities that we don't focus on enough, and one of
9 those things is that everybody wants their children
10 to be safe. And a key piece of keeping your children
11 safe, whether you're in a gun-owning household or not
12 in a gun-owning household, is knowing that your
13 children will not get access to a firearm. I think
14 everybody agrees on this, but folks just don't know.
15 It's not present in mind. People might buy a gun and
16 not have that present in mind. If it's your first
17 firearm, you might not know how to secure it safely.
18 With everything else going on in your life, you might
19 not be thinking about that as a top priority, but it
20 has to be a top priority because safety has to be a
21 top priority. And so for the benefit of all of our
22 children, we need to have that information break
23 through to all folks. And I think the approach that
24 is proposed in this legislation is incredibly
25 exciting, not just for the city, but for the country

2 as a whole, because it provides a path for people to
3 get that information, to break through, and to make
4 sure the message is clear to everyone. Because what I
5 also know is that that message becomes clear after a
6 tragedy, and what we need to do is make sure it's
7 clear beforehand. Thank you.

8 CHAIRPERSON MENIN: Thank you very much.

9 IA SOFOCLEOUS: My name is Ia Sofocleous,
10 and I'm a Rising Junior at Stuyvesant High School.
11 I'm a volunteer with Students Demand Action and a
12 leader of its New York City chapter. I'm here today
13 in support of Intro. 1016, which expands on an
14 existing State law to require visual signs in
15 addition to written warnings about the risks of
16 firearms. Returning to school after the pandemic, I
17 was alarmed by the rise in shootings across the
18 country, including one in a supermarket in Buffalo,
19 New York. Threats of violence at my own school, as
20 well as stories of students at Robb Elementary School
21 in Uvalde, Texas, inspired me to take action to end
22 gun violence. With an estimated 393 million firearms
23 owned by civilians in the United States, it is
24 crucial that gun owners understand the risks
25 associated with firearm purchase. Access to a gun

triples the risk of death by suicide and doubles the risk of death by homicide. When both guns and ammunition are locked, the risk of unintentional gun injury and self-inflicted gun injury among children greatly decreases. The addition of visual signs aims to enhance the effect of existing written signs in reducing public health risks associated with firearm access. Visual warning signs informing the public about health risks associated with cigarettes, vapes, and alcohol are already posted in the places you can buy them. These signs spread awareness about the risks of smoking and drinking and implementing signage for firearm risks could have similar impacts. By using signage to illustrate the increased risk of firearm suicide, death during domestic violence, and unintentional shootings by children associated with firearm ownership, we can hopefully reduce instances of gun-related death in our state by educating gun owners. New York is a national leader in gun safety and in 2021 became the first state to enact a law that allows gun violence survivors to file suit against gun manufacturers and dealers. These efforts have contributed to New York's rank as the state with the third lowest rate of gun violence. However, our

2 communities still face issues of gun violence. Just
3 this past year, a family friend of mine was held at
4 gunpoint while walking her dog in her neighborhood.
5 We have made great progress, but there is more work
6 to do to ensure we all feel safe in our schools,
7 supermarkets, parks, and neighborhoods. I hope that
8 New York can once again lead the way in ending gun
9 violence by being the first to implement this bill
10 (TIMER CHIME) and I urge the Committee to pass Intro.
11 1016 to increase awareness about the risks of gun
12 ownership. Thank you.

13 CHAIRPERSON MENIN: Thank you so much and
14 thank you very much for taking time out of your
15 school day to be here. We really appreciate your
16 advocacy.

17 IA SOFOCLEOUS: Thank you.

18 CHAIRPERSON MENIN: Thank you. Are there
19 any questions from the Committee?

20 And I want to mention we've also been
21 joined by Majority Leader Fariás.

22 Council Member Bottcher.

23 COUNCIL MEMBER BOTTCHEER: I just want to
24 thank you for your advocacy and after we pass this
25 legislation, and I do believe that we will, I'd love

to work with your organizations to inform your affiliates around the country about it because I really believe that this is something that could be passed by municipalities and states all across the country and then hopefully one day on a federal level, but I'd love to work with your organizations on that.

CHAIRPERSON MENIN: Wonderful. Thank you so much. Thanks for being here.

That is our last in-person panel so I'm now going to turn it over to the panel that is on Zoom. We have James Allen and Christopher Leon Johnson, and then at the end I will go through any names that, you know, just making sure we didn't miss anyone. Okay.

James Allen, are you there?

SERGEANT-AT-ARMS: You may begin.

JAMES ALLEN: I am. Thank you. Good morning, Chair Menin and Members of the Committee. On behalf of Savers Value Village, I regret not being able to join you in person but I appreciate the chance to join you virtually. And again, my name is James Allen. I'm Director of Government Affairs and Sustainability at Savers Value Village. I'm here to

2 testify on behalf of Intro. Number 1308 to share a
3 few quick thoughts with you here verbally. We have
4 submitted more detailed written testimony for the
5 Committee's consideration.

6 By way of background, Savers Value
7 Village is publicly traded. We're a thrift retailer
8 traded on the New York Stock Exchange. We are eager
9 to open our first new store in New York City but
10 unfortunately the current secondhand dealer
11 requirements prevent us from doing so. We have a
12 really fun business model that we're proud of. We
13 partner with non-profit organizations across our 353
14 stores in the U.S., Canada, and Australia. We accept
15 donations on behalf of our non-profit partners. We
16 pay them for those donations and then we offer
17 outstanding value to our customers. Over the last
18 five years, we paid our non-profit partners more than
19 490 million dollars for secondhand donated items and
20 diverted more than 3.2 billion pounds of reusable
21 material from the waste stream. So, we really would
22 like to bring this business model to New York but, in
23 particular, Section 2273's detailed record keeping
24 requirements are really just impossible for us to
25 comply with. Our average store processes about 34,000

unique separate items per week so that requirement would be impossible. We really appreciate that this legislation's stated intent is to exempt certain secondhand clothing merchants and others from the licensing requirements. However, we have submitted a proposed amendment that would broaden that to make sure that it captures a business like ours that is a for-profit registered commercial fundraiser and that primarily sells items that have been donated by the public to our non-profit partners and just the last point is we do not... (TIMER CHIME)

SERGEANT-AT-ARMS: Thank you. Your time has expired.

JAMES ALLEN: Great. Thank you very much.

CHRISTOPHER LEON JOHNSON: Yeah. Hello, hello, Chair Menin and Chair Bottcher and Chair Farías. My name is Christopher Leon Johnson, and I'm here virtually heading home, gotta walk home, get ready for later on today for a rally. And I'm here to support Eric Bottcher's bill, 1016, Intro. 1016 because this bill, I believe that it will mitigate a lot of school shootings, workplace shootings. It will scare a lot of people that are intending of doing harm to people in their homes, in their workplaces,

in the school, religious institutions, everywhere in America, in New York City, in New York State away because what happens is people feel that if there's no, if there's any place with no guns, people could do what they want to do but like I said, this needed to be in there. I support the bill 100 percent I was there for a rally a few seconds. I gotta go elsewhere else because I'm getting ready for a rally today but, like I said, I support his intro, his resolution or intro today, Intro. 1016 and I hope it goes through in the City Council. Like I said, I support the mitigation of guns in New York City. I support 100 percent, but it's in the City Council to support it unanimously and remember the people that didn't vote, that voted negative or stood out the bill. So like I said, support this 100 percent. Thank you, Chairs Bottcher, Menin, and Fariás for doing this Committee today. And like I said, ban the guns, ban all guns in New York City because if you ban the guns, a lot of stuff will happen, a lot of stuff won't be happening. So thank you so much and enjoy your day. Thank you.

CHAIRPERSON MENIN: Thank you very much.

And then we have registered but not on Zoom so I'm going to call their names in case they're

here, Armando Rodriguez, Oressa Napper-Williams
(phonetic), Sean Higgin (phonetic), Alex Stein.

If you heard your name called and you're
on Zoom, please identify yourself.

Okay. Seeing no one identifying
themselves, if there's anyone here in this room that
wishes to testify that didn't, if you could please
see a Sergeant-at-Arms Arms.

All right, barring that, I'm now going to
close the hearing. Thank you very much. [GAVEL]

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 August 4, 2025