

**Department of
Housing Preservation
& Development**

**Testimony of the Department of Housing Preservation and Development
to the New York City Council Committees on Housing and Buildings,
and Public Housing
Oversight Hearing: The Effectiveness and Impact of HPD and NYCHA's
Downsizing Policies and Practices.
Wednesday, April 9th, 2014**

Good afternoon Chairman Williams, Chairman Torres and members of the Committee on Housing and Buildings and the Committee on Public Housing. I am Vicki Been, Commissioner of the New York City Department of Housing Preservation and Development, and with me is Laurie LoPrimo, Assistant Commissioner of HPD's Division of Tenant Resources. Thank you for the opportunity to testify before you on this important issue that impacts the lives of some of our most vulnerable New York City residents. It is important for you and the Council to understand the steps HPD took, in the face of very serious federal spending cuts, to prevent the termination of as many as 3,000 families from the Section 8 Housing Choice Voucher program.

First I would like to provide an overview of the Section 8 rental subsidy program, how it works, and how HPD's program is both similar to and different from NYCHA's. Section 8 is also known as the Housing Choice Voucher program, and it is made up of regular tenant-based vouchers, project-based vouchers, and enhanced vouchers. Regardless of the voucher type, tenants pay approximately 30% of their income towards rent, units must pass Housing Quality Standards inspections (HQS), and Housing Authorities, such as HPD, must approve the reasonableness of the rent charged by the landlord based on current market conditions.

I will delve more deeply into how HPD's program is run, but first want to point out to the Committees how HPD's and NYCHA's Section 8 programs differ. First is the size of the programs: NYCHA runs the largest Section 8 program in the country with more than 90,000 vouchers, while HPD's program is the fifth-largest at approximately 32,000.

It may be more important, however, to discuss how our agencies' Section 8 programs differ conceptually. NYCHA runs a traditional program whose preference categories enable any low-income household member to apply for Section 8 and to get on their waitlist. Although some priorities are provided, they generally have to wait over 10 years

for a voucher to become available. HPD runs its program differently. For us, Section 8 is a rental subsidy that makes it possible for us to fulfill our mission of creating and preserving affordable housing for low and moderate income New Yorkers. Programs supported by Section 8 rental subsidies include supportive housing programs for homeless and disabled New Yorkers that enable us to pull people out of shelters and into affordable housing. These subsidies also support our preservation programs that invest in distressed buildings while maintaining affordability. HPD's Section 8 voucher program enables New Yorkers to choose where they want to live, whether in an HPD subsidized building or in any unit where rent is reasonable and the unit is in safe and decent condition. I want to emphasize that in managing our Section 8 program responsibly we have to think *not only* about the families receiving subsidy, but also about continuing to feed a pipeline of projects to create and preserve affordable housing. This pipeline directly addresses our affordable housing crisis, serves to end peoples' homelessness, and helps to revitalize neighborhoods.

The next slide shows the approximate size of HPD's Section 8 program broken down by the three different types of Section 8 vouchers we administer: regular HCV vouchers, enhanced vouchers, which are also referred to as "sticky" or tenant-protection vouchers, and project-based vouchers. It is useful to understand the differences between the three voucher types that HPD uses, but given the focus of today's hearing I would like to focus on the first two.

At HPD, regular HCV vouchers are used primarily as I described previously: to assist families who benefit from HPD-sponsored preservation, and to provide housing to "special needs" populations. Income eligibility is established at 50% or Area Median Income (AMI), and the subsidy is currently capped at 105% of Fair Market Rent (FMR).

Enhanced vouchers are used to preserve affordable housing that might otherwise be lost in housing conversions, such as Mitchell-Lama opt outs. In the case of enhanced vouchers, income eligibility is determined at a much higher income band, 95% of AMI, for use in developments converting, or "opting out" of government subsidy. Rather than capping the subsidy at the Fair Market Rent, enhanced vouchers are capped at market rates.

Project-based vouchers make up a much smaller portion of what we do. These vouchers are tied to units, rather than to individuals and help preserve longer-term affordability.

As you know, HPD receives Section 8 funding from Congress via the U.S. Department of Housing and Urban Development (HUD). To determine our annual funding, HUD looks at HPD and other Housing Authorities' actual spending on vouchers in the previous year. We accordingly have an incentive to spend all of our allocation, but not go over and run a deficit. After considering how much we spent in the previous year, HUD will then give an increase based on inflation, as well as a decrease, or pro-ration, depending on the sufficiency of the Congressional funding level. For reference, last year HUD did not apply an inflation to its calculations, but pro-rated our funding down to 94%. We are able to accumulate reserves if we do not spend our entire annual award, however there is

a disincentive to do so because, again, our renewal funding is based on prior year spending. The Committees should also understand that the Section 8 program has strict oversight and is governed by a litany of federal rules. These rules provide little flexibility in how funds are used. For example, Section 8 housing funds can only be spent on rental subsidies. We cannot use these funds to help people move, to provide supportive services, or to buy furniture. Further, if HUD provides insufficient Section 8 housing funds, we cannot supplement Section 8 with City, State or philanthropic sources.

In 2011, Congress passed the Budget Control Act, a draconian piece of legislation that was designed to force future lawmakers to address the budget deficit. If Congress failed to make necessary reforms, the bill included a mechanism to cut funding severely. The Sequester, as it is known, limits the growth of the federal government over the next 10 years thorough an across-the-board cut to all non-VA federal discretionary programs.

Before the Sequester HPD ran a generous and efficient program. We allowed the maximum 110% of FMR payment standard, established subsidy standards relatively generous compared to other large housing authorities, and were able to continue a lease-up pipeline that benefitted hundreds of New Yorkers. HUD recognized our agency as a high-performer, and we were left with a \$24 million reserve by the end of 2012.

The impact of sequestration was devastating. Our estimated costs for 2013 were \$403 million, but HUD only provided us with \$366 million, leaving a gaping hole of approximately \$37 million. Based on our per-unit cost, if we took no other action, we estimated the cuts would force the termination of 3,000 individuals and families from the program. HUD established a \$100 million set-aside fund to assist all housing authorities across the country that were short of funds and facing the need to terminate households from the program. We anticipated the demand for this fund would be enormous, and we had no way to know how much, if any, of the \$100 million might be available to us.

We took several steps over the first half of 2013 to address the shortfall. Every single step we took was with the goal of not having to terminate a family from the program. Additionally, HUD provided notified us and other housing authorities of required steps that we must take if we wanted to be eligible for the set-aside fund. In accordance with HUD's guidance, our first step was to stop issuing new vouchers. We were also forced to rescind approximately 60 vouchers that we had committed to New Yorkers, some of whom were Hurricane Sandy survivors. HPD planned to exhaust all of its \$24M reserves to offset its funding shortfall. While this seems like common-sense, I would note that spending down all of an agency's Section 8 reserves is a risky step. These reserves are enormously important to maintain in a program like this where we are not able to "deficit spend" and where cash in-flows and outflows can vary significantly month-to-month and year-to-year. We began required bi-weekly meetings with HUD's shortfall prevention team, and we also looked at other ways to tighten up the program including being stricter with landlords who sought to increase rent. We also made the difficult decision that in order to prevent terminations we would need to use other cost-saving levers, and therefore made changes both to our payment standard and to our subsidy standard.

Now, I would like take a closer look at the change in payment standard. The payment standard is the maximum allowable subsidy that can be paid by HPD. Again, HUD permits HPD and other housing authorities to set the payment standard between 110% and 90% of Fair Market Rent. We decided to lower this standard from the maximum of 110% down to 105%. If the reasonable rent is above the payment standard, the tenant will have to pay the difference between the reasonable rent and the payment standard. This policy change only impacts regular voucher holders and not enhanced voucher holders. The average difference in payment standard change from 105% to 110% of FMR was \$105 per month across all bedroom sizes. This change in payment standard would impact households on the anniversary of their next annual recertification unless they also experienced a subsidy standard change.

Finally, we decided to make a change to our subsidy standard, which is the number of bedrooms assigned for a household based on family composition. Our prior standard had been quite generous, and quite complicated -- the standard depending upon the age, gender, and relationship between household members. We simplified the new subsidy standards and largely brought them in line with the standards used by NYCHA and many other PHAs around the country. In accordance with HUD regulations, our new standard only considered family size by assigning one bedroom for every two people independent of gender, relationship or age.

The implementation of the subsidy standard change depends on whether the voucher is a regular Section 8 voucher or an enhanced voucher. For regular Section 8 voucher holders, starting at the first annual reexamination after July 2013, we re-determined the voucher size for every household based on the new subsidy standard. If the family size was found to not correspond with our subsidy standard, the voucher size would change at the time of recertification. If the voucher size is reduced, voucher holders would need to move, or if they stayed in their existing, over-sized, unit, could (but not necessarily would) be liable for a higher rent.

For enhanced Section 8 voucher holders, the process was the same for determining the new standard at recertification. However, if an enhanced voucher holder is found to be over-housed they will not be directly impacted until a right-sized unit becomes available at the same housing complex. When a unit that is the right size for the household becomes available the tenant is notified and is given the option to either move to the smaller unit or to stay where he or she is and begin paying the higher rent for a unit that exceeds the subsidy standard.

In all cases, tenants have the right to appeal HPD's determinations, to request a hearing, or to apply for a reasonable accommodation to remain in their over-sized unit if a medical condition or disability would present an undue hardship on the tenant. To date we have received 551 reasonable accommodation requests and approved 316 of them.

To summarize – we began to fill the \$37 million shortfall that Congress caused by restraining the growth of the program, spending down \$24 million in program reserves,

and making policy changes that resulted in \$3 million in savings in 2013. Even after taking these steps we came up about \$9 million short. We were grateful that HUD awarded us set-aside funds in two separate amounts of \$3 million and \$6 million providing “just in time” funding to close our gap and prevent terminations.

Thanks to a Congressional budget deal reached late last year, the impact of Sequestration is relieved this year and through 2015. We recently received our funding award of \$400 million and believe we will be able to operate this year without the need to terminate any families currently in the program.

Additionally, in order to spend all of the money awarded to us, we expect to begin leasing with a target of 600 vouchers this year. Doing so will allow us to make good on commitments that we rescinded last year, which resulted in stalling 13 preservation deals. It also will provide critical assistance to supportive housing projects for which we had to rescind funds, so we can once again help subsidize formerly homeless individuals.

While the budget deal presumes level funding in 2015, we expect our costs to increase. Depending on the amount of reserves we are able to build this year, a deficit in 2015 is a possibility. We remain deeply concerned that without Congressional action the Sequester will resume in 2016, threatening to put us back in the same predicament as we were last year.

We have been urged to roll back the policy changes that we made, but we would be doing so at the cost of providing vouchers for formerly homeless families and to support the underwriting of supportive housing and affordable housing preservation deals. A policy rollback is also complicated by the question of fairness to those individuals who already moved under our right-sizing policy. Finally, and perhaps most importantly, we believe a roll back of the policy is not the fiscally responsible move when we face a possible deficit in 2015 and 2016 with the threat of terminations once again surfacing.

In closing, we are not out of the woods yet and must bear in mind that with flat funding and the real threat of continued Congressional budget crisis, we need to keep planning for the worst case. We should work together to call on our Congressional delegation to end the Sequester and to provide housing funding that meets the need of New York City’s neighborhoods and its most vulnerable residents.

Thank you for this opportunity to testify before you on this important issue. I am happy to take any questions.

NYC Housing Preservation & Development

HPD's Efforts to Prevent Section 8 Terminations In the Face of Substantial Federal Funding Cuts

Vicki Been
HPD Commissioner



What is Section 8 (or the Housing Choice Voucher Program)?

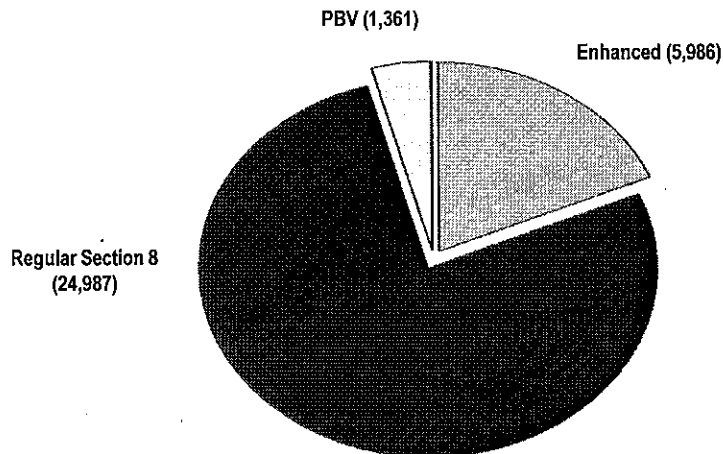
- The Housing Choice Voucher program includes:
 - regular tenant-based vouchers
 - project-based vouchers
 - enhanced vouchers
- Regardless of voucher type:
 - tenants pay approximately 30% of their income for rent
 - units must pass Housing Quality Standards inspections
 - HPD must approve the reasonableness of the rent charged

Both HPD and NYCHA Have Section 8 Programs

NYCHA	HPD
90,000 vouchers (largest in U.S.)	32,000 vouchers (fifth-largest in U.S.)
Purpose: meet the housing needs of low-income residents by allowing them to rent housing on the private market	Purpose: provide a rental subsidy to make it possible for the lowest income households to afford subsidized housing HPD has created or preserved.

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HPD's Housing Choice Voucher Program



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HCV Program Descriptions	
PROGRAM TYPE	DESCRIPTION
Regular Voucher	<ul style="list-style-type: none"> Relocates families benefitting from HPD-sponsored renovation, and avoids displacement of families Houses "special needs" populations Income eligibility is established at 50% Area Median Income (AMI) Subsidy is capped at payment standard (currently 105% FMR)
Enhanced "Sticky"	<ul style="list-style-type: none"> Allows tenants to stay in place at affordable rents, when subsidized housing, such as Mitchell Lama, opt outs of affordability restrictions Income eligibility is established at 95% AMI Subsidy is capped at market rates Tenants must use voucher in development, but may leave development with regular voucher
Project Based Voucher "PBV"	<ul style="list-style-type: none"> Subsidy covers unit, up to payment standard, for a period of years specified in contract (usually 15) Participants entitled to move with a tenant-based voucher after one year of residence

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Reliance on Federal Funding; Adherence to Federal Rules
<ul style="list-style-type: none"> To determine funding, HUD looks at PHA actual spending on vouchers in the previous year. PHAs are encouraged to spend all of the money, but not go over budget. HUD will increase based on inflation, and decrease (pro-ration) based upon Congressional funding. Reserves: PHAs are able to accumulate reserves, but there is a disincentive to accumulate because renewal funding is reduced for unspent funds. Restrictions: There is little flexibility in how funds can be used; with limited exceptions, shortfalls cannot be supplemented with City or other funds.

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Sequestration

- The Budget Control Act of 2011 (BCA):
 - To encourage Congress to address the deficit by 2013, the BCA included a mechanism to cut funding automatically unless specified progress was made
 - Limited growth of federal government over 10 years with a 5.1% across-the-board cut to all non-VA federal discretionary programs
- At the time of the Sequester
 - HPD ran a generous and efficient program
 - Recognized by HUD as a high-performing agency; HPD built a \$24 million reserve over many years

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Impact of Sequestration: HPD's 2013 Section 8 Budget (in millions)

	CY13
Funding	\$ 366
Expense	\$ 403
Shortfall	\$ (37)

- In spring of 2013 HPD had to make difficult decisions given this forecast.
- At worst, the shortfall would mean terminating the vouchers of up to 3,000 existing households, thereby removing them from the program.

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HUD's Response to Sequestration

HUD issued notices to all PHAs facing potential shortfalls. To apply for federal emergency set-aside funding, PHAs must:

Stop issuing new vouchers, forcing attrition and reducing spending	✓
Rescind any vouchers awarded but not leased up	✓
Spend down reserves	✓
Meet bi-weekly with HUD's Shortfall Prevention Team	✓
Demonstrate policy changes to reduce spending	✓

We had limited policy levers, but these included changes to the payment standard and subsidy standard; we implemented changes for both.

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New Cost Saving Policies: Payment Standard

Revised Payment Standards (maximum allowable subsidy) from 110% to 105% of the Fair Market Rent (FMR)

	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
Final FY 2013 FMR	\$1,191	\$1,243	\$1,474	\$1,895	\$2,124
110 percent	\$1,310	\$1,367	\$1,621	\$2,085	\$2,336
105 percent	\$1,250	\$1,305	\$1,547	\$1,989	\$2,230

HPD may approve a rent based on what is determined reasonable, but the maximum level of the subsidy is the payment standard

If the reasonable rent is above the payment standard, the tenant will have to pay the difference

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New Cost Savings Policies: Subsidy Standards

Subsidy Standard: The number of bedrooms assigned for a household based on the family composition.

Size of Family	Current Subsidy Standard (Number of Bedrooms)	Subsidy Standard Prior to 7/15/2013
1	0	1
2	1	1 or 2 depending on relationship, gender, age and generation.
3 or 4	2	2 or 3 depending on relationship, gender, age and generation.
5 or 6	3	3 or 4 depending on relationship, gender, age and generation.
7 or 8	4	4 or 5 depending on relationship, gender, age and generation.

New subsidy standards only consider family size by assigning one bedroom for every two people independent of gender, relationship or age.

New Cost Savings Policies: Subsidy Standards - Implementation

Regular Section 8:

All voucherholders must recertify each year. Upon first recertification after 7/15/2013 HPD will apply the new subsidy standard. The voucher size assigned to a household will change at this time. If voucher size is reduced, the tenant can either move to a right-sized unit or be considered over-housed and be asked to pay the difference.

Enhanced Section 8:

Same process as above regarding review at recertification.

However, no increase in rent or offer to right-size apartment will be imposed until building management advises tenant that a right-sized unit is available in the same complex. Once a unit in the same complex becomes available voucherholder must choose to remain in the unit and pay the higher rent, or may move to a right-sized apartment.

Reasonable Accommodation: to remain in a larger unit granted to elderly or disabled households providing documentation from a medical professional indicating that the accommodation is necessary.

2013 Section 8 Budget Summary

	CY13
Funding	\$ 366
Expense	\$ 403
Shortfall/Surplus	\$ (37)
HAP Reserves*	\$ 24
HUD Set Aside Funding	\$ 9
Policy Change Savings (Portion attributed to the remainder of the calendar year)	\$ 3
Net Position	\$ (1)

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2014 - 2016 Section 8 Budget Outlook

	CY14	CY15	CY16
Funding	\$ 400	\$ 382	\$ 370
Expense	\$ 396	\$ 399	\$ 395
Shortfall/Surplus	\$ 4	\$ (17)	\$ (25)
HAP Reserves*	\$ 0	\$ 14	\$ 6
HUD Set Aside Funding	\$ 0	\$ 0	\$ 0
Policy Change Savings (Portion attributed to the calendar year)	\$ 10	\$ 9	\$ 8
Net Position	\$ 14	\$ 6	\$ (11)

- These projections do not include additional increments or set aside funding.

*Rough estimates of surplus from 14 and 15 are carried into the following year's reserves.

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**TESTIMONY FROM GENERAL MANAGER CECIL HOUSE
THE EFFECTIVENESS AND IMPACT OF HPD AND NYCHA'S DOWNSIZING POLICIES AND
PRACTICES
COMMITTEE ON PUBLIC HOUSING WITH THE COMMITTEE ON HOUSING AND BUILDINGS
WEDNESDAY, APRIL 9, 2014 – 1:00 PM
COMMITTEE ROOM, CITY HALL, NEW YORK, NY**

Chairman Ritchie Torres and Chairman Jumaane Williams, members of the Committees on Public Housing and Housing and Buildings, and other distinguished members of the City Council, thank you for the opportunity to discuss with you the New York City Housing Authority's (NYCHA) policy on "rightsizing," our method to ensure that every family in public housing has access to an apartment with enough space to fulfill their particular needs. I am Cecil House, NYCHA's General Manager. Joining me today are Carolyn Jasper, Senior Director of the Lease Enforcement Department, and Tina Lam, Director of the Applications and Tenancy Administration Department.

NYCHA was established 80 years ago partly as a remedy to unsanitary and overcrowded conditions in New York City's tenements and economically challenged neighborhoods. In fulfilling our mission to provide safe, decent, affordable housing for low- and middle-income New Yorkers, we have been committed since our founding to ensuring that the overcrowded conditions which drove our creation do not exist within our developments. Quality of life for NYCHA residents is our highest concern, and a good quality of life is often determined by the availability of appropriate living space. However, ensuring that every public housing family is in an apartment of appropriate size presents a huge challenge, one that NYCHA has wrestled with over the years. For many years, NYCHA did not have an effective approach to making sure that residents in our public housing developments had appropriate living space for their needs. While NYCHA had procedures governing this subject, they were not consistently enforced. Residents in overcrowded apartments were left to their own devices. They could take advantage of our transfer process, but there were often no larger apartments to move into.

With the development of our roadmap for the preservation of public housing, *Plan NYCHA*, in 2011, NYCHA began to look at how we could optimize apartment usage by transitioning families to apartments appropriate for their needs. During this planning process, we heard from residents who were living in overcrowded apartments and residents who were living in under-occupied apartments. We knew the right thing to do was to accommodate our larger families in appropriately sized apartments. We began to focus on enforcing our existing policy on occupancy and apartment size.

We fully recognize the impact enforcing NYCHA's rightsizing policy has on NYCHA residents across the City – including seniors, families, and children. Therefore, NYCHA works hard to enforce this policy in an inclusive, collaborative, sensitive, and fair manner. Rightsizing does not only improve the quality of life of current NYCHA residents but also provides housing to more New Yorkers on our waiting list. To successfully optimize the limited but vital resource of public housing, we continue to seek collaboration from NYCHA's leadership and staff, residents, and other stakeholders concerned about the wellbeing of NYCHA families. This afternoon, I will provide a brief overview of the real challenges that we face, our current process, what we've done so far, and how we plan to move forward.

The Reality of Overcrowding

Nearly 40 percent of NYCHA's households – 71,219 – live in apartments that are not the correct size for their family composition. 44,663 live in "under-occupied" units and 11,403 are in "extremely under-occupied" apartments. Meanwhile, we have 15,153 families living in overcrowded units. NYCHA works hard to address both situations. For example, when families in overcrowded apartments have been on a specific development's waiting list for a larger apartment for more than two years, they can opt to be placed on another development's waiting list. With this provision, we want to increase the likelihood that families in overcrowded apartments will move into a larger apartment sooner.

While NYCHA understands that this hearing was called out of concern for residents in under-occupied apartments, NYCHA constantly strives to appropriately balance the interests of our residents in under-occupied apartments with those in overcrowded apartments. We know that many of the situations brought to your attention by your constituents, or what you hear in the news, often have a negative bent. In our experience, this is not always the case. For example, consider the case of a Campos Plaza resident who was raised along with her nine siblings in a five-bedroom apartment that was later passed on to her and her own daughter. Because she wanted another family to receive the same opportunity she had benefited from, she requested a transfer to a smaller, more appropriately sized apartment. She now lives with her daughter in a two-bedroom apartment. A family of nine was able to take her place in the five-bedroom apartment.

Or consider the case of a mother and her son who moved into a two-bedroom apartment from a three-bedroom apartment at East 180th Street & Monterey Avenue so that a couple and their two children could move in from their one-bedroom apartment.

Definitions and the Process

Our process for rightsizing apartments begins with our annual review, during which all residents must provide NYCHA with documentation indicating their income and family size and composition. Using the information collected during this review, NYCHA deems families in apartments with one extra bedroom “under-occupied”; families in apartments with two or more extra bedrooms are considered “extremely under-occupied.” Conversely, families needing one additional bedroom are deemed “overcrowded” and those needing two or more extra bedrooms are considered “extremely overcrowded.” To clarify, the terms “under-occupied” and “overcrowded” are synonymous with the terms “underhoused” and “overhoused,” which are often used with respect to the

Leased Housing, or Section 8, program. It is also important to note that NYCHA's standard occupancy is generally one to two people per bedroom.

Residents in both "under-occupied" and "extremely under-occupied" apartments receive a letter indicating that they should visit their Housing Manager to sign up for the transfer list. At this point, they can request a transfer to an apartment of appropriate size in their development, which is called an "intra-development transfer," or a NYCHA development elsewhere, which is called an "inter-development transfer." If a resident of a merely "under-occupied" apartment fails to follow up, no further actions are taken by NYCHA. Before any action is taken regarding residents of "extremely under-occupied" apartments, a minimum of three letters are sent to the resident. If the resident fails to respond after the third notification letter, they are automatically placed on a list for transfer to a development within their borough selected by the Tenant Selection and Assignment Plan computer system, known as TSAP. Even after residents have been placed on the borough list, NYCHA management will continue to work with them in choosing to transfer to a specific development. If, however, residents are placed on a borough list and subsequently selected by TSAP for a specific apartment, they have two opportunities to select an apartment of appropriate size. Tenancy action may be taken for residents who are in non-compliance of the rightsizing policy. Residents with certain health conditions or with certain mobility impairments may not be required to transfer; we will consider requests for reasonable accommodation on a case-by-case basis.

NYCHA understands that some families who have lived in their apartments for many years will find moving to be a traumatic experience. That is why we provide a number of resources to support the transition into a smaller, more appropriately sized apartment, including modest help with moving expenses. Our Family Services Department offers help with moving logistics and works to support the elderly and those with disabilities or other special needs acclimate to their new apartment. A social worker may arrange for new furniture, provide

emotional support, facilitate school transfers, or link the family to support services and resources.

Cost-Saving Measures in NYCHA's Section 8 Program

NYCHA operates the nation's largest Housing Choice Voucher program, also known as the Section 8 program, having issued more than 91,100 vouchers. Approximately 30,000 property owners participate. Eligibility is based on a family's gross annual income and the family size. Sixty-five percent of NYCHA's voucher holders earn less than 30 percent of area median income (\$50,052). Voucher holders must re-certify annually and notify NYCHA of any additions to the household or if any family member no longer lives in the unit. With this information, NYCHA is in a reasonable position to ensure that voucher holders receive the appropriate level of subsidy for their needs.

To ensure the efficient use of subsidies provided by the federal government, we must implement cost-saving strategies. The federal budget sequester of 2013 significantly reduced funding for all areas of the work we do, including the administration of our Section 8 program. In response to the drastic cuts, our Leased Housing Department took some very important actions to control programmatic costs and ensure no loss of existing vouchers, although rightsizing was not one of them. We ceased all new admissions, reducing the overall size of the program. We billed the originating housing authority for tenants transferring into New York City. We ceased voluntary moves for project-based voucher households. And we restricted moves to higher cost units – emergency transfers are exempt from this policy. We were prepared to revise our payment standards, which would have required a waiver from HUD, but HUD funded our budget shortfall in 2013 and did not approve our waiver requests. But even with the cost-saving measures, HUD shortfall funding, and the depletion of 58 million dollars of our reserve funds, NYCHA's Section 8 program will face a 9 million dollar deficit in 2014.

Rightsizing in NYCHA's Section 8 Program

In NYCHA's traditional Section 8 program, consistent monitoring of available income and family composition ensures that voucher holders are in the right size apartment. Generally, voucher holders choose to rent the size apartment that best fits the voucher for which they are eligible. Thus, rightsizing is less of an issue in NYCHA's Section 8 program – voucher holders usually choose to rightsize to conserve their resources. However, in some cases, if family composition changes, a voucher holder may choose to remain in their current apartment using the payment standard appropriate for their family size.

The situation is different for holders of enhanced vouchers. According to an analysis conducted last summer, NYCHA had about 2,200 enhanced vouchers, a number that continues to decline as families move. We estimate that we have 2,008 enhanced vouchers today. Enhanced vouchers protect tenants during housing conversions, such as Mitchell-Lama opt-outs, by ensuring that they pay no more than 30 percent of their gross income on rent. HUD requires that NYCHA work to ensure that these voucher holders are in an apartment appropriate for the size of their family. This policy is limited to the building in question; that is, when an enhanced voucher holder's family composition changes, HUD requires NYCHA to determine whether there is an apartment appropriate for the new size of the voucher holder's family available in the same building.

Of the 2,008 enhanced vouchers that are currently in NYCHA's portfolio, approximately 626 households are overhoused. The rightsizing policy required by HUD may impact approximately 310 of these 626 households. Some of the 626 voucher holders are exempt due to reasonable accommodations, others because there are no smaller units available. We are in the process of reviewing the 310 households to determine their options, and they will be notified within the next 60 days. We are proceeding with rightsizing in the case of one enhanced voucher

holder – a single person living in a three-bedroom duplex whom we've asked to move to a one-bedroom apartment in the same building.

Our Progress So Far

Since the last City Council hearing on rightsizing, we have translated the rightsizing letters for public housing residents into Spanish, Chinese, and Russian, and all versions of the letters, including English, are available in our internal forms library.

NYCHA continues to work with stakeholders, including residents, resident leaders, elected officials, and advocates, on rightsizing issues. From 2011 through 2013, we transferred 2,339 families, or 4,092 people, out of under-occupied apartments and 2,916 families, or 10,101 people, out of overcrowded apartments. There are currently 12,263 families on our list to transfer out of overcrowded or under-occupied apartments. This includes 2,916 overcrowded and 169 extremely overcrowded families and 7,422 under-occupied and 1,756 extremely under-occupied families.

The Path Forward

Although we've made strides, we know that a lasting, sustainable solution to rightsizing will only be accomplished with the support and investment of our most important partners, including residents and elected officials, and by fundamentally transforming several of the policies that affect overcrowded families. HUD approved TSAP changes proposed in our 2013 Annual Plan that further weight the preference for newly vacant apartments in favor of transfers for current residents. In addition, as of the beginning of this year, residents have preference for an apartment within their development over residents from different developments, if both have the same transfer type.

The best way for us to tackle this issue fairly and sensitively is to continue to invite as many voices as possible to the table. The City Council's ongoing support is crucial for NYCHA as we work to ensure the future of public housing in New York City. To that end, we welcome your continued collaboration in our efforts against overcrowding in public housing and request that you inform your constituents about the benefits our entire City enjoys when all NYCHA families can live in apartments that suit their needs. Thank you for your time today to discuss this important matter. I look forward to updating you on our progress in the coming months, and am happy to answer any questions you may have.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

**BOROUGH PRESIDENT GALE A. BREWER
TESTIMONY TO THE NEW YORK CITY COUNCIL'S
JOINT-HEARING WITH THE COMMITTEES ON HOUSING AND BUILDINGS
& PUBLIC HOUSING
APRIL 9, 2014**

Thank you, Chair Williams and Chair Torres, for the opportunity to testify today on the effectiveness and impact of HPD and NYCHA's downsizing policy and practices.

I am here to speak on behalf of the HPD and NYCHA residents who have experienced disruptions and undue stress in their lives due to the downsizing of their apartments. Over the years as a Councilmember and now as Manhattan Borough President, I have met many public housing residents who shared with me their frustrations with the City's public housing relocation process. While I believe there is intrinsic value in trying to maximize the usage of HPD and NYCHA apartments by "right-sizing" each unit with families of appropriate housing needs and sizes, I also believe that the overall process of relocation can be improved.

First, let me acknowledging both agencies' efforts in optimizing apartment usage in order to accommodate the housing needs of a growing number of New Yorkers. With over 369,000 families on the NYCHA waiting list (NYCHA Fact Sheet, updated March 17, 2014) for conventional or Section 8 public housing and many more families on the waiting list of individual HPD Mitchell Lama programs, it is critical to match up families with the appropriate units that will best accommodate their needs.

The recommendations I suggest are meant to be a continuation of this process to maximize the potential of NYC's affordable housing stock, in a way that not only protects residents' rights and dignity, but also strengthens both HPD and NYCHA's long-term successes in their relocation efforts.

HPD Downsizing for Former Mitchell Lama Buildings

I am going to speak first to HPD's approach to relocating tenants marked for downsizing within former Mitchell Lama buildings. Residents in these buildings hold "sticky" Section 8 vouchers that allow them to pay 30% of their income toward rent, while HPD pays the difference between the amount a resident pays and the remaining rent. Under this voucher, they must relocate within the same building.

In July 2013, HPD changed its policy on determining the criteria for downsizing, focusing on household size as a way of determining whether a household should be

downsized. My office has worked to help families composed of a parent and an adult child, including several living at Knickerbocker Plaza and Glen Gardens, appeal HPD's decision of downsizing them from a two-bedroom apartment to a one-bedroom apartment. Previously their gender differences, by HPD's own guidelines, would qualify them for a unit in which each of them would have his or her own bedroom.

In addition, under this new policy, seniors holding "1" vouchers that used to allow them to live in one-bedroom units are now downsized to "0" vouchers, effectively limiting their housing options to only studio units.

This new policy, which was passed in a very opaque manner without proper notification to agencies and the community about its hearing date, has created many negative consequences for residents:

1. **Residents do not receive adequate notification and time to appeal.** For seniors who are eligible to appeal the decision to be downsized based on medical reasons, a 15-day window is not enough for them to gather the necessary documentation to file an appeal, especially since some management companies and HPD differ on if business days and/or calendar days count toward the 15 day window. Compounded with the often late delivery of the notification letters, the inconsistency in messaging between HPD and management companies, and the failure to ensure that letters are sent to residents in their primary language, the process is unduly difficult for residents to both know how to and have the proper time to file for an appeal.
2. **Residents are downsized to units that conflict with their health and medical needs.** For example, a mother and daughter living in Glen Gardens, both seniors, approached my office to help them appeal HPD's decision to downgrade them from a "2" voucher to a "1" voucher. Without my staff's assistance that eventually helped them win their appeal to stay in their two-bedroom apartment, the daughter would have had to sleep in the living room, and the mother, who requires the help of a home health aide, would not have been able to keep her aide. It should be noted that their situation contradicts HPD's own downsizing exemption guidelines for senior citizens and medical accommodations. HPD must take these factors into consideration when making the initial determination on the appropriate size of downsized units for each resident as per their various needs.
3. **HPD has been unresponsive to resident inquiries.** Residents report that when they call HPD, they do not receive a clear answer—even when they reach a person on the phone. Residents also find that the correspondence from HPD varies in its completeness, sometimes only one of several required forms is sent, unnecessarily delaying processes such as filing an appeal.
4. **There is a lack of accountability.** HPD's downsizing initiative is supposed to offset federal budget cuts and would purportedly yield \$35 million in savings in

the Section 8 program of former Mitchell Lama buildings. Yet, HUD's Housing Choice Voucher (HCV) Renewal funding has increased each year since 2012. In 2013, HPD received \$361 million plus an additional \$9.3 million and in 2014, HUD is providing \$397 million in HCV renewal funds. HPD has not provided numbers to date about the savings of its downsizing initiative; what is the status of its savings? Factoring in the federal contributions, what is the current HPD shortfall? How many households have been downsized, and what is their current status? How many appeals have been registered and what were their outcomes? How is HPD monitoring the transfers and ensuring a fair process for residents across the different Mitchell Lama buildings with Section 8 tenants? Is the current policy, which impacts a large number of residents, the right approach towards closing the budget gap and could a narrower approach be adopted while making the substantive difference that is needed?

NYCHA Downsizing

Next, I want to address the downsizing of NYCHA buildings. For years, NYCHA residents have requested transfers to smaller units when a household's family composition changed. Even for families that did not request transfers, NYCHA receives annual re-certifications disclosing any changes to family size. Since NYCHA has updated information to conduct downsizing relocations, there is no reason for sending out last-minute notifications to residents identified for downsizing without giving adequate consideration for factors such as when, where, or how they would like to move.

Some NYCHA residents have expressed their frustrations to my office and sought help from my staff. I want to highlight their major concerns:

1. **Many residents identified for downsizing are seniors with medical and social service needs that are tied to their communities.** Unlike HPD's Section 8 relocations, which must be done within the same building, NYCHA transfers can be done among any of the public housing locations throughout New York City. My staff has worked with Chinese-speaking seniors who were downsized from the Lower East Side to a majority Spanish-speaking neighborhood in East Harlem. While many residents have welcomed the change and the opportunity to grow in a new community, some residents feel they have been uprooted by the move. Among those in the latter category, the healthier and more mobile residents can travel to their former neighborhoods to continue seeing their doctors and buying their ethnic-specific groceries, even though it costs extra time and money for travel. For those less mobile, they face difficulty in finding a new doctor or a pharmacy in a neighborhood that doesn't speak their language. Who can provide support for them, now that they are far away from their families, friends, and community? This is an issue of preserving residents' dignity and self-sufficiency and preventing isolation. NYCHA *must* take the time to factor in needs other than household size.

2. **NYCHA does not provide timely and appropriate communication.** Lack of timely notification about upcoming downsizing has led to the many hasty and inappropriate relocations that I just spoke about. But NYCHA has also fallen short in several situations in communicating with tenant association leaders, providing information to its residents in a language-appropriate manner, and overly relying on electronic communication when trying to reach a population where many lack regular access to technology. Many seniors do not know how to use email. And while NYCHA does translate its notices, important documents such as a letter about downsizing isn't always translated and unjustly places the onus on the resident to figure out what he or she has just been notified about. NYCHA's communication needs to be *consistent* and *appropriate*.
3. **There is a lack of accountability.** What is the status of NYCHA's downsized units? Where did the relocated households come from, are those units now occupied appropriately and where are the transferred residents living now? What assistance has been provided, if any, to help vulnerable populations such as the elderly and those who do not speak English with their transfers? What is NYCHA doing to create more size-appropriate units for residents who need to downsize, so that going forward residents will not have to relocate across boroughs or outside of their neighborhoods? NYCHA should not be allowed to continue downsizing its residents without installing accountability measures.

For both HPD and NYCHA, it is imperative to **consult with medical professionals or individuals with healthcare-related expertise when determining the outcome of a resident's appeal**. Currently, housing agency staff reviews tenants' downsizing appeals, which are often based on medical reasons or accessibility restrictions. Medical professionals are needed to determine appropriate housing and other types of support to accommodate a resident's healthcare and accessibility needs.

Finally, both HPD and NYCHA need to **keep long-term accessibility in mind**. Many of the residents being downsized are elderly. They may not need supportive housing services or disability accommodation now, but as they age, they are likely to need additional care in the future. If an elderly woman is being moved into a high-floor walk-up unit as part of the downsizing effort simply because a lower-floor unit is not yet available, it will be extra work for all parties to later have to relocate her to a first-floor unit that can accommodate future limited mobility and medical needs. Or if seniors are downsized *en masse* into studio apartments, how do HPD and NYCHA plan to accommodate their evolving needs as these same residents later become in need of live-in home aides? Short-term, budgetary concerns should never supplant thoughtful considerations for long-term planning.

In conclusion, HPD and NYCHA must be aware that downsizing imposes extreme stress and fear on many of its most vulnerable residents, ones who over the course of their long working lives have earned a right to be treated with dignity and

respect. Thus far, the relocation process and its implementation for many have failed to meet this basic standard.

Given the problems identified above, and the hardship the downsizing policy is creating, I request that HPD and NYCHA to impose a moratorium on the implementation of downsizing until its practical, ethical, and for HPD's sticky voucher, its legal challenges are resolved. Attorneys representing some of the Mitchell Lama residents have suggested that at the least anyone over 80 years old not be required to move.



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

Gale A. Brewer
BOROUGH PRESIDENT

February 21, 2014

Vicki Been
Commissioner
NYC Housing Preservation & Development
100 Gold Street
New York, NY 10038

Dear Commissioner Been,

We would like to extend our congratulations on your appointment as the Commissioner of the Department of Housing Preservation and Development. We look forward to working with you.

We write on behalf of residents receiving Section 8 vouchers who have been notified by HPD that they will be “downsized” to a smaller apartment, thereby displacing them from their homes of thirty years or more, and reducing families to “0” bedroom accommodation. It is our understanding that this policy is being implemented to find a \$35 million savings in the Section 8 program in the face of significant federal budget cuts. We hope that HPD can find another way to achieve these cost savings without unduly burdening our most vulnerable residents.

HPD’s implementation of this program has raised serious concerns about the process’ transparency, basic fairness and the perceived lack of uniformity in downsizing decisions. We are also deeply concerned that this program contravenes HPD’s obligation to account for the individual circumstances of the residents it is seeking to displace from their homes.

First, the “downsizing” undertaken by HPD appears to violate the underlying rationale of the enhanced Section 8 “sticky voucher” that was created to preserve affordable units for low and middle-income residents, including those in buildings exiting the Mitchell-Lama program. The intent of these vouchers was to protect residents from eviction, maintain individuals in their homes, and to sustain the communities of mutually-supportive

residents that had developed over many years in Mitchell-Lama and other types of supported housing.

Second, HPD has reportedly done a poor job of communicating with residents and coordinating its actions with its management agents, and it continues to fail to provide timely and proper notification to the residents it seeks to "downsize." For example, HPD stipulated that residents who were being downsized to "0" bedrooms would be notified with two letters, one from HPD and another from their building's management office.

However, many residents to date have received notification only from management, and many essential questions remain unanswered. In particular, is the notice of transfer that residents receive from management the "official" notification of their "downsizing," or must they also receive a notice from HPD? This question is critical, because receipt of the notification starts the fifteen day "clock" in which they can appeal.

In addition, there is widespread confusion about the timing of the notifications and the deadlines they establish. Does the clock start on the date the notification is issued, or on the date it is received? Is the schedule based on 15 calendar days or business days? Is Saturday considered a business day by management, but not by HPD?

Third, fifteen days is simply not enough time for residents, especially if they are elderly, hindered by winter weather conditions, or require travel assistance to obtain the necessary documents and prepare appeals based on medical or other extenuating circumstances- and this is especially true if the 15 day notice is reduced by delivery delays or includes non-business days when records cannot be obtained.

Finally, the process through which residents are selected for "downsizing" has not been transparent, and the rationale for selecting one resident over another in comparable circumstances, or one before another, has been mysterious at best. HPD must assume far more responsibility for clear and compassionate outreach to each affected resident, and to the wider community in which they live.

At a minimum, HPD must clarify how it determines which residents are selected for "downsizing," do far more comprehensive outreach to affected individuals and communities, and provide a detailed fact sheet of the process. It must clarify and expand on its rationale for these actions; on the steps, timetable, and notification requirements; and particularly on the rights of residents, and their grounds for and methods of appeal. In addition, HPD should provide this information- as well as contact numbers and adequate staff- and ensure that it is available in the primary language of the affected residents.


In conclusion, HPD must be aware that it is imposing extreme stress and fear on many of its most vulnerable residents, ones who over the course of their long working lives have earned a right to be treated with dignity and respect. Thus far, the process created by HPD and its implementation by the agency and its managing agents has failed to meet even this basic standard. HPD has a statutory responsibility to do far better, and a long

history of working on behalf of the residents for whom it has assumed responsibility. It should do no less now.

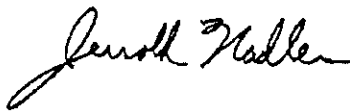
Given the problems identified above, and the hardship the "downsizing" policy is creating, we request that HPD impose a moratorium on the implementation of this program until its practical, ethical, and legal challenges are resolved.

Thank you for your attention to this issue. It needs your immediate attention as hundreds of residents who live in affordable housing are impacted.

Sincerely,



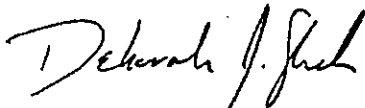
Gale A. Brewer



Congressman Jerrod Nadler
10th Congressional District (NY)



NYS Senator Brad Hoylman
27th Senate District



Assembly Member Deborah J. Glick
NYS Assemblymember, 66th District



Assembly Member Brian Kavanagh
NYS Assemblymember, 74th District



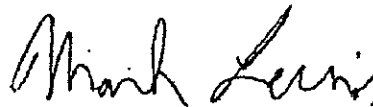
Council Member Helen Rosenthal
6th District, Manhattan



Council Member Rosie Mendez
2nd District, Manhattan



Assembly Member Linda B. Rosenthal
NYS Assemblymember, 67th District



Council Member Mark Levin
7th District, Manhattan



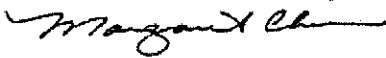
NYS Senator Liz Krueger
28th Senate District



Assembly Member Richard N. Gottfried
NYS Assembly Member, 75th District



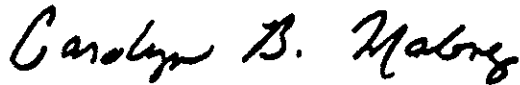
NYS Senator Daniel Squadron
26th Senate District



NYC Council Member Margaret S. Chin
District 1-Lower Manhattan



City Council Member Ben Kallos
5th Council District



Congresswoman Carolyn B. Maloney
12th Congressional District (NY)

Good Afternoon Members of the City Council,

I am a 68 year old single tenant residing in a one bedroom unit for the past 34 years, at 510 Second Avenue in the subsidized HPD Section 8 rent building complex known as Kips Bay Court. I've been living there for half of my life.

Kips Bay Court (previously known as Henry Phipps Plaza West), was built in 1976 and was operated as a Mitchell Lama development until in 2004 when the landlord opted out and accepted under HPD/HUD, a special Section 8 housing voucher program for eligible tenants called the "Enhanced" Sticky Voucher program.

This "Enhanced" Voucher was offered to eligible tenants as long as they remained tenants at Kips Bay Court, and met the program's income requirements for the "enhanced subsidy". It gave the tenant a larger or "enhanced" subsidy toward the rent than the standard Section 8 voucher. If the tenant moved out of Kips Bay Court, the voucher would then revert to the standard Section 8 voucher with a smaller subsidy.

As I have already mentioned, I have been living in the same rent subsidized one bedroom unit at Kips Bay Court since April 1980. Fast forward almost 34 years to July 15, 2013...I am suddenly being told that I am in an "over- housed" unit and will have to move from my one bedroom unit to a "zero" bedroom (studio) unit, or my "Enhanced" Voucher will revert to a Standard Voucher and I will have to pay the difference to make up the Contract Rent. I feel like my life is being turned upside. Anxiety and insomnia are just a few of my symptoms.

This inhumane action by HPD is in total disregard of me as a Senior and know that "quality of my life" will be forever damaged if this this Downsizing is permitted to go forward.

This situation can only get worse in 2014 unless you, the members of the City Council, show your support for tenants like me and oppose this Downsizing fiasco!!

Thank you for your time and attention.

Michael Sobol
510 Second Ave. Apt.2F!
212-686-7473!
msobol@nyc.rr.com

Dear Council,

My name is Mario Conti. Almost 30 years ago I was lucky enough to obtain for myself an Apt. in a Mitchell Lama Complex. 894 apts. Lots of neighbors, lots of families and lots of kids. A great place to live, It still is.

Ten years ago when the courts allowed the landlords to remove themselves from the Mitchell Lama program we were given our enhanced sticky section 8 vouchers. We were promised that we would be able to continue to live as we were.

So we continued to live in our apts., sent our kids to the local schools, supported the local businesses, walked the street fairs, volunteered at the parks, worshiped at our churches and synagogues.

We made the neighborhood what it is today .Keep in mind, although these vouchers have worked well for us they were given to us because Mitchell Lama had no exit plan for us when they left the program

There is a certain stigma attached to a section 8 voucher. In the minds of many we are thought of as lazy, good for nothing abusers of the system who do not want to work, collect food stamps and contribute nothing to society.

For the last ten years we have seen year after year how the Landlords have raised the rents on our apts. That means that every year the subsidies on our apts. paid by H.P.D. has risen. Did they not see what was coming? How could they have turned a blind eye to the situation and allow it to continue?

Now that they are faced with a shortfall what do they want to do to resolve this problem? They are downsizing the very tenants who have lived for decades in our apts. Many of us are now in our senior years .Kids are grown and moved on. So many of us are now living with disabilities and in our final years. There has to be a better solution to solving this problem of a shortfall What about attrition?

There is so much contradicting information surrounding this issue. We hear that the shortfall is no longer a problem due to the recent increase of funds released to H.U.D. by the federal government H.P.D. seems to have contradicting answers to the same questions put before them by different apt. complexes. Building managers and H.P.D. pass the buck on each other.

Many of the workers at H.P.D. do not seem to know the answer to questions that are being asked by many of the tenants. Many of the workers there are new and know nothing about Mitchell Lama or even what it is.

The stress and anxiety this has caused has had serious effects on so many of the tenants. Some have been hospitalized. Imagine if you are in your 60's , 70's , 80's being given 30 days to pack up your life and move.

In a country so rich like ours where we send billions, maybe trillions to foreign countries, is it possible we can't find the money to take care of our own? What is wrong with this picture? Carolyn Maloney and seventeen of our elected officials agree that this is not the answer or the solution to the matter at hand.

I am asking that the downsizing of many of our hard working, tax paying, tenants be exempt from this unfair way of solving a problem brought on by the lack of foresight by HPD and the landlords who created it.

Please give serious and thoughtful consideration and come up with a plan that stops this downsizing and allows us to remain in our apts. that we have lived in for so long and loved for so many years.

Thank You.

Respectfully Yours,

Mario Conti , 480 Second Ave #26D, NY 10016

Dear Council Members,

I am an original tenant at Kips Bay Court (previously known as Phipps Houses.) Next year I will mark my 40th year of residency in my apartment. Phipps Houses was built in the 1970's as a Mitchell Lama housing complex whose purpose was to provide affordable housing for middle class New Yorkers. The Mitchell Lama premise was one of the great success stories of the urban renewal movement of the 1970s. Along with the vision of the Phipps family, together they created a multi-cultural housing enclave where people of different ethnic backgrounds could live and thrive together in a safe and harmonious environment. Tenants moved in and rarely ever moved out.

Phipps Houses created a family friendly atmosphere where a community room provided by the complex was the center of many community activities and interaction among tenants. In 2003 our landlord chose to opt out of the Mitchell Lama program by paying up the remaining mortgage and converting to market rents. We fought hard to keep our complex in the Mitchell Lama program but lost. The families left, the children were gone and the community room was converted to a gym for the market tenants. The market rent tenants consisting mainly of people in their 20s and early 30s are constantly moving in and out taking away from any sense of community that was prevalent for so many years. Those of us who were eligible for the Section 8 program lived in constant fear as to what's going to happen to us next.

Well what's next came in July of 2013 when we were told that we will be downsized and to expect the much dreaded 15 day letter that would inform us that a smaller apartment was available. For months I got a gnawing feeling in the pit in my stomach every time I went to get my mail, but still I thought at least I would be one the last tenants to get the letter, because I was an original tenant in the building, but seniority apparently meant nothing as I got the letter fairly early in the process. I viewed the apartment. It was a teeny studio with no sleeping alcove and a kitchen you could hardly turn around in.

I went upstairs to my current apartment, looked at my surroundings and thought about all the time and effort I put in for the past 40 years to make it my home and what I would have to give up. And then I cried.

I, along with many other tenants haven't had a decent night's sleep since July. No matter what we do or where we are, downsizing is always in the back of our minds. We implore you to help us find a better way to resolve this issue so we may remain in our homes.

Julie Cohen
Kips Bay Court 470 Second Ave #11F, NY 10016

Personal Testimony from Linda Nicholas 520 Second Avenue #18d NY, NY 10016

I have been in my building since 1977, and now since my mother died, I am living in a one bedroom apartment. Now they want to downsize me to a one-room studio. What am I suppose to do with my stuff.....few family heirlooms, my books and clothing and table and 2 chairs. I have lost 7 closest family members in the last 4 years. Emotionally I am hanging by a thread and after all of onethis trauma of caring for my parents and watching them die....the only safe thing I have left... my safe and secure place so I thought was my apartment.

I have lost 7 people in the last few years. This loss has been so difficult for me. The only thing that has been safe and secure to me has my home, my apartment. The stress and anxiety of waiting everyday for that 15 day downsizing letter has made my life hell since the summer. I have had numerous panic attacks every week. I am in therapy, and now suffer from major depression. The anxiety and stress has created major migraine headaches that last sometimes for 8 days. Now I am in therapy, the doctors want to give me drugs to deal with the severe panic attacks, the anxiety and the claustrophobia. Do you know how stressful it is to go to the mailbox? The panic and anxiety has left me with a permanent pain in my throat and chest and heart area,It is a physical pain that starts in my throat, in which the tightness creates a severe pain in the throat and chest area and stomach so tight that you cannot breath and are gasping for air. This makes it difficult to eat as well. This physical pain and dread, is even magnified when approaching the mail box praying and hoping that the 15 day move letter will not be in the mail box waiting for you. Put yourself in my shoes. If I must leave this apartment, I am not sure what I will do. This is my home, and I love it, and I am grateful for it. At this age, to be downsized to a one room apartment with walls that are confining and no air, and noise from neighbors coming from both walls is terror enough along with getting rid of some prized possessions of my loved one who are not longer here.

My breathing and claustrophobia are worse. The claustrophobia was created when I was stuck in our building in the elevator during the blackout without air or light.

Please help me keep my home.

Lina Koutrakas, 470 Second Ave 18E, NY 10016

I am one of the Kips Bay Court Tenants who received a letter in the mail last August-2013- from HPD explaining that they would be downsizing many of us (myself included) to an "appropriate" sized apartment in order for them to recoup a 37 million dollar deficit.

I moved in 30 years ago when this was a Mitchell Lama housing development designed for middle income people. It has been my understanding, that I lived here because I am a New Yorker who contributes to my city, makes a minimal wage doing so and in order to keep doing my part I am afforded a way to actually live here. What a beautiful idea. I am not on welfare and I am not "working the system". I do my part, do what I was meant to do with my life, in a city that needs my services and gives me the opportunity to do so by helping me with my housing.

Last August I was told that I would be getting a letter offering me a one room studio apartment after 30 years in a one bedroom and that once I got that letter I would have 15 days to accept the smaller apartment or I could continue to live on in my one bedroom at market value price, which is 3 times what I pay. 3 times what I can afford to pay. I don't make enough a year to pay that rent and be able to buy a metro card, much less anything to eat after that.

I am 59 years old. I am in good health. I have a full work life (always trying to make more money and move upward.) I work freelance and I work like a dog. I work late hours in this city, am a woman and will not be able to work the hours I do now if I were to move out of this borough without it causing me insecurity in transporting myself home or probably more the point a substantial loss of finances.

I was told if I had a "medical condition" I could possibly be exempt from having to move to a smaller unit. I do not have a medical issue. I am highly claustrophobic, but have no documented medical history to show for it. I am a 12 step Food Addict who lost 150 pounds 12 years ago and can not live in one room with a kitchen I can not get away from, but as that has only just now qualified as the same legitimate disease as Alcoholism I didn't even want to attempt to be that kind of "pioneer". Though these are both true afflictions and affect my life, I could loose my "home" because of insignificant paper work or lack of value attached to either of them so I did not attempt to do anything, but worry.

I worried so much that on Sept 3rd 2013 I went to the Emergency Room at 5 a.m followed by a 3 month series of tests as they believed I was in the process of developing stress induced Chrones Disease or Colitis. After many MRI's, CT Scans, Colonoscopy's and being very sick for nearly 3 months, I am in the clear with "Irritable Bowel Syndrome" ALL brought on by stress. Wow.

You do not know me. This illness by way of stress is not my style. But losing my 30 year home and being confined to a space that resembles a college dorm room at my age...well, I guess HPD and I both contributed to honestly making me pretty sick. Truthfully, though I am a "team player" I am not willing to help recoup 37 million dollars with my health and security at my age.

Especially when I'm pretty sure many other ways- with less people hurt- might do the trick here.

At the beginning of November my niece who is going to Hunter College here in NYC needed a place to live. She had for a time been living on long island with her parents and commuting 4 hours a day to get her film degree at Hunter. Of late, for 6 months, she'd been staying in an apartment in Queens that burnt down. She needed me and boy did I need her.

HPD said I had to be a "properly sized family unit" to remain in a one bedroom. TWO people in a one bedroom, no matter who those 2 people were. If we were lovers and/or spouses in one bed, or mother/son, or niece/aunt or whatever in a living room and bedroom situation etc...it didn't matter. I had heard also, that me moving someone in "just to stay in my 1 bedroom" was not going to "work" with HPD even though they stated- very clearly- that it was all about the amount of people in a family unit and space and nothing else. I was nervous, sick and full of fear.

After seeing how sick I got and being alone through all of it, I decided- on a personal level- that it was the perfect time for my "family unit" to increase, while at the same time my niece needed to finish her degree without it costing her 20 hours a week in commuting, so the Gods stepped in and we have been living together since November 11th 2013.

My "journey" to get this on paper: filling out forms and presenting documentation, notarizing, handing in the appropriate "proof" etc with HPD and Kips Bay Court Management to get my niece on the lease was great. It was long, steady, consistent and other than the stress of the situation (mostly the horrible unknowns about something as important as your HOME) has been very respectful. Again...

HPD has been great. It ended two weeks ago with me going to HPD face to face to be told that my "adding a family member" had been approved. My niece and I live together in my 30 year home and she is now officially listed on my rent increase as part of my family unit.

I am one of the lucky ones- For now. My neighbors, many of them, are women much older than I am who are or aren't physically in great shape and they live HONORABLY in a one bedroom apartment (Not a shoe box with a lifetime's worth of things they must let go of or pay a small fortune to put in storage) who are not only being forced to move, but being PETRIFIED at the way this is all going down and the "no way out" feeling of it. If I ended up as sick as I was, what and how are the last parts of their lives to be?? This is NOT COOL NEW YORK. Its not my New York, it certainly isn't their New York. Its the opposite of who we are supposed to be and that breaks my heart and far more important -my spirit. I am not alone here.

I read Mayor DeBlasio getting behind his "tale of two city" affordable housing ideas and learn of his plans just to realize that mostly our horrible situation is not even mentioned. We CAN BE SAVED and we are not even in the game plan??? Why try and get more affordable housing when you are devaluing and letting slip through the cracks what is already in tact? We will be out on the street and probably more on point is out of this borough. Counterproductive. Of course it only gets worse when you get down to the humanity of it all as its nothing short of God awful in that regard.

I will wrap up by saying that I am here in my one bedroom apartment, happy to be sharing it with my beautiful niece. But I might want to get married again someday and then I will what? Hire a lawyer to move my "husband" in? Or my niece might get married and someday move in her spouse? OR I might get so sick (God forbid) that I have a true medical need to remain in my one bedroom home. Or my niece and I could live happily for another decade here both of us working in New York City in the arts and contributing to our part of middle income living. All the while shallow breathing in fear that at any moment the rug might be pulled out from under our very existence as we know it.

We are school teachers, singers, retired cops, single mothers, etc.. in my building. While the rest of the market value kids who have moved in are smoking so much pot I could get a contact high every day, us "old timers" are working our butts off and getting treated with such disregard and a lack of dignity to boot.

Overheard a few times was someone showing these units to market rent value tenants basically calling us "riff raff" and letting the perspective tenants know that we would not be here long. As tho living amongst us was classless. This is pathetic. Rude, disrespectful, pathetic and seeing as who the majority of our law breaking new neighbors are - inaccurate.

For me that is the worst part of all this. Its PERSONAL. It's personal HPD and NYC and Federal Government....its the very core of the diminishing of the human spirit. The downsizing, the ripping a home out from under someone and the daily fear-induced way its coming down. Horrible.

As a side note: If HPD might take a look at ALL the OTHER ways it can recoup its losses it might not come down to those of us who are indeed "paying our way", being so disrespected. There are illegal things going on throughout this unit. People who have left their apartments long ago to others who have no business being here and the like. Then there are those of us who are fighting to keep our homes as we've known them for decades who are being forced to deal with what might have been ½ a million dollars in HPD's pocket had they been on top of the right folks for taking undo advantage. Its been going on for decades and still to this day. These are not the people you will see at our tenants meetings as you might imagine.

Or how about a "Grandfather Clause" or two? For those of us who have lived as we have for over....25 years? Just leave us in our HOMES without fear and make changes FROM this point forward. Other "affordable housing units" are making changes all while honoring their long time existing tenants.

Somewhere, this is beyond a corporation or a faceless Federal Government of City Office, somewhere there are people who should not be able to sleep at night if indeed they saw our faces or more to the point, had a cup of coffee with one of us. Start there and I'm sure in my uneducated way, that a better solution will present itself. And make no mistake about it....this is personal.

Dear Council Members,

My name is Lynn Ann Castrigno and I live at 470 Second Avenue in Manhattan.

I found Kips Bay Court which was then Phipps Houses. I waited 4 1/2 years to get a studio apartment here in 1993. I was so grateful to have decent housing that I could afford. Eventually I was granted a 1BR apartment under DHRC rules where I have lived since 2001. I have lived here for 13 years and 21 in total at Kips. I am 56 years old and single. During this time I also had a major medical problem which required me having 5 surgeries. I was so grateful I made it through and had I not had affordable housing I am not sure where I would have ended up after a protracted illness.

This is my home. It is public housing that was built for people of modest means. I am honest and these apartments were built with my tax dollars too.

I am not a guest in this place. Since the conversion out of Mitchell Lama, HPD and the landlord have run roughshod over everyone here. For myself I am now paying 39% of my gross income for rent plus the electric bill under the new Enhanced Voucher formula. When I moved in I paid 30% of my AGI for rent and electric. That was affordable housing. The new rent formula is not affordable.

Additionally HPD has told me that the landlord gets a subsidy for electricity. I have an electric meter in my apartment which I read carefully every month and I pay the itemized bill in full. How can it be that the landlord gets an electric subsidy for my apartment on top of that?

HPD's policies are rife with inconsistencies. And now they think it's a good idea for thousands of people to move into smaller apartments to save them money.

I think it's a good idea for the Federal Government which gives them a significant amount of money to investigate just exactly what goes on inside HPD that they cannot meet their budget. This agency is completely unmonitored and seems to run a slipshod, shady and questionable manner and the landlord seems to be walking off with a tidy sum.

I will not budge an inch from my home and I demand a refund for the overcharges that have been levied against me and my neighbors since HPD took over. I am going broke in my affordable housing. Something is not right with this agency and they should be investigated by the law, not coming after me ostensibly to save money by trying to kick me out of my apartment. Where did the money go?

In the current economic climate my income has also taken a sharp downturn. As I look into the future it is imperative that I fight to stay in my home, not rid myself of my modest worldly goods to move and also to have the rent formula adjusted so I will not continue to experience a spiraling downward of my financial resources as I grow older, which, if the current HOD policies

continue, will be the inevitable outcome. This is not in the spirit or the budgetary sense of any other affordable housing program, including the regular section 8 holders who are required only to contribute 30% of their income for housing. Why is our former Mitchell Lama group being singled out and marginalized? It is a scam and a scandal which needs to be corrected. From the outset, HPD has given the landlord huge subsidies for our apartments. The landlord painted a picture of this place being a luxury rental. These apartments are cheaply constructed and the landlord used whatever monies they were given to upgrade the amenities in the vacant apartments to make them attractive to market rate renters. Then they told HPD what the other market apartments were renting for in the area and voila - my sheet rock and particle board public housing suddenly became a luxury rental. There has been no oversight on the part of HPD to determine that these rent increases were substantiated. This is another reason they are running out of money.

BTW, there is one fact that cannot be overstated, which we all know to be true and forget to bring up. When these buildings were constructed this neighborhood was undesirable, filled with rats, crime, drugs and prostitution. The people who moved into these buildings brought the whole neighborhood up and fought to help get rid of the bad element. That is why this community is now livable and desirable. Honest law abiding people moved into a marginal neighborhood and made it mainstream. Now WE are being "marginalized", those who made these streets "unmarginalized" in the first place.

Lynn Ann Castrigno
Former Mitchell Lama tenant, Kips Bay Court

Dear Council,

I represent various developments as part of Housing Coalition Against Downsizing (HCAD) and speak in support of all Enhanced Voucher tenants.

The tenants are all x-Mitchell Lama tenants. ML was the gold standard of the 1970's Affordable Housing model. It brought together citizens of all races, ages, creeds, ethnicity into hospitable housing complexes across New York State. They were the bedrock of New York's cities as middle income citizens with a strong work ethic and shared family values. They brought up their families and shared in the responsibility and commitment to transform their marginal neighborhoods into stable, vibrant communities that everyone now wants to live in. Their real estate became economically productive for the entire city.

Unfortunately for these tenants there was no planned exit strategy once the program expired and as landlord's no longer wanted to remain in the program. The end of ML for most of these developments created real undue hardships for all tenants. Each development had to struggle to find a balance to keep tenants housed. A makeshift remedy was negotiated with landlord's and the cities. Enhanced vouchers in the Section 8 program became the solution, a program that was not created for tenants with middle income savings and earnings. It was and is a misfit; and it was never retro-fitted to fit the clients but rather the clients had to fit the program. Others who were eligible under ML were now ineligible in the voucher program because they earned too much. They had to negotiate with their individual landlords to reach some compromise that is now bankrupting the affordability for these tenants to remain in their homes. Those tenants who were income eligible for Enhanced vouchers were offered voucher contracts that permitted them to remain in the homes they are currently living in. Tenants were granted vouchers based on a standard family composition that was fair and reasonable. Today that policy has been arbitrarily and capriciously changed and downsizing is the result. This is an added insult to injury because most Enhanced voucher tenants already pay above the 30% rent they were promised. Some pay over 50% of their income and are now asked to downsize. This is Affordable Housing at its worst!

Under the Voucher program the gift of having a lovely home which we had occupied for many decades was overshadowed with the fear and angst of what might be, the proverbial, 'waiting for the other shoe to drop' because politics might undermine their remaining in their homes, funding may be cut.

The interaction with HPD continues to feel like a throwback to another era when authoritative control never took into account the client base as part of the conversation. And that is exactly what happened when HPD arbitrarily modified and changed the family standard policy. 1667 Voucher families received one day in the middle of July a letter advising them they were now overhoused and had to be downsized. There was no discussion; it was an edict. We learnt after the fact that HPD did the least that was required of them by announcing in some obscure local newspaper a public hearing on the downsizing. No one showed up, because no one, tenants, elected officials, advocates, knew it was being held. The rollout of the downsizing was premeditated to avoid any discussion and response. And the fears originating from the settlement year 2003, from ML to Section 8, became a reality to tenants.

When the mandate went into affect HPD's strategic plan had no due process of uniform and standardized implementation. Staff did not know how to answer questions, gave out incorrect and conflicting information, forms were incomprehensible or non-existent. HPD abrogated their responsibility by delegating much of the implementation to individual management landlords. It took months and lots of political intervention to get clarification on the entire process. Tenant communications from landlords all were different and conflicting making for bias and subjective methods of downsizing the tenants. Meantime tenants were paying the price with their health.

A direct outcome of this policy change and its lack of clarity has affected the elderly and the not-so-elderly with a health crisis that is well documented: affected tenants health culminating in hospitalization, panic and anxiety attacks, sleeplessness, depression, etc. All tenants, disabled, seniors, singles, families, people 40-100, suffering illnesses over this. Tenants forced to prove they are worthy and deserving of remaining in their current homes by collecting medical documentation if possible. The HPD process requires medical practitioners to sign affidavits that tenants have disabilities that downsizing would be detrimental to their health; but who is reviewing these medical requests? Not a medical practitioner but a supervisor at HPD. And when tenants go to a 'fair hearing' to plead for their homes, who is mediating at the conference, but a paid employee by HPD. Are these options available to tenants really unbiased?

HPD for years has overlooked its own organizational inconsistencies and inefficiencies leading to mismanagement of funds. In order to understand how monies were spent and wasted it requires a forensic audit which would address such issues as:

- *Why were truly over-housed tenants left for years in their apartments after their family size decreased? How much money was wasted and given away?
- *Why are landlords granted approved contract rent increases annually especially when there are funding shortfalls?
- *How are contract rents calculated to be equitable and fair? Why is HPD funding landlords in a not for profit program with rents way over market rent?
- *Why have these increases in contract rent not been investigated to ensure that money was being spent equitably on voucher apartments and not just on market tenant apartments?
- *Why unlike any other housing program do tenants have to pay more than their 30% of their income? And yet when tenants ask HPD for an explanation of their rent portion calculation tenants are told they must file a complaint in order for it to be reviewed, and there is no offer of disclosure unless the tenant makes it a fight.
- *Why do different departments demand the same documentation as another? Tasks are duplicated because there is no sharing between departments. Everything is so segmented that getting to the appropriate department can be hours of work.
- *Why are voucher tenants penalized in their family composition standard when new Affordable Housing is advertised in the newspapers with the former standard that is now no longer eligible to voucher tenants? This is not equitable or fair. This is discrimination directed to one class of tenants and one that pays more than 30% of their income for rent. Affordable Housing should be just that, affordable and equal no matter what the funding sources are, across the board.

Please consider re-evaluating the Enhanced voucher program; deconstruct it and then reconstruct to meet the defined client, the former x-ML, middle income tenant who now has become an older tenant on a fixed income that deserves to be treated with dignity and respect and not pronounced over-housed when all the funds have gone to organizational inefficiencies and landlord rent increases. Let's make this less of a Tale of Two Cities!

Susan Marens, 484 Second Ave, NY 10016

Dear Chairman Williams and esteemed members of the Committee on Housing and Buildings:

We've been at this for months and months. We discuss tenant's rights, policy, law, "family composition", "unit size", "Reasonable Accommodation Verification Forms"... whatever...it is really all about dignity...simple human dignity. One of the basics of life is shelter along with food and clothing. Where one lives is one of the basic needs of life and the care that goes into that shelter says a lot about our self esteem.

A family gets raised in a home environment that we hope will be loving and nurturing but even if it's not, if you have a room to go to with a door to close, you can still have a measure of self-esteem. However, if we now say, as HPD has, that a living room is perfectly suitable for a bedroom in a family's home, where are the boundaries, where is the "door of protection"...or a door for just plain modesty. And this goes for adults as well.

If we want to create policies that push families into smaller and smaller spaces that no longer allow for these minimal needs of dignity, then we will have most assuredly institutionalize the character defect low self esteem, sending us into ever downward spiral which will stripe us of our dignity. What was affordable housing about in the first place, if not dignity?

Tuck Milligan
President
Tenants Alliance of Glenn Gardens
175 West 87th Street, Apt. 26G
New York, NY 10024

Good Afternoon Members of the City Council,

I am a 68 year old single tenant residing in a one bedroom unit for the past 34 years, at 510 Second Avenue in the subsidized HPD Section 8 rent building complex known as Kips Bay Court. I've been living there for half of my life.

Kips Bay Court (previously known as Henry Phipps Plaza West), was built in 1976 and was operated as a Mitchell Lama development until in 2004 when the landlord opted out and accepted under HPD/HUD, a special Section 8 housing voucher program for eligible tenants called the "Enhanced" Sticky Voucher program.

This "Enhanced" Voucher was offered to eligible tenants as long as they remained tenants at Kips Bay Court, and met the program's income requirements for the "enhanced subsidy". It gave the tenant a larger or "enhanced" subsidy toward the rent than the standard Section 8 voucher. If the tenant moved out of Kips Bay Court, the voucher would then revert to the standard Section 8 voucher with a smaller subsidy.

As I have already mentioned, I have been living in the same rent subsidized one bedroom unit at Kips Bay Court since April 1980. Fast forward almost 34 years to July 15, 2013...I am suddenly being told that I am in an "over- housed" unit and will have to move from my one bedroom unit to a "zero" bedroom (studio) unit, or my "Enhanced" Voucher will revert to a Standard Voucher and I will have to pay the difference to make up the Contract Rent. I feel like my life is being turned upside. Anxiety and insomnia are just a few of my symptoms.

This inhumane action by HPD is in total disregard of me as a Senior and know that "quality of my life" will be forever damaged if this this Downsizing is permitted to go forward.

This situation can only get worse in 2014 unless you, the members of the City Council, show your support for tenants like me and oppose this Downsizing fiasco!!

Thank you for your time and attention.

Michael Sobol
510 Second Ave. Apt.2F!
212-686-7473!
msobol@nyc.rr.com

Dear Council,

My name is Mario Conti. Almost 30 years ago I was lucky enough to obtain for myself an Apt. in a Mitchell Lama Complex. 894 apts. Lots of neighbors, lots of families and lots of kids. A great place to live, It still is.

Ten years ago when the courts allowed the landlords to remove themselves from the Mitchell Lama program we were given our enhanced sticky section 8 vouchers. We were promised that we would be able to continue to live as we were.

So we continued to live in our apts., sent our kids to the local schools, supported the local businesses, walked the street fairs, volunteered at the parks, worshiped at our churches and synagogues.

We made the neighborhood what it is today .Keep in mind, although these vouchers have worked well for us they were given to us because Mitchell Lama had no exit plan for us when they left the program

There is a certain stigma attached to a section 8 voucher. In the minds of many we are thought of as lazy, good for nothing abusers of the system who do not want to work, collect food stamps and contribute nothing to society.

For the last ten years we have seen year after how the Landlords have raised the rents on our apts. That means that every year the subsidies on our apts. paid by H.P.D. has risen. Did they not see what was coming? How could they have turned a blind eye to the situation and allow it to continue?

Now that they are faced with a shortfall what do they want to do to resolve this problem? They are downsizing the very tenants who have lived for decades in our apts. Many of us are now in our senior years .Kids are grown and moved on. So many of us are now living with disabilities and in our final years. There has to be a better solution to solving this problem of a shortfall What about attrition?

There is so much contradicting information surrounding this issue. We hear that the shortfall is no longer a problem due to the recent increase of funds released to H.U.D. by the federal government H.P.D. seems to have contradicting answers to the same questions put before them by different apt. complexes. Building managers and H.P.D. pass the buck on each other.

Many of the workers at H.P.D. do not seem to know the answer to questions that are being asked by many of the tenants. Many of the workers there are new and know nothing about Mitchell Lama or even what it is.

The stress and anxiety this has caused has had serious effects on so many of the tenants. Some have been hospitalized. Imagine if you are in your 60's , 70's , 80's being given 30 days to pack up your life and move.

In a country so rich like ours where we send billions, maybe trillions to foreign countries, is it possible we can't find the money to take care of our own ? What is wrong with this picture? Carolyn Maloney and seventeen of our elected officials agree that this is not the answer or the solution to the matter at hand.

I am asking that the downsizing of many of our hard working, tax paying, tenants be exempt from this unfair way of solving a problem brought on by the lack of foresight by HPD and the landlords who created it.

Please give serious and thoughtful consideration and come up with a plan that stops this downsizing and allows us to remain in our apts. that we have lived in for so long and loved for so many years.

Thank You.

Respectfully Yours,

Mario Conti , 480 Second Ave #26D, NY 10016

Dear Council Members,

I am an original tenant at Kips Bay Court (previously known as Phipps Houses.) Next year I will mark my 40th year of residency in my apartment. Phipps Houses was built in the 1970's as a Mitchell Lama housing complex whose purpose was to provide affordable housing for middle class New Yorkers. The Mitchell Lama premise was one of the great success stories of the urban renewal movement of the 1970s. Along with the vision of the Phipps family, together they created a multi-cultural housing enclave where people of different ethnic backgrounds could live and thrive together in a safe and harmonious environment. Tenants moved in and rarely ever moved out.

Phipps Houses created a family friendly atmosphere where a community room provided by the complex was the center of many community activities and interaction among tenants. In 2003 our landlord chose to opt out of the Mitchell Lama program by paying up the remaining mortgage and converting to market rents. We fought hard to keep our complex in the Mitchell Lama program but lost. The families left, the children were gone and the community room was converted to a gym for the market tenants. The market rent tenants consisting mainly of people in their 20s and early 30s are constantly moving in and out taking away from any sense of community that was prevalent for so many years. Those of us who were eligible for the Section 8 program lived in constant fear as to what's going to happen to us next.

Well what's next came in July of 2013 when we were told that we will be downsized and to expect the much dreaded 15 day letter that would inform us that a smaller apartment was available. For months I got a gnawing feeling in the pit in my stomach every time I went to get my mail, but still I thought at least I would be one the last tenants to get the letter, because I was an original tenant in the building, but seniority apparently meant nothing as I got the letter fairly early in the process. I viewed the apartment. It was a teeny studio with no sleeping alcove and a kitchen you could hardly turn around in.

I went upstairs to my current apartment, looked at my surroundings and thought about all the time and effort I put in for the past 40 years to make it my home and what I would have to give up. And then I cried.

I, along with many other tenants haven't had a decent night's sleep since July. No matter what we do or where we are, downsizing is always in the back of our minds. We implore you to help us find a better way to resolve this issue so we may remain in our homes.

Julie Cohen
Kips Bay Court 470 Second Ave #11F, NY 10016

Personal Testimony from Linda Nicholas 520 Second Avenue #18d NY, NY 10016

I have been in my building since 1977, and now since my mother died, I am living in a one bedroom apartment. Now they want to downsize me to a one-room studio. What am I suppose to do with my stuff.....few family heirlooms, my books and clothing and table and 2 chairs. I have lost 7 closest family members in the last 4 years. Emotionally I am hanging by a thread and after all of onethis trauma of caring for my parents and watching them die....the only safe thing I have left... my safe and secure place so I thought was my apartment.

I have lost 7 people in the last few years. This loss has been so difficult for me. The only thing that has been safe and secure to me has my home, my apartment. The stress and anxiety of waiting everyday for that 15 day downsizing letter has made my life hell since the summer. I have had numerous panic attacks every week. I am in therapy, and now suffer from major depression. The anxiety and stress has created major migraine headaches that last sometimes for 8 days. Now I am in therapy, the doctors want to give me drugs to deal with the severe panic attacks, the anxiety and the claustrophobia. Do you know how stressful it is to go to the mailbox? The panic and anxiety has left me with a permanent pain in my throat and chest and heart area,It is a physical pain that starts in my throat, in which the tightness creates a severe pain in the throat and chest area and stomach so tight that you cannot breath and are gasping for air. This makes it difficult to eat as well. This physical pain and dread, is even magnified when approaching the mail box praying and hoping that the15 day move letter will not be in the mail box waiting for you. Put yourself in my shoes. If I must leave this apartment, I am not sure what I will do. This is my home, and I love it, and I am grateful for it. At this age, to be downsized to a one room apartment with walls that are confining and no air, and noise from neighbors coming from both walls is terror enough along with getting rid of some prized possessions of my loved one who are not longer here.

My breathing and claustrophobia are worse. The claustrophobia was created when I was stuck in our building in the elevator during the blackout without air or light.

Please help me keep my home.

Lina Koutrakas, 470 Second Ave 18E, NY 10016

I am one of the Kips Bay Court Tenants who received a letter in the mail last August-2013- from HPD explaining that they would be downsizing many of us (myself included) to an “appropriate” sized apartment in order for them to recoup a 37 million dollar deficit.

I moved in 30 years ago when this was a Mitchell Lama housing development designed for middle income people. It has been my understanding, that I lived here because I am a New Yorker who contributes to my city, makes a minimal wage doing so and in order to keep doing my part I am afforded a way to actually live here. What a beautiful idea. I am not on welfare and I am not “working the system”. I do my part, do what I was meant to do with my life, in a city that needs my services and gives me the opportunity to do so by helping me with my housing.

Last August I was told that I would be getting a letter offering me a one room studio apartment after 30 years in a one bedroom and that once I got that letter I would have 15 days to accept the smaller apartment or I could continue to live on in my one bedroom at market value price, which is 3 times what I pay. 3 times what I can afford to pay. I don't make enough a year to pay that rent and be able to buy a metro card, much less anything to eat after that.

I am 59 years old. I am in good health. I have a full work life (always trying to make more money and move upward.) I work freelance and I work like a dog. I work late hours in this city, am a woman and will not be able to work the hours I do now if I were to move out of this borough without it causing me insecurity in transporting myself home or probably more the point a substantial loss of finances.

I was told if I had a “medical condition” I could possibly be exempt from having to move to a smaller unit. I do not have a medical issue. I am highly claustrophobic, but have no documented medical history to show for it. I am a 12 step Food Addict who lost 150 pounds 12 years ago and can not live in one room with a kitchen I can not get away from, but as that has only just now qualified as the same legitimate disease as Alcoholism I didn't even want to attempt to be that kind of “pioneer”. Though these are both true afflictions and affect my life, I could loose my “home” because of insignificant paper work or lack of value attached to either of them so I did not attempt to do anything, but worry.

I worried so much that on Sept 3rd 2013 I went to the Emergency Room at 5 a.m followed by a 3 month series of tests as they believed I was in the process of developing stress induced Chrones Disease or Colitis. After many MRI's, CT Scans, Colonoscopy's and being very sick for nearly 3 months, I am in the clear with “Irritable Bowel Syndrome” ALL brought on by stress. Wow.

You do not know me. This illness by way of stress is not my style. But losing my 30 year home and being confined to a space that resembles a college dorm room at my age...well, I guess HPD and I both contributed to honestly making me pretty sick. Truthfully, though I am a “team player” I am not willing to help recoup 37 million dollars with my health and security at my age.

Especially when I'm pretty sure many other ways- with less people hurt- might do the trick here.

At the beginning of November my niece who is going to Hunter College here in NYC needed a place to live. She had for a time been living on long island with her parents and commuting 4 hours a day to get her film degree at Hunter. Of late, for 6 months, she'd been staying in an apartment in Queens that burnt down. She needed me and boy did I need her.

HPD said I had to be a "properly sized family unit" to remain in a one bedroom. TWO people in a one bedroom, no matter who those 2 people were. If we were lovers and/or spouses in one bed, or mother/son, or niece/aunt or whatever in a living room and bedroom situation etc...it didn't matter. I had heard also, that me moving someone in "just to stay in my 1 bedroom" was not going to "work" with HPD even though they stated- very clearly- that it was all about the amount of people in a family unit and space and nothing else. I was nervous, sick and full of fear.

After seeing how sick I got and being alone through all of it, I decided- on a personal level- that it was the perfect time for my "family unit" to increase, while at the same time my niece needed to finish her degree without it costing her 20 hours a week in commuting, so the Gods stepped in and we have been living together since November 11th 2013.

My "journey" to get this on paper: filling out forms and presenting documentation, notarizing, handing in the appropriate "proof" etc with HPD and Kips Bay Court Management to get my niece on the lease was great. It was long, steady, consistent and other than the stress of the situation (mostly the horrible unknowns about something as important as your HOME) has been very respectful. Again...

HPD has been great. It ended two weeks ago with me going to HPD face to face to be told that my "adding a family member" had been approved. My niece and I live together in my 30 year home and she is now officially listed on my rent increase as part of my family unit.

I am one of the lucky ones- For now. My neighbors, many of them, are women much older than I am who are or aren't physically in great shape and they live HONORABLY in a one bedroom apartment (Not a shoe box with a lifetime's worth of things they must let go of or pay a small fortune to put in storage) who are not only being forced to move, but being PETRIFIED at the way this is all going down and the "no way out" feeling of it. If I ended up as sick as I was, what and how are the last parts of their lives to be?? This is NOT COOL NEW YORK. Its not my New York, it certainly isn't their New York. Its the opposite of who we are supposed to be and that breaks my heart and far more important -my spirit. I am not alone here.

I read Mayor DeBlasio getting behind his "tale of two city" affordable housing ideas and learn of his plans just to realize that mostly our horrible situation is not even mentioned. We CAN BE SAVED and we are not even in the game plan??? Why try and get more affordable housing when you are devaluing and letting slip through the cracks what is already in tact? We will be out on the street and probably more on point is out of this borough. Counterproductive. Of course it only gets worse when you get down to the humanity of it all as its nothing short of God awful in that regard.

I will wrap up by saying that I am here in my one bedroom apartment, happy to be sharing it with my beautiful niece. But I might want to get married again someday and then I will what? Hire a lawyer to move my "husband" in? Or my niece might get married and someday move in her spouse? OR I might get so sick (God forbid) that I have a true medical need to remain in my one bedroom home. Or my niece and I could live happily for another decade here both of us working in New York City in the arts and contributing to our part of middle income living. All the while shallow breathing in fear that at any moment the rug might be pulled out from under our very existence as we know it.

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Overheard a few times was someone showing these units to market rent value tenants basically calling us "riff raff" and letting the perspective tenants know that we would not be here long. As tho living amongst us was classless. This is pathetic. Rude, disrespectful, pathetic and seeing as who the majority of our law breaking new neighbors are - inaccurate.

For me that is the worst part of all this. Its PERSONAL. It's personal HPD and NYC and Federal Government....its the very core of the diminishing of the human spirit. The downsizing, the ripping a home out from under someone and the daily fear-induced way its coming down. Horrible.

As a side note: If HPD might take a look at ALL the OTHER ways it can recoup its losses it might not come down to those of us who are indeed "paying our way", being so disrespected. There are illegal things going on throughout this unit. People who have left their apartments long ago to others who have no business being here and the like. Then there are those of us who are fighting to keep our homes as we've known them for decades who are being forced to deal with what might have been ½ a million dollars in HPD's pocket had they been on top of the right folks for taking undo advantage. Its been going on for decades and still to this day. These are not the people you will see at our tenants meetings as you might imagine.

Or how about a "Grandfather Clause" or two? For those of us who have lived as we have for over....25 years? Just leave us in our HOMES without fear and make changes FROM this point forward. Other "affordable housing units" are making changes all while honoring their long time existing tenants.

Somewhere, this is beyond a corporation or a faceless Federal Government of City Office, somewhere there are people who should not be able to sleep at night if indeed they saw our faces or more to the point, had a cup of coffee with one of us. Start there and I'm sure in my uneducated way, that a better solution will present itself. And make no mistake about it....this is personal.

Dear Council Members,

My name is Lynn Ann Castrigno and I live at 470 Second Avenue in Manhattan.

I found Kips Bay Court which was then Phipps Houses. I waited 4 1/2 years to get a studio apartment here in 1993. I was so grateful to have decent housing that I could afford. Eventually I was granted a 1BR apartment under DHRC rules where I have lived since 2001. I have lived here for 13 years and 21 in total at Kips. I am 56 years old and single. During this time I also had a major medical problem which required me having 5 surgeries. I was so grateful I made it through and had I not had affordable housing I am not sure where I would have ended up after a protracted illness.

This is my home. It is public housing that was built for people of modest means. I am honest and these apartments were built with my tax dollars too.

I am not a guest in this place. Since the conversion out of Mitchell Lama, HPD and the landlord have run roughshod over everyone here. For myself I am now paying 39% of my gross income for rent plus the electric bill under the new Enhanced Voucher formula. When I moved in I paid 30% of my AGI for rent and electric. That was affordable housing. The new rent formula is not affordable.

Additionally HPD has told me that the landlord gets a subsidy for electricity. I have an electric meter in my apartment which I read carefully every month and I pay the itemized bill in full. How can it be that the landlord gets an electric subsidy for my apartment on top of that?

HPD's policies are rife with inconsistencies. And now they think it's a good idea for thousands of people to move into smaller apartments to save them money.

I think it's a good idea for the Federal Government which gives them a significant amount of money to investigate just exactly what goes on inside HPD that they cannot meet their budget. This agency is completely unmonitored and seems to run a slipshod, shady and questionable manner and the landlord seems to be walking off with a tidy sum.

I will not budge an inch from my home and I demand a refund for the overcharges that have been levied against me and my neighbors since HPD took over. I am going broke in my affordable housing. Something is not right with this agency and they should be investigated by the law, not coming after me ostensibly to save money by trying to kick me out of my apartment. Where did the money go?

In the current economic climate my income has also taken a sharp downturn. As I look into the future it is imperative that I fight to stay in my home, not rid myself of my modest worldly goods to move and also to have the rent formula adjusted so I will not continue to experience a spiraling downward of my financial resources as I grow older, which, if the current HOD policies

continue, will be the inevitable outcome. This is not in the spirit or the budgetary sense of any other affordable housing program, including the regular section 8 holders who are required only to contribute 30% of their income for housing. Why is our former Mitchell Lama group being singled out and marginalized? It is a scam and a scandal which needs to be corrected. From the outset, HPD has given the landlord huge subsidies for our apartments. The landlord painted a picture of this place being a luxury rental. These apartments are cheaply constructed and the landlord used whatever monies they were given to upgrade the amenities in the vacant apartments to make them attractive to market rate renters. Then they told HPD what the other market apartments were renting for in the area and voila - my sheet rock and particle board public housing suddenly became a luxury rental. There has been no oversight on the part of HPD to determine that these rent increases were substantiated. This is another reason they are running out of money.

BTW, there is one fact that cannot be overstated, which we all know to be true and forget to bring up. When these buildings were constructed this neighborhood was undesirable, filled with rats, crime, drugs and prostitution. The people who moved into these buildings brought the whole neighborhood up and fought to help get rid of the bad element. That is why this community is now livable and desirable. Honest law abiding people moved into a marginal neighborhood and made it mainstream. Now WE are being "marginalized", those who made these streets "unmarginalized" in the first place.

Lynn Ann Castrigno
Former Mitchell Lama tenant, Kips Bay Court

Dear Council,

I represent various developments as part of Housing Coalition Against Downsizing (HCAD) and speak in support of all Enhanced Voucher tenants.

The tenants are all x-Mitchell Lama tenants. ML was the gold standard of the 1970's Affordable Housing model. It brought together citizens of all races, ages, creeds, ethnicity into hospitable housing complexes across New York State. They were the bedrock of New York's cities as middle income citizens with a strong work ethic and shared family values. They brought up their families and shared in the responsibility and commitment to transform their marginal neighborhoods into stable, vibrant communities that everyone now wants to live in. Their real estate became economically productive for the entire city.

Unfortunately for these tenants there was no planned exit strategy once the program expired and as landlord's no longer wanted to remain in the program. The end of ML for most of these developments created real undue hardships for all tenants. Each development had to struggle to find a balance to keep tenants housed. A makeshift remedy was negotiated with landlord's and the cities. Enhanced vouchers in the Section 8 program became the solution, a program that was not created for tenants with middle income savings and earnings. It was and is a misfit; and it was never retro-fitted to fit the clients but rather the clients had to fit the program. Others who were eligible under ML were now ineligible in the voucher program because they earned too much. They had to negotiate with their individual landlords to reach some compromise that is now bankrupting the affordability for these tenants to remain in their homes. Those tenants who were income eligible for Enhanced vouchers were offered voucher contracts that permitted them to remain in the homes they are currently living in. Tenants were granted vouchers based on a standard family composition that was fair and reasonable. Today that policy has been arbitrarily and capriciously changed and downsizing is the result. This is an added insult to injury because most Enhanced voucher tenants already pay above the 30% rent they were promised. Some pay over 50% of their income and are now asked to downsize. This is Affordable Housing at its worst!

Under the Voucher program the gift of having a lovely home which we had occupied for many decades was overshadowed with the fear and angst of what might be, the proverbial, 'waiting for the other shoe to drop' because politics might undermine their remaining in their homes, funding may be cut.

The interaction with HPD continues to feel like a throwback to another era when authoritative control never took into account the client base as part of the conversation. And that is exactly what happened when HPD arbitrarily modified and changed the family standard policy. 1667 Voucher families received one day in the middle of July a letter advising them they were now overhoused and had to be downsized. There was no discussion; it was an edict. We learnt after the fact that HPD did the least that was required of them by announcing in some obscure local newspaper a public hearing on the downsizing. No one showed up, because no one, tenants, elected officials, advocates, knew it was being held. The rollout of the downsizing was premeditated to avoid any discussion and response. And the fears originating from the settlement year 2003, from ML to Section 8, became a reality to tenants.

When the mandate went into affect HPD's strategic plan had no due process of uniform and standardized implementation. Staff did not know how to answer questions, gave out incorrect and conflicting information, forms were incomprehensible or non-existent. HPD abrogated their responsibility by delegating much of the implementation to individual management landlords. It took months and lots of political intervention to get clarification on the entire process. Tenant communications from landlords all were different and conflicting making for bias and subjective methods of downsizing the tenants. Meantime tenants were paying the price with their health.

A direct outcome of this policy change and its lack of clarity has affected the elderly and the not-so-elderly with a health crisis that is well documented: affected tenants health culminating in hospitalization, panic and anxiety attacks, sleeplessness, depression, etc. All tenants, disabled, seniors, singles, families, people 40-100, suffering illnesses over this. Tenants forced to prove they are worthy and deserving of remaining in their current homes by collecting medical documentation if possible. The HPD process requires medical practitioners to sign affidavits that tenants have disabilities that downsizing would be detrimental to their health; but who is reviewing these medical requests? Not a medical practitioner but a supervisor at HPD. And when tenants go to a 'fair hearing' to plead for their homes, who is mediating at the conference, but a paid employee by HPD. Are these options available to tenants really unbiased?

HPD for years has overlooked its own organizational inconsistencies and inefficiencies leading to mismanagement of funds. In order to understand how monies were spent and wasted it requires a forensic audit which would address such issues as:

- *Why were truly over-housed tenants left for years in their apartments after their family size decreased? How much money was wasted and given away?
- *Why are landlords granted approved contract rent increases annually especially when there are funding shortfalls?
- *How are contract rents calculated to be equitable and fair? Why is HPD funding landlords in a not for profit program with rents way over market rent?
- *Why have these increases in contract rent not been investigated to ensure that money was being spent equitably on voucher apartments and not just on market tenant apartments?
- *Why unlike any other housing program do tenants have to pay more than their 30% of their income? And yet when tenants ask HPD for an explanation of their rent portion calculation tenants are told they must file a complaint in order for it to be reviewed, and there is no offer of disclosure unless the tenant makes it a fight.
- *Why do different departments demand the same documentation as another? Tasks are duplicated because there is no sharing between departments. Everything is so segmented that getting to the appropriate department can be hours of work.
- *Why are voucher tenants penalized in their family composition standard when new Affordable Housing is advertised in the newspapers with the former standard that is now no longer eligible to voucher tenants? This is not equitable or fair. This is discrimination directed to one class of tenants and one that pays more than 30% of their income for rent. Affordable Housing should be just that, affordable and equal no matter what the funding sources are, across the board.

Please consider re-evaluating the Enhanced voucher program; deconstruct it and then reconstruct to meet the defined client, the former x-ML, middle income tenant who now has become an older tenant on a fixed income that deserves to be treated with dignity and respect and not pronounced over-housed when all the funds have gone to organizational inefficiencies and landlord rent increases. Let's make this less of a Tale of Two Cities!

Susan Marens, 484 Second Ave, NY 10016

Dear Chairman Williams and esteemed members of the Committee on Housing and Buildings:

We've been at this for months and months. We discuss tenant's rights, policy, law, "family composition", "unit size", "Reasonable Accommodation Verification Forms"... whatever...it is really all about dignity...simple human dignity. One of the basics of life is shelter along with food and clothing. Where one lives is one of the basic needs of life and the care that goes into that shelter says a lot about our self esteem.

A family gets raised in a home environment that we hope will be loving and nurturing but even if it's not, if you have a room to go to with a door to close, you can still have a measure of self-esteem. However, if we now say, as HPD has, that a living room is perfectly suitable for a bedroom in a family's home, where are the boundaries, where is the "door of protection"...or a door for just plain modesty. And this goes for adults as well.

If we want to create policies that push families into smaller and smaller spaces that no longer allow for these minimal needs of dignity, then we will have most assuredly institutionalize the character defect low self esteem, sending us into ever downward spiral which will stripe us of our dignity. What was affordable housing about in the first place, if not dignity?

Tuck Milligan

President

Tenants Alliance of Glenn Gardens

175 West 87th Street, Apt. 26G

New York, NY 10024

Testimony of Rita Popper
Co-Chair Housing Alliance Against Downsizing (HAAD)
President, Knickerbocker Plaza Tenants' Association
Enhanced Section 8 Voucher Tenant
New York City Housing Committee Hearing
April 9, 2014

Mass downsizing is the most illogical and contradictory plan ever conceived. We follow the rules and suddenly the rules change. Affordable housing apartment size has always been determined by a family's composition.

Eleven years ago, I voluntarily downsized from 3- bedrooms to 1. My family composition changed.

At the buyout from the Mitchell Lama affordable housing program, HPD distributed an Enhanced Voucher Fact Sheet to all voucher recipients. It states, "Vouchers will be offered to income eligible applicants residing in the development at the time of conversion." There is no opportunity for issuing "new" vouchers.

HPD gives examples of over-housed and properly housed families..."For example A single person is eligible for 1-bedroom." My voucher says 1-person, 1-bedroom.

HPD's overhoused letters state, "Based on your current family composition, you are residing in an apartment that exceeds the number of bedrooms on your voucher." Most families have not changed and neither has their original vouchers.

Vouchers were a one-time only offer at the time of conversion. Can HPD just allude to a voucher that physically does not exist in order to match an arbitrary change? Apartment occupancy changes went into effect on July 15, 2013. What happened to the stipulations governing our original vouchers?

Sequestration of federal funds necessitated the implementation of a cost-savings plan. Jan. 2014, sequestered funds were released and HUD's budget was restored. It now appears that if there is a shortfall, it is only \$2 million dollars.

Downsizing costs tenants money. Here are the receipts from my downsizing from 3-bedrooms to 1. Who will pay me for my furniture that can't be moved? Like many other tenants, I properly downsized. according to HPD's "Section 8 Briefing Booklet" 1-person, 1-bedroom. Single parent with child older than 4 years old, 2-bedrooms.

Age, sex and medical are causes for exemptions. Two neighbors 90 and 86-years-old just received downsizing letters. They have each occupied their 1-bedroom apartments for over 38 years. What are the age exemption guidelines?

Aging at home costs the government less money than aging in a Nursing Home. Downsizing leaves no room for home health care.

Housing Alliance Against Downsizing respectfully requests this Housing Committee, lead by the Chair, Jumaane Williams, who for years has distinguished himself as a leading advocate for tenants rights and affordable housing, to urge the full City Council to vote on calling a moratorium on downsizing until the benefits and legality are defined.

Thank you.

ENHANCED VOUCHER FACT SHEET

Enhanced vouchers are issued to eligible residents residing in certain developments where the owners prepay the existing mortgage or voluntarily terminate the project's mortgage insurance. In many instances, as a result of the conversion action, rents increase, often to market rates. Vouchers will be offered only to income eligible applicants residing in the development at the time of conversion. The Department of Housing Preservation and Development (HPD) works closely with building management to ensure that all tenants have the opportunity to apply. All of the legislation, regulations and rules that apply to the regular housing choice voucher program also apply to enhanced vouchers except for the following areas of operation:

Eligibility

Building management is responsible to inform tenants that the development is converting and that enhanced vouchers will be offered to eligible tenants. Eligible tenants will be invited to an informational meeting with HPD. Building management will assist HPD in compiling the information necessary for determining Enhanced Section 8 eligibility. HPD will inform tenants of their eligibility status shortly after they apply. In many cases, the eligibility of enhanced voucher applicants will be determined using significantly higher income limits than used in regular Section 8. Income eligibility for certain enhanced voucher properties are set at the limits presented below.

Income Limits — Section 8 Programs (As of February 13, 2008 and subject to change)

Person (s)	1	2	3	4	5	6	7	8
50% of AMI	\$26,900	\$30,700	\$34,550	\$38,400	\$41,450	\$44,550	\$47,600	\$50,700
80% of AMI	\$43,000	\$49,150	\$55,300	\$61,450	\$66,350	\$71,300	\$76,200	\$76,200

Special Payment Standard

For a family that stays at the development, the payment standard used to calculate the Section 8 Housing Assistance Payment (HAP) is the gross rent (total rent to owner plus the applicable HPD utility allowance for any tenant-supplied utilities) of the family's unit, regardless of whether the gross rent exceeds the normally applicable HPD payment standard.

Family Rent

By law, families that receive enhanced voucher assistance must pay for rent no less than the rent the family was paying as of the effective date of the conversion. This is referred to as the "enhanced voucher minimum rent." If a family remains at the development and is subsidized with an enhanced voucher, the gross rent under the voucher program must be the greater of:

- 30% of monthly adjusted family income; or
- 10% of monthly gross income; or
- The enhanced voucher minimum rent (Tenant share of the rent prior to conversion)

The enhanced voucher minimum rent can be reduced if a family's income declines at any time by 15% or more.

Overhoused Families

An overhoused family is one who resides in an apartment containing more bedrooms than listed on their voucher. The appropriate number of bedrooms per family is determined by HPD and is based on household composition as per federal (HUD) and local occupancy standards. For example, a single adult is eligible for a one-bedroom under HPD's occupancy standards. If a single person lives in a two-bedroom apartment, he or she is overhoused, and the unit is oversized. HPD will inform all overhoused families of their status.

Any family deemed overhoused, whether at initial lease-up or due to a change in family composition, will be able to remain in their unit until an appropriately-sized unit becomes available within the development. If the family refuses an appropriately-sized unit offered by management, their enhanced voucher will convert to a regular voucher and the regular payment standard for their voucher size (not unit size) will apply.

Enhanced Voucher Family Right to Remain

The FY 2001 Military Construction and FY 2000 Emergency Supplemental Appropriations law, Public Law No. 106-246, Section 2801, amended Section 8(t) of the United States Housing Act. A family that receives an enhanced voucher has the right to remain in the project as long as the units are used for rental housing and are otherwise eligible for housing choice voucher assistance (e.g., the rent is reasonable, unit meets HQS, etc.). The owner may not terminate the tenancy of a family that exercises its right to remain except for a serious or repeated lease violation or other good cause. If an owner refuses to honor the family's right to remain, the family may exercise any judicial remedy that is available under State and/or local law.

Family Move

Under the Section 8 Housing Choice Voucher program, a family can move anywhere in the country where Section 8 is administered and continue to receive assistance with the rent. All moves must be approved by HPD in advance. Moving without approval may result in loss of subsidy. It is important to remember, however, that if the family moves outside of the development, they will only be subsidized based on the local PHA's regular payment standard. For example, if the family decides to move outside of the development to somewhere else in New York City, the regular payment standard would apply as follows:

Regular Section 8 Payment Standards (without gas and electricity) as of October 1, 2008 (Subject to change)

Bedrooms	0	1	2	3	4	5	6
Payment Standard	\$1,130	\$1,220	\$1,358	\$1,681	\$1,895	\$2,182	\$2,469

For more information please visit:

HUD's website: www.hud.gov

HPD's website: nyc.gov/hpd

Or Call Client Services at: 917-286-4300



Applicant Information*

SSN	Last Name	First Name	Application Date		City	State	Zip
			7/16/2008 5:56:56 PM		New York	NY	10128
Primary Street		Secondary Street		Suite			
1751 Second Avenue							
Family Size	Bedrooms	Program		Last Status Change Date/Time:	Last Update Date:		
1	1	Enhanced - Knickerbocker		9/3/2008 10:29:34 AM	7/16/2008 5:59:50 PM		

Full Name	Gender	SSN	Age	DOB	Relation Code	Elderly Allowance	Disability Allowance	Minor Allowance	Citizenship
	Female		70	1/2/1939	Head	\$400.00	\$0.00	\$0.00	Eligible Citizen
Allowance Subtotal:							\$400.00	\$0.00	
Allowance Total:								\$400.00	

Full Name	Description	Source	Frequency	Amount	Income
	Social Security	Award Letter	Monthly		

Full Name	Description	Asset Type	Cash Value	Percentage	Anticipated Income
Totals:					

- A) Total Asset Value
- B) Total Anticipated Asset Income
- C) Imputed Asset Income (if line A is less than \$5000 = 0, greater than \$5000 = line A x .02)
- D) Total Anticipated Asset Income (Greater of lines B and C)

Full Name	Description	Source	Expense Type	Periodic Frequency	Periodic Amount	Annual Amount
			Medical	Monthly		
			Medical	Annually		
Medical Deduction Total:						

Disability / Elderly Allowance	Minor Allowance	Childcare Deduction	Medical Threshold	Medical Allowance	Adjusted Medical Allowance	Asset Income	Disability Threshold	Disability Allowance	Adjusted Disability Allowance
\$400.00	\$0.00	\$0.00					\$776.28	\$0.00	\$0.00
Total Annual Income		Adjusted Annual Income		30% of Adjusted Monthly Income		HAP Reduction due to unmet citizenship requirements in family			
						No Reduction			

*This worksheet is a summary of the information HPD staff has entered into its database from your file, which is comprised of your application and supporting documents. Information contained on this worksheet may not reflect your final subsidy and tenant share amounts.

Once you are determined eligible, you will also receive a Housing Voucher, which will state the date issued and date it will expire. You may be asked by landlords to show this as proof that you will be assisted under HPD's Section 8 Program.

Please review your briefing folder to be certain that you have received all of these documents. If any of these documents are missing, please contact us immediately.

Family Participation: Issuance of a Voucher

The voucher, issued to you at your briefing, certifies your eligibility for Section 8 Rental Assistance. Please read your voucher carefully. Your voucher expires within 120 days. This means that you must, within 120 days, choose an apartment in which you will reside and that this unit pass inspection.

5. DETERMINATION OF OCCUPANCY STANDARDS, TOTAL RENT, SUBSIDY, AND TENANT SHARE OF RENT WITHIN THE SECTION 8 PROGRAM

You must decide whether you want to receive the assistance in your current apartment or whether you want to move to another apartment. In either event, the Section 8 subsidy will be determined by your income and the relationship of that income to the rent of the apartment that you choose to occupy.

Occupancy and Payment Standards

HPD's subsidy standards provide for the smallest number of bedrooms needed to house a family without overcrowding. HQS space requirements specify that a "dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room (24 CFR Part 982.401(d)(ii))."

HPD does not determine who shares a bedroom/sleeping room but there must be at least one person per bedroom on the voucher.

The table below presents the standards that HPD will use to issue a HCV. The unit size on the voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented. Families that exceed the "Standard Number" of persons in unit may, at their option, request a voucher to move to an appropriately sized unit. Families that exceed the "Maximum Number" of persons in a household are over-crowded and will be required to reduce the household size, or move to an appropriately sized unit.

Housing Choice Voucher Size	Minimum No. of Persons in Household	Standard No. of Persons in Household	Maximum No. of Persons in Household
0-BR	1	1	2
1-BR	1	2	4
2-BR	2	4	6
3-BR	4	6	8
4-BR	6	8	10
5-BR	8	10	12
6-BR	10	12	14

Within these parameters, the following guidelines will apply:

- An adult is a person who is 18 years of age or older;

Housing Choice Voucher Subsidy Standards

Family Composition Examples (For this purpose, "Couple" will be taken to mean either a married couple or two adults in an interdependent relationship. "Grandparent" can mean either a single grandparent or a grandparent couple).	1BR	2BR	3BR	4BR	5BR
Single person or couple	X				
Single parent with child younger than 4 years of age	X				
Single person with live-in aide		X			
Single parent one child age 4 or older		X			
Single parent, two children younger than 4		X			
Single parent, one child younger than 4, one child 4 or older		X			
Single parent, two children age 4 or older of the same gender		X			
Single parent, two children age 4 or older of different genders			X		
Single parent, two boys age 4 or older, two girls age 4 or older			X		
Single parent, boy age 4 or older, two girls age 4 or older			X		
Single parent, child age 4 or older, grandparent			X		
Single parent, three boys age 4 or older, two girls age 4 or older				X	
Single parent, three boys age 4 or older, two girls age 4 or older, adult son				X	
Single parent, three boys age 4 or older, three girls age 4 or older, adult son or daughter					X
Couple with one child		X			
Couple, two children younger than 4		X			
Couple, two children age 4 or older of the same gender		X			
Couple, two children age 4 or older of different genders			X		
Couple, two children of different genders, one age 4 or older, one younger than 4			X		
Couple, two boys, one girl			X		
Couple, two boys, two girls			X		
Couple, grandparent, two children younger than 4			X		
Couple, grandparent, two children age 4 or older of the same gender			X		
Couple, grandparent, two children age 4 or older of different genders				X	
Couple, three boys age 4 or older, one girl				X	
Couple, three boys age 4 or older, two girls age 4 or older				X	
Couple, three boys age 4 or older, two girls age 4 or older, adult son				X	
Couple, two adults age 25 or younger of the same gender		X			

Exceptions to Subsidy Standards

HPD may grant an exception to these subsidy standards if the exception is justified by the age, disability, relationship of family members, or other personal circumstances but such exceptions will not override the requirement of providing only a zero or one-bedroom unit to a single person. An HPD employee at the level of Director or higher must grant all such exceptions in accordance with HPD policy. All requests for exceptions must be made in writing and be received by HPD

within 14 calendar days of the determination of the bedroom size (issuance of the voucher). All requests must be accompanied by documentation from a verifiable source. For medical requests, documentation from a social worker is not considered a verifiable source.

For tenants and families that initially lease in-place, HPD may base its decision on whether to grant an exception on the severity of a family's over or under-housed situation. For example, an exception to the subsidy standard may be granted to families affected by a housing conversion who are over housed only by one bedroom as opposed to families over housed by two or more bedrooms.

HPD will not issue a larger voucher due to additions of family members other than by birth, marriage, or court-awarded custody unless the addition is approved by HPD.

FOR THE RECORD

Diane S. Lapson
President – Independence Plaza North Tenants Association
Co-Director HAAD
40 Harrison Street – Apartment 31C
New York, NY 10013
(917)751-2825

April 9, 2014

THE EFFECTIVENESS AND IMPACT OF HPD AND NYCHA'S DOWNSIZING POLICIES
AND PRACTICES
COMMITTEE ON HOUSING AND BUILDINGS & COMMITTEE ON PUBLIC HOUSING
CITY COUNCIL – CITY HALL

My name is Diane Lapson. I am the President of the Independence Plaza North Tenants Association, a co-director of the Housing Alliance Against Downsizing (HAAD), an appointed member of Community Board #1, as well as serving and having served in other volunteer civic capacities throughout my life.

Independence Plaza is a former Mitchell Lama complex with approximately 3,500 residents. In 2004 we left the Mitchell Lama program and after a lot of effort and struggle, we were able to negotiate a deal with our new landlord. Many of our tenants became Section 8 voucher tenants. This meant that the landlord received an enormous amount of money since that time, from the federal government, to allow many of residents to continue living in their homes. Though we tried on many occasions to prevent anyone having to depend on any funding into the future, our attempts failed. We were not allowed to purchase our building from the former landlord, we were not allowed to turn it into a Mitchell Lama co-op; we discovered we had a J-51 tax abatement, which was not disclosed to us by our former landlord, our new landlord and HPD, though HPD did know about it. In fact, the former head of HPD had private and secret meetings with our new landlord (as admitted in court) telling our new landlord that since the residents had a negotiated deal, he did not need to comply with the J-51 tax abatement. In our opinion this was a travesty and its effects will continue to be felt way into the future. Many tenants, forced to take the voucher, cannot afford their very high rents. It only works if you make very little money, but if you are middle class, it can backfire big time.

I mention all of this, because not only have our residents had a difficult time for all the years we were in the Mitchell Lama program, but we struggle now as well. We pay dearly in another way for being in affordable housing. This new development, DOWNSIZING, is beyond anything we have struggled with before. Residents who were forced to take vouchers because IPN was not deemed RENT STABILIZED by the J-51 tax abatement, have had to live with the rules and regulations of vouchers; including yearly inspections, recertification, misunderstandings between residents and HPD, the landlord's attitude of not giving decent repairs or timely repairs unless the tenants are new free market residents. With all the money that has been put into our landlord's pocket via federal vouchers, he treats the voucher tenants like 3rd class citizens – yet he gets the same money as from the free market residents. Now, with downsizing, the tenants are the only ones to suffer yet again. The majority of our voucher tenants are over 50 years old, with many in their 80's and 90's. Telling these folks that they have to get rid of most of their

belongings – and many of their lifetime keepsakes, start packing or hire a mover (both difficult) to be uprooted while we do not even know if the financial mathematics makes sense is simply horrifying. It reminds us of the callous opinions of big real estate people who write terrible opinions in online blogs and articles about the lower and middle class who just want to take advantage and get a free ride. It's like a slap in the face: You can't pay more money so you get to move to a studio. Here's a little box for you to live in from now on. Or, telling a child that he loses his bedroom because his family just can't afford the big rent even though they both work in New York City. Or telling two 90 year old sisters who live together they need to share a bedroom from now on – or that they don't really need a living room; it should become a second bedroom and everyone can just stay in their own space from now on.

Though I have mentioned Independence Plaza specifically, the downsizing issues are the same for all of the residents throughout the city – no matter what their circumstances. All of them have experienced difficulties just having to live in the new New York, where they have worked all their lives to help the greatest city on earth continue.

Housing is a big problem in our city. These new “rules” of HPD are contributing to the tale of two cities. Though we heard a compassionate explanation from HPD when we met with representatives after hearing about the downsizing, stating that they are trying to save the program altogether, we again question the math behind this move. We don't know how much money is needed, and we don't know how much money downsizing people will accrue in the end. We also feel that treating people in this manner continues to keep them “down” in other ways. Though of course we all appreciate the help we've received in housing over the years, it comes with a big price. And psychologically, there's only so much a lower and middle class can take before things begin breaking down.

We believe that downsizing is an inappropriate method of dealing with the federal sequester results. We have seen in the past that city and state agencies have not dealt with us fairly and equitably on many occasions as they have dealt with the landlords. We believe that downsizing should be illegal and that for once in the long recent history of housing, the lower and middle class should not bear the burdens of our society. They've had enough. As always, we are the workers of society. Without the lower and middle class there is no functioning city. It would behoove us to protect them in good faith.

We call on the Mayor, Public Advocate and all of our elected officials to stand up against these or any other new rules that lean so heavily on our citizens. And we hope the tide will begin to change and New York City will begin to really protect it's working class.

Thank you for listening.

Sincerely,
Diane Lapson
President
IPNTA



Keeping people in their homes and community, since 1977!
FOR THE RECORD

Oversight Hearing re: The Effectiveness and Impact of HPD and NYCHA's Downsizing Policies and Practices
April 9th, 2014

Chairman Jumaane Williams, Chairman Ritchie Torres, Members of the Committees, and other distinguished Members of the City Council, thank you so much for the opportunity to discuss with you the downsizing policies of the New York City Department of Housing Preservation and Development (HPD) and the New York City Housing Authority (NYCHA).

I'm here today on behalf of Good Old Lower East Side, a 36-year-old membership organization dedicated to tenant's rights, economic equality, and community revitalization. As a pioneer and a leading voice in public housing issues both locally and nationally, we reach more than 10,000 people every year with our work.

To begin with, I'd like to acknowledge that downsizing is an extremely complicated issue. We acknowledge that homelessness in New York City has reached the highest levels since the Great Depression and that our city's shelters are filled to capacity. That's why we acknowledge that able-bodied healthy people under the age of 62 in over-occupied apartments should comply, whenever possible, with the relevant policies on downsizing.

With that said, GOLES also believes that seniors and residents whose health and well-being would be at risk should never be downsized under any circumstances. Many seniors have been living in their apartments for years and even decades, and downsizing for them could mean devastating separation from their support systems, like family, neighbors, doctors, and churches. Access to goods and services can also be compromised as well as safety and security. Many seniors who have been forced to down-size have experienced deteriorating health, become victims of crimes, and have developed feelings of depression and isolation due to their new surroundings. All of these factors can make or break seniors' physical and emotional health and well-being.

For example: Mr. L and his wife (who have asked to remain anonymous for fear of retribution from NYCHA) have been living in Jacob Riis for over 40 yrs. They are in their early 90's and both terminally ill. They received a downsizing letter and were told by management that they had to move to a smaller apartment. After submitting medical documentation, management stated that they would still have to move and sent their file to 250 Broadway.

Mrs. L became very sick over the stress and fear of being evicted and had to be hospitalized on more than five occasions. Even with the assistance of attorneys for Mr. and Mrs. L and a year of court proceedings they were still unable to be exempt from moving.

Another of our client's, Ms. C age 74, who is disabled and wheel chair bound, lives in a 2 bedroom apartment with necessary medical equipment has faced a similar situation. About 6 months ago she was told by management that she had to sign the request to downsize form or she would be evicted. She told the manager about her condition and brought in medical documentation but the manager told her she would still have to fill out the request form or be evicted. Not knowing her rights, she filled out the form and six months later she was shown a studio apt that was not handicapped accessible and on a high floor.

Lastly, Mrs. M age 70 and her disabled son have lived in their 3 bedroom apt for over 36 yrs. They were also told by management that they had to downsize. When the apartment was assigned to them they were only given 1 week notice without any financial assistance to hire a moving company. They were also told that they had to pay what was equivalent to 1 months' rent to hold the apartment or their file would be sent to 250 Broadway. Management told them they would have to pay for it out of their own money and eventually be given a \$250 rent credit. This caused a financial strain and unnecessary stress for Ms. M and her son. She has now fallen behind on her other bills and has still not received a rent credit.

NYCHA and HPD need to end the process of downsizing seniors, and the process surrounding downsizing needs to improve dramatically for all residents. This includes:

- Distributing notices in every language and in large print.
- Rewording notices to make clear that residents are being required to downsize and not being asked to "request a transfer."
- Providing more financial assistance towards moving costs.
- Changing how apartment sizes are calculated – since some calculations involve incorrect assumptions about who should be sharing a bedroom.
- Allowing residents to indicate priority by building, not just by development.
- Residents should not be asked to downsize from a one-bedroom to a studio.
- Expanding the qualifications for exemptions.
- Increased transparency, accountability, and consistency across the board. For example, beyond cases of extreme under occupancy, development managers seem to have a great deal of discretion around downsizing under occupied units. If this is the case, this process must be standardized and made transparent. Further, all development managers and staff must be held accountable for following all agency policies.

As NYCHA finds itself at a crossroads and facing a rare opportunity to evolve into a more transparent and effective housing authority that best serves its residents and the city as a whole by maintaining the city's #1 affordable housing resource, we must find ways to improve the processes surrounding downsizing to ensure the best possible outcomes for all residents. The severity of this issue should go to further underscore the dire need that exists for real, affordable housing for low-income people in New York City, the importance of preserving our existing units, and the imperative to create new, truly affordable units to meet this outstanding need.

Thank you so much for your time and consideration.



199 Water Street
New York, NY 10038
T (212) 577-3300
www.legal-aid.org

Richard J. Davis
Chairperson of the Board

Blaine (Fin) V. Fogg
President

Testimony of The Legal Aid Society Before the Joint Hearing of the New York City Council Committee on Housing and Buildings and the New York City Council Committee on Public Housing Regarding the Oversight of the Effectiveness and Impact of HPD and NYCHA's Downsizing Policies and Practices

April 9, 2014

Thank you Chairperson Williams and Chairperson Torres and members of the Committee on Housing and Buildings and the Committee on Public Housing for the opportunity to provide testimony today.

The Legal Aid Society

The Legal Aid Society is the oldest and largest legal services provider for low income families and individuals in the United States. Annually, the Society handles more than 300,000 cases and legal matters for low income New Yorkers with civil, criminal and juvenile rights problems, including some 48,000 individual civil matters benefiting nearly 120,000 New Yorkers as well as law reform cases which benefit all two million low-income families and individuals in New York City.

Through a network of ten neighborhood and courthouse-based offices in all five boroughs and 23 city-wide and special projects, the Society's Civil Practice provides direct legal assistance to low-income individuals. In addition to individual assistance, The Legal Aid Society represents clients in law reform litigation, advocacy and neighborhood initiatives, and provides extensive back up support and technical assistance for community organizations.

The issue of ensuring that subsidized units are neither overcrowded nor underutilized is a difficult one. We represent families that are overcrowded and are looking to move into apartments that will provide them with adequate space for their families. We also represent those in underutilized apartments, many of whom once lived in these apartments with family members who have since left. For these tenants, who have lived in their homes for decades, moving into the right size apartment causes both emotional and financial distress. Both the New York City Housing Authority (NYCHA), in its public housing program, and the Department of Housing Preservation and Development (HPD), in its Section 8 voucher program, have attempted to address this serious problem in the past couple of years. While we may understand the reasons for addressing this issue, we have concerns about what changes were made to the programs and the implementations of these changes.

HPD's July 2013 Administrative Plan — Changes to Occupancy Standards.

Last summer, in July, HPD made significant changes to its occupancy standards for its voucher program. HPD is one of three public housing authorities (PHAs) in New York City, NYCHA and HCR are the other two. The public housing authorities administer voucher programs that are federally funded and federally regulated. However, each agency also administers the program with local rules. PHAs can regulate occupancy standards. Occupancy standards are incredibly important for Section 8 voucher holders as they set the limits for what the public housing authority will pay for an apartment. In the regular voucher program, tenants can decide to pay more than 30% of their income to stay in their apartments or they can start the difficult process of finding a cheaper apartment. In enhanced voucher apartments, tenants are held harmless from these changes until a landlord offers the tenant a smaller apartment. When the tenant is offered a smaller apartment, she has fifteen days to respond to the offer. If the enhanced voucher tenant rejects the landlord's offer, she loses her enhanced voucher status and the voucher's payment standard decreases to the regular voucher payment standard. This is a significant decrease and one the tenant is responsible for paying. Needless to say, in both programs, occupancy standard changes can cause significant difficulties for tenants.

The changes made to HPD's occupancy standards are simple: a one person household is entitled to a studio apartment voucher size and every two people are entitled to

one bedroom. Thus, a family of a grandmother, a mother and an adult daughter and son would be entitled to a two bedroom apartment. We understand that HPD made these changes in response to federal sequestration, which resulted in HPD receiving dire cuts to its Section 8 program. However, NYCHA and HCR received similar cuts and yet neither program changed its occupancy standards.

Last summer, we were able to speak with both NYCHA and HCR about how they intended to deal with the impact of the sequestration cuts. However, under the previous administration, HPD refused to meet with us. We hope that we will be able to discuss our concerns and suggestions with the new administration.

Concerns and Suggestions

We are concerned that the way that HPD implemented cost savings measure in its Section 8 program unduly impacted vulnerable Section 8 tenants especially elderly people in former federally subsidized Mitchell-Lama buildings. Additionally, we believe that HPD had other options that should have been considered prior to adopting this scheme.

- We suggest that HPD consult with the NYCHA and HCR programs about how they managed the sequestration cuts without the harsh occupancy standard changes that HPD put into effect in July. We also note that this year's federal budget while tight does not have the draconian sequester cuts and that HPD received federal moneys to help with its budget crisis.
- In addition, we suggest that HPD examine the rents it is paying in many of the enhanced voucher buildings. Many of the enhanced voucher buildings completely renovate the units after the former Mitchell-Lama tenants move out. In some buildings, Urban America/Putnam in particular, we understand that market rate tenants in renovated units pay the same rent or less rent than the enhanced voucher contract rents in unrenovated units. We believe that HPD is overpaying its enhanced voucher landlords and an analysis of what reasonable rents are for unrenovated units, many with conditions, might be a way to save money for the agency. HUD suggested that agencies reach out to stakeholders, including tenants and landlords to determine whether some of the cost saving measures might come from reducing rents paid to landlords instead of the entire cost saving measures to be paid by tenants.
- We are also concerned with the process HPD used in implementing the downsizing policy. PIH notice 2008-12 requires that where there are more over-housed families than the number of available units, agencies are required to determine the process for deciding the order in which over-housed families should be required to move to the appropriately sized unit. As we understand it, HPD has never given guidance to the owners or if they have, that determination has not been made public. As such, landlords seem to be using random selection to determine who should move. We

would recommend focusing on those who were over-housed under the previous policy be asked to move first. In addition, HPD should examine whether it makes sense to require people who are extremely elderly to move since they may have more difficulty moving than other tenants.

- We are also concerned about the process that HPD is using to grant reasonable accommodation requests for waivers to the down-sizing requirement. We have received calls from tenants who had previously been granted reasonable accommodations and were told that they would have to once again document their disabilities in a short period of time. We would encourage the agency to determine who had previously been granted reasonable accommodations and determine whether these tenants continue to need reasonable accommodations before downsizing. In addition, HPD only gives tenants ten business days to gather medical documentation and return such documentation to HPD which is often not long enough to get needed medical documentation and often harms those who need the accommodation the most. HPD should consider giving tenants a longer period of time to produce the necessary medical documentation.
- Additionally, there are third party transfer buildings where the entire building is comprised of tenants that are now out of compliance with the new occupancy standards. This has made these affordable housing resources unaffordable and could lead to the failures of these buildings. We urge the agency to take another look at how the occupancy standards are harming TPT/HDFC Coop conversions.

Rightsizing/Downsizing in NYCHA Public Housing — NYCHA’s Policy of Transferring Tenants in Under-Occupied Apartments

Over the course of the last few years, NYCHA has paid much greater attention to the issue of under-occupancy of apartments and “rightsizing” than ever before in its history. Indeed, “optimizing apartment usage” forms one of NYCHA’s ten imperatives contained in Plan NYCHA, released in December, 2011.

In February, 2012, during testimony before this Committee on Plan NYCHA, NYCHA estimated that of approximately 180,000 apartments, 50,000 are currently under-occupied. Of those 50,000 under-occupied apartments, NYCHA estimated that 30,000 are occupied by seniors. NYCHA also estimated that there are *officially* 15,000 overcrowded apartments. Further, NYCHA stated that of the 50,000 under-occupied apartments, 5,500

households were now on the transfer list, in line for a smaller, appropriately sized apartment¹.

Many of the seniors who now reside in under-occupied apartments have lived in NYCHA's public housing for decades and for some, their current apartment is the only home that they have known for decades. After raising their families in their two or three bedroom apartments, they live alone, now that their children have grown and moved out of the apartment. Living right next door to these two or three bedroom apartments that are now extremely under-occupied are many families who live in unimaginably cramped conditions, surviving in a studio or one-bedroom apartment when the size of their family warrants a two or three bedroom apartment.

Federal law and NYCHA procedures require that a public housing household certify its income and household composition on an annual basis. This information is used to calculate rent for a family and also, to determine the number of bedrooms needed for household size (governed by federal occupancy standards). Although its own Management Manual has contained provisions for years on effectuating transfers for under-occupied tenants, until very recently, NYCHA has not enforced those provisions on any wide-scale basis.

Throughout 2012 and much of 2013, NYCHA aggressively pursued extremely under-occupied tenants to get them to sign the paperwork necessary to place the tenant on a waiting list, the current way in which the tenant transfer process proceeds. This practice caused widespread panic, anxiety and fear among NYCHA's residents and community. When one does the math, the issue is that the numbers just don't add up. Even if every under-occupied household is eventually placed on a waiting list for a smaller apartment, the reality is that there are simply not enough smaller apartments to which they can move, so the ability of NYCHA to effectively right-size families is extremely limited. When most of NYCHA's public housing developments were built, they were built to house families and the current reality of an aging community was not envisaged.

¹ Plan NYCHA, released in December, 2011, provided the following numbers in connection with under-occupancy: 154,000 families on the public housing waiting list; more than 55,000 under-occupied apartments representing 32% of the total units; over-crowded households represent 8% of the total units.

Concerns and Suggestions

We support NYCHA's goal to more effectively utilize its current stock of affordable housing units, thereby enabling those families who currently live in over-crowded apartments the opportunity to live in an appropriately sized apartment. However, we have concerns regarding the manner in which NYCHA's enforcement of its occupancy standards has been undertaken in the last few years and the negative impact that its current strategy is having on NYCHA residents and their families.

- We see numerous issues with the way in which NYCHA is actually undertaking the transfer of tenants in under-occupied apartments, including that the letters that NYCHA sends to its residents notifying them of the need to downsize are often missing documents that are required under NYCHA's own Management Manual; do not adequately inform tenants of the transfer process and their rights under that process; the letters are not being distributed in different languages, frequently only in English and Spanish.
- We have also seen a total lack of consistency across NYCHA's housing development staff as to how the transfer process is being implemented. For example, some developments appear to have a greater understanding and familiarity with the procedures governing transfers than others.
- We recommend that NYCHA spend more time meeting with its tenants building-by-building, or one-on-one, to help them understand the transfer process and to find out from the tenants what NYCHA should do to make the process work more effectively. Additionally, NYCHA needs to more effectively enlist the help of its social workers and social services support staff to create a transfer program that reflects the needs and realities of moving a population mainly made up of seniors or disabled families. For instance, the \$350.00 moving expenses credit is woefully inadequate in the New York City market and many tenants have belongings that simply will not fit in a smaller apartment and need help with storing/disposing or moving their belongings.
- As part of a longer-term plan, NYCHA needs to work together with the City to ensure that more housing is built for its senior residents. This housing should be designed to address the needs of an aging population. Building new affordable housing for NYCHA's seniors will ensure that the needs of New York City's most vulnerable citizens are adequately met and will open up a large number of two and three bedroom apartments for those families who are currently over-crowded.

Conclusion

Thank you for the opportunity to testify before this joint committee on these important issues. We look forward to working on these issues with you and your committees.

Respectfully Submitted:

Ellen Davidson
Lucy Newman
The Legal Aid Society
Law Reform Unit
199 Water Street, 3rd Floor
New York, NY 10038
212-577 3339



Testimony of Legal Services NYC

on

The Effectiveness and Impact of HPD and NYCHA's
Downsizing Policies and Practices

Presented before:

The New York City Council
Committee on Housing and Buildings
and
Committee on Public Housing

Presented by:

Christopher D. Lamb
Director of Litigation
Legal Services NYC--Bronx

April 9, 2014

Legal Services NYC
40 Worth Street, Suite 606, New York, NY 10013
Phone: 646-442-3600 Fax: 646-442-3601 www.LegalServicesNYC.org
Raun J. Rasmussen, Executive Director
Joseph Steven Genova, Board Chair

Good Afternoon. My name is Christopher Lamb and I am the Director of Litigation at Legal Services NYC-Bronx, a constituent corporation of Legal Services New York City, the nation's largest civil legal services provider. For over four decades, our office has represented the civil legal services needs of low-income and elderly families and individuals in one of the poorest urban neighborhoods in the country. Many of our clients reside in public housing or pay their rents through Section 8 vouchers, and thus are affected by NYCHA and HPD's downsizing policies and practices. We appreciate the opportunity to testify before the City Council's Committees on Housing and Buildings and on Public Housing to address the impact of these policies and practices on our clients.

NYCHA Housing Projects

Since May 2012, our office has been litigating a case against NYCHA in federal court here in Manhattan called *Alameda v. Rhea* which we brought on behalf of three long-term residents who were threatened with eviction due to NYCHA's downsizing policies and practices. Our lead plaintiff, Ana Alameda, was 76 years old when we filed the case. She had been living in her three bedroom NYCHA apartment for 36 years and had repeatedly asked the project management to add her son and her grandson to her household composition. The project management, however, ignored her requests. Instead, they processed her for a transfer to a three room apartment and started a termination proceeding when she did not accept the transfer.

In the nearly two years since we filed the *Alameda* case, scores of NYCHA tenants have contacted us to seek help with their downsizing problems. A number of recurring problems with NYCHA's policies and practices have been illustrated time and again by their stories.

1. Downsizing as Punishment for Unrelated Lease Violations

In most cases, NYCHA sensibly prioritizes addressing situations in which households are "extremely underoccupied"—households who have two or more extra bedrooms—over situations in which households are merely "underoccupied"—households who have only one extra bedroom.

NYCHA, however, makes an exception to this practice when dealing with households whom it has charged with violating their leases. When it calls tenants in for termination hearings, NYCHA routinely makes settlement of the charges contingent upon the tenant's signing a stipulation agreeing to downsize, even when the charges involve something like alleged chronic rent delinquency or alleged violation of NYCHA's pet policy which have nothing to do with the size of a tenant's household relative to the size of their apartment. Because tenants are usually unrepresented and terrified of the possibility of losing their homes, most sign the settlement papers with no thought as to whether they should actually be required to move under NYCHA's policies.

2. Arbitrary Selection

Once a tenant signs a settlement agreement, she may be contacted quickly about a transfer or years may pass during which time she hears nothing from NYCHA about downsizing. It is unclear why some tenants are required to downsize quickly while others are not, but it appears that NYCHA gives its project management discretion about if and when to follow through with transfers for such tenants. Similarly, NYCHA's written policy gives local project managers complete discretion over whether households that are merely underoccupied, rather than extremely underoccupied, will be required to move. This obviously is an invitation to arbitrary decision making. Moreover, although NYCHA's written policy states that all extremely underoccupied households will be required to move, it is apparent that this is not the case in practice. Again, without written standards for which families are and are not chosen to move, there will inevitably arbitrary decisions.

3. Failure of NYCHA to Consider Tenant's Disabilities

Because many of the tenants who face mandatory downsizing are elderly, it is not uncommon for them to have health problems that could be exacerbated by moving or which would be properly accommodated by permitting them to remain in a larger apartment or by ensuring that a transfer apartment meets their health needs. NYCHA, however, does not inform tenants of their right to seek a reasonable accommodation in response to a notice that they will be required to downsize. As a result,

NYCHA often is unaware of and does nothing to accommodate the disabilities of the tenants it seeks to downsize.

4. Underoccupancy Created by NYCHA's Failure to Add Family Members

Ironically, we often hear from clients like Ms. Alameda who have been targeted for downsizing after they have been trying without success to add family members to their households for years. In these situations, NYCHA's failure to assist tenants in adjusting their household compositions contributes to the very underoccupancy that NYCHA wants to reduce.

5. Failure of NYCHA to Provide a Process for Challenging Downsizing Decisions

NYCHA is obligated by federal law to provide a grievance process to resolve disputes with tenants whenever it intends to take a negative action regarding a tenant, but it ignores this requirement in the case of downsizing. NYCHA claims that disputes can be resolved through tenancy termination procedures, but tenants have access to that process only if they have declined to move and are already being threatened with eviction as a result.

6. Notice issues

The notices NYCHA provides tenants about the downsizing process are extremely confusing. In particular, when a tenant turns down a proposed transfer apartment, they are not told that they may be evicted as a consequence. Instead, tenants are given a form to sign that tells them that their application for a transfer will not be considered again for a year, giving them the false impression that the matter has been resolved.

7. Inadequate Reimbursement of Moving Costs and Other Economic Barriers to Downsizing

Finally, NYCHA offers tenants only \$300 to defray moving costs. Obviously, this will often be inadequate and low income tenants are then forced into a situation in which they cannot afford to move but if they decline to move they will be evicted. In a similar vein, we were contacted by a tenant who had been told she had to downsize, but when she went to view the transfer apartment NYCHA chose for

her she was told that she could not sign a lease for it because she was a behind on the rent for her current apartment. Until we intervened, she was being told that she would be considered to have refused the apartment.

* * * * *

We understand that tenants who have apartments that are larger than what they need for their household size may sometimes need to move, but as this list of issues raised by our clients makes clear there are issues of basic fairness and issues regarding its obligations to tenants with disabilities that NYCHA is failing to address adequately in its current downsizing policies and practices.

For much of the past two years, we have been in settlement negotiations with NYCHA regarding *Alameda v. Rhea*. In January, we believed that we had reached a settlement that would have addresses most, though not all, of the issues I have identified in my testimony today. However, after the parties had already informed the Court that we had reached a settlement, counsel for NYCHA drew back and told us that the settlement was under review by NYCHA's management. The court has ordered that we report to it on the status of the settlement by April 11, but as of this afternoon we have not heard from NYCHA about its intentions.

Section 8 Vouchers

In July 2013, HPD amended its Section 8 payment standards so that that every two family members share a bedroom, and that subsidies for singles will be based on the studio payment standard rather than the one bedroom standard. In buildings that converted from project based subsidies to enhanced vouchers, families considered "overhoused" under the new standards face drastic, unaffordable rent increases if they do not move to smaller apartments.

Although HPD's new policy may generate cost savings, HPD has implemented the change in a way that maximizes tenant confusion and risk of eviction. Tenant families are expected to agree to a move within fifteen days of receiving notice, even if advanced age or mental or physical handicap makes prompt action impossible, or if they have bona fide claims that they need a larger apartment as a

reasonable accommodation for a disability. As in NYCHA projects, the selection process for “overhoused” enhanced voucher families is often arbitrary, and at best, far from transparent. HPD needs to pause the downsizing process while it implements procedures that can protect vulnerable Section 8 participants from eviction and homelessness.

Similarly, in September 2013, NYCHA adopted new occupancy standards for Section 8 households that require single persons to occupy studios, but which allow separate bedrooms for occupants of different genders. Again, for enhanced voucher tenants, these new rules can result in unaffordable rent increases that can threaten elderly and disabled tenants with homelessness. NYCHA should take steps to assure that such tenants are aware of their right to seek reasonable accommodations where appropriate, and that they are afforded reasonable amounts of time to move to apartments consistent with the new voucher size.

Conclusion

Mandatory downsizing policies may well be necessary as a means to maximize the City’s utilization of scarce affordable housing resources, but NYCHA and HPD’s policies and practices fail to fully take into account the disruption and confusion they can create for tenants and fail to adequately protect disabled and elderly tenants. The Council’s oversight is critical to ensuring that these policies are implemented in a humane and lawful manner.

Again, we very much appreciate the committee’s interest in this important issue and thank you for the opportunity to testify today.

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Congress of the United States

House of Representatives

Washington, DC 20515

JERROLD NADLER
10TH DISTRICT, NEW YORK

REPLY TO:

- WASHINGTON OFFICE:
2110 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5635
- DISTRICT OFFICE:
201 VARICK STREET
SUITE 669
NEW YORK, NY 10014
(212) 367-7350
- DISTRICT OFFICE:
6605 FT. HAMILTON PARKWAY
BROOKLYN, NY 11219
(718) 373-3198

Web: www.nadler.house.gov

**TESTIMONY OF CONGRESSMAN JERROLD NADLER ON THE EFFECTIVENESS
AND IMPACT OF HPD AND NYCHA DOWNSIZING POLICIES AND PRACTICES**

April 9, 2014

Good afternoon. As the Congressman for the 10th Congressional District, which includes parts of Manhattan and Brooklyn, I represent thousands of constituents who rely on the housing programs administered by the New York City Department of Housing Preservation and Development (HPD) and the New York City Housing Authority (NYCHA), in particular their Section 8 and public housing programs. I appreciate the opportunity to comment on the impact of HPD's and NYCHA's downsizing policies and practices.

Last year, HPD, NYCHA and public housing authorities (PHAs) across the country faced serious fiscal challenges as funding cuts caused by the Federal Budget Control Act of 2011 imposed relentless, draconian budget cuts and placed unprecedented constraints on Section 8 and many other essential programs that serve vulnerable residents. I appreciate that HPD and NYCHA took steps to ensure no voucher holders were terminated from their Section 8 programs. However, I remain concerned about both agencies' responses to the budget cuts, which are unduly burdening our most vulnerable residents.

This summer, thousands of Section 8 voucher holders received a letter from HPD, dated July 22, 2013, informing them of changes to HPD's Section 8 payment and subsidy standards. The letter informed tenants that, among other changes, the agency had redefined what it constitutes as "overhoused." Voucher holders who had been appropriately housed for decades were told that they would be downsized to smaller units, seemingly overnight. I am troubled by how HPD informed affected residents and their representatives of these changes. HPD did not provide advance notice to tenants' groups, community organizations or elected officials about the changes, causing a great deal of fear and confusion for residents. It was later learned that HPD held a very sparsely advertised public hearing on the proposed policy changes that had elicited no participants. HPD should have adequately notified affected communities and elected officials to allow for meaningful public input before the new policies took effect.

HPD's implementation of its downsizing policy also raises serious concerns and leaves many questions unanswered. I am personally concerned about the seeming lack of coordination between HPD and building management agents, HPD's inadequate notification for individual tenants' deadlines for compliance and appeals, and the process by which tenants are selected for downsizing. Furthermore, HPD has yet to quantify how much money, if any, the downsizing of tenants will save the agency. In light of the many serious concerns above, as well as the disproportionate impact of this policy on seniors and the disabled, HPD should impose a moratorium on its downsizing policy until these issues are resolved.

For your convenience, I am submitting a copy of a September 4, 2013 letter that I and nine other members of the New York Congressional delegation sent to the then HPD Commissioner Mathew Wambua expressing concerns about the recent changes to HPD's Section 8 Housing Voucher Program, as well as a copy of the February 21, 2014 letter that I and other City, State and Federal elected officials sent to Commissioner Vicki Been detailing the challenges created by the downsizing policy and calling for a moratorium on its implementation.

NYCHA was also forced to take measures to reduce its Section 8 program costs in light of sequestration cuts. Like HPD, the Authority depleted its program reserves and obtained shortfall funding from the U.S. Department of Housing and Urban Development that was allocated by Congress to help avoid voucher terminations. NYCHA also made other cost-saving adjustments to its Section 8 program. Instead of changes to its subsidy standards, the Authority reduced the utility allowance for vouchers and limited the transfer of vouchers from one apartment to another unit with a higher rent to only emergency situations.

While NYCHA has not downsized families directly in response to sequestration and budget cuts, concerns have been raised in recent years about the process by which the Authority has aggressively pursued the transfer of public housing residents, many of them seniors, out of their under-occupied units into appropriately-sized apartments. The Authority's poor communication with residents during this process and seemingly inconsistent enforcement of this policy, including misleading letters and conflicting information about deadlines, tenants' rights and the consequences of not accepting an involuntary transfer, created much panic, fear and anxiety for residents.

I recognize the need for both HPD and NYCHA to implement policies in order for the agencies to maximize their budgets and housing resources during a period of time when PHAs across the country are being faced with difficult decisions in light of the high demand for affordable housing combined with reduced programmatic funding. However, the hasty implementation of a one-size-fits-all process is not the best way to address these challenges and greatly reduces the effectiveness of its policy changes. This kind of approach does not account for the serious differences among the individuals it impacts, which are particularly stark in this vulnerable population. Both agencies must re-examine their downsizing policies and consider alternatives that minimize the negative impact on our most vulnerable families.

In January, Congress passed a FY2014 omnibus appropriations bill that restores funding for many federal housing programs to pre-sequester levels. The bill includes \$1.9 billion for the Public Housing Capital Fund, \$98 million more than the FY2013 level, and \$4.4 billion for the Public Housing Operating Fund, \$346 million more than the FY2013 level. The bill also provides \$19.2 billion for the Section 8 Tenant-Based Rental Assistance Program including, \$17.4 billion for the renewal of Section 8 vouchers and \$1.5 billion for administrative expenses. For Section 8 renewals, this is about \$1 billion more than was available last year after sequestration, so this should provide some relief for HPD and NYCHA's Section 8 budgets. In Congress, I recently led 76 of my colleagues in Congress in requesting full funding for the Section 8 program in the FY2015 Transportation-HUD Appropriations Bill. I will continue to push for much-needed additional funding for the Section 8 and public housing programs as the FY2015 congressional budget and appropriations process moves forward.

Thank you again for the opportunity to provide testimony at today's hearing.

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House of Representatives
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JERROLD NADLER
10TH DISTRICT, NEW YORK

REPLY TO:

□ WASHINGTON OFFICE:
2710 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5635

□ DISTRICT OFFICE:
201 VARICK STREET
SUITE 669
NEW YORK, NY 10014
(212) 367-7350

□ DISTRICT OFFICE:
6605 FT. HAMILTON PARKWAY
BROOKLYN, NY 11219
(718) 373-3198

Web: <http://nadler.house.gov>

September 4, 2013

Mathew Wambua
Commissioner
New York City Department of Housing Preservation & Development
100 Gold St.
New York, NY, 10038

Dear Commissioner Wambua:

We are concerned about recent changes to the administration of the New York City Department of Housing Preservation & Development's (HPD) Section 8 Housing Voucher Program. Recently, thousands of Section 8 voucher holders received a letter from HPD, dated July 22, 2013, informing them of policy changes to the agency's Section 8 program. HPD explained in the letter that it implemented the changes as a result of funding cuts caused by the Federal Budget Control Act of 2011. We urge the agency to carefully consider all other available alternatives before implementing these changes.

We certainly recognize the serious fiscal challenges agencies like HPD are facing as the sequester imposes relentless, draconian budget cuts and places unprecedented constraints on Section 8 and many other essential programs that serve vulnerable residents. HPD and other agencies across the country are grappling with how to do more with less, while facing the possibility of having to terminate participating families. We commend HPD for taking steps to ensure that no one currently in the program will lose their home due to budget cuts. However, we remain concerned that the specific changes HPD has chosen to implement to its Section 8 payment and subsidy standards will create a serious burden for needy families.

While HPD is correct to pursue cost-saving reforms in the face of significant budget cuts, these changes ask those with the least to sacrifice the most. The families that will be impacted by these changes are our poorest and most vulnerable, including seniors, people with disabilities, and families with children, many of whom are on low or fixed incomes. By reducing HPD's subsidy and payment standards, some families will experience a significant increase in their monthly rent share, forcing them to choose between putting food on the table and paying their rent. In addition, HPD's decision to reduce the subsidy standard based on the number of people living in a home will require many families to move placing additional costs and burdens on those already struggling to get by. While we understand the agency must look for ways to save, we urge you to explore options other than cutting subsidies to residents who are closest to the poverty line. Furthermore, it is unclear exactly how much HPD will save as a result of these new policies. We

urge HPD to re-examine these changes and consider alternatives that minimize the impact on our most vulnerable families and ensure there are no evictions of people currently receiving Section 8 vouchers.

We are also concerned with how HPD informed our constituents and our offices of these policy changes. HPD did not provide advanced notice to tenants' groups, community organizations or elected officials about the changes, causing a great deal of confusion for tenants. In addition, the July 22nd letter to tenants failed to clarify which policies would impact Enhanced Voucher recipients and which would impact Regular Section 8 Voucher recipients, leaving tenants, community leaders, and elected officials with many unanswered questions. We ask that in the future, HPD reach out to the communities affected by major policy changes before they are implemented to avoid such confusion.

In Congress, we will continue to fight against further cuts and push for much-needed additional funding for Section 8 as the FY2014 congressional budget and appropriations process moves forward. Thank you for your attention to this matter and your commitment to providing safe, decent affordable housing for low-income New Yorkers.

Sincerely,

Arnold Nadler

Jvette D. Clarke

J. E. Alvarado

Eric L. Engel

Malcolm

Joseph

Stephanie

Paul B. Upton

John

Ryan

cc: Laurie LoPrimo, Assistant Commissioner, HPD



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

Gale A. Brewer
BOROUGH PRESIDENT

February 21, 2014

Vicki Been
Commissioner
NYC Housing Preservation & Development
100 Gold Street
New York, NY 10038

Dear Commissioner Been,

We would like to extend our congratulations on your appointment as the Commissioner of the Department of Housing Preservation and Development. We look forward to working with you.

We write on behalf of residents receiving Section 8 vouchers who have been notified by HPD that they will be "downsized" to a smaller apartment, thereby displacing them from their homes of thirty years or more, and reducing families to "0" bedroom accommodation. It is our understanding that this policy is being implemented to find a \$35 million savings in the Section 8 program in the face of significant federal budget cuts. We hope that HPD can find another way to achieve these cost savings without unduly burdening our most vulnerable residents.

HPD's implementation of this program has raised serious concerns about the process' transparency, basic fairness and the perceived lack of uniformity in downsizing decisions. We are also deeply concerned that this program contravenes HPD's obligation to account for the individual circumstances of the residents it is seeking to displace from their homes.

First, the "downsizing" undertaken by HPD appears to violate the underlying rationale of the enhanced Section 8 "sticky voucher" that was created to preserve affordable units for low and middle-income residents, including those in buildings exiting the Mitchell-Lama program. The intent of these vouchers was to protect residents from eviction, maintain individuals in their homes, and to sustain the communities of mutually-supportive

residents that had developed over many years in Mitchell-Lama and other types of supported housing.

Second, HPD has reportedly done a poor job of communicating with residents and coordinating its actions with its management agents, and it continues to fail to provide timely and proper notification to the residents it seeks to "downsize." For example, HPD stipulated that residents who were being downsized to "0" bedrooms would be notified with two letters, one from HPD and another from their building's management office.

However, many residents to date have received notification only from management, and many essential questions remain unanswered. In particular, is the notice of transfer that residents receive from management the "official" notification of their "downsizing," or must they also receive a notice from HPD? This question is critical, because receipt of the notification starts the fifteen day "clock" in which they can appeal.

In addition, there is widespread confusion about the timing of the notifications and the deadlines they establish. Does the clock start on the date the notification is issued, or on the date it is received? Is the schedule based on 15 calendar days or business days? Is Saturday considered a business day by management, but not by HPD?

Third, fifteen days is simply not enough time for residents, especially if they are elderly, hindered by winter weather conditions, or require travel assistance to obtain the necessary documents and prepare appeals based on medical or other extenuating circumstances- and this is especially true if the 15 day notice is reduced by delivery delays or includes non-business days when records cannot be obtained.

Finally, the process through which residents are selected for "downsizing" has not been transparent, and the rationale for selecting one resident over another in comparable circumstances, or one before another, has been mysterious at best. HPD must assume far more responsibility for clear and compassionate outreach to each affected resident, and to the wider community in which they live.

At a minimum, HPD must clarify how it determines which residents are selected for "downsizing," do far more comprehensive outreach to affected individuals and communities, and provide a detailed fact sheet of the process. It must clarify and expand on its rationale for these actions; on the steps, timetable, and notification requirements; and particularly on the rights of residents, and their grounds for and methods of appeal. In addition, HPD should provide this information- as well as contact numbers and adequate staff- and ensure that it is available in the primary language of the affected residents.

In conclusion, HPD must be aware that it is imposing extreme stress and fear on many of its most vulnerable residents, ones who over the course of their long working lives have earned a right to be treated with dignity and respect. Thus far, the process created by HPD and its implementation by the agency and its managing agents has failed to meet even this basic standard. HPD has a statutory responsibility to do far better, and a long

history of working on behalf of the residents for whom it has assumed responsibility. It should do no less now.

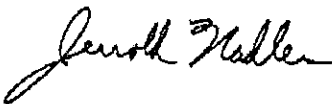
Given the problems identified above, and the hardship the "downsizing" policy is creating, we request that HPD impose a moratorium on the implementation of this program until its practical, ethical, and legal challenges are resolved.

Thank you for your attention to this issue. It needs your immediate attention as hundreds of residents who live in affordable housing are impacted.

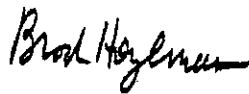
Sincerely,



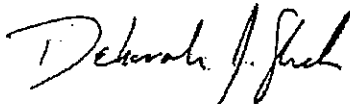
Gale A. Brewer



Congressman Jerrod Nadler
10th Congressional District (NY)



NYS Senator Brad Hoylman
27th Senate District



Assembly Member Deborah J. Glick
NYS Assemblymember, 66th District



Assembly Member Brian Kavanagh
NYS Assemblymember, 74th District



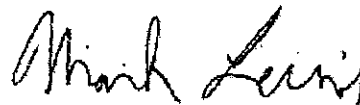
Council Member Helen Rosenthal
6th District, Manhattan



Council Member Rosie Mendez
2nd District, Manhattan



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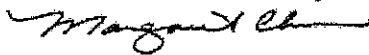
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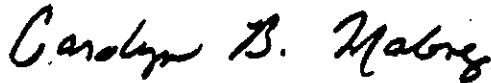
NYS Senator Daniel Squadron
26th Senate District



NYC Council Member Margaret S. Chin
District 1-Lower Manhattan



City Council Member Ben Kallos
5th Council District



Congresswoman Carolyn B. Maloney
12th Congressional District (NY)

cc: Mayor Bill de Blasio
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All State Senators
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CAROLYN B. MALONEY
12TH DISTRICT, NEW YORK

2308 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3212
(202) 225-7944

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Congress of the United States

House of Representatives

Washington, DC 20515-3212

DISTRICT OFFICES:

1651 THIRD AVENUE
SUITE 311
NEW YORK, NY 10128
(212) 860-0606

31-19 NEWTOWN AVENUE
ASTORIA, NY 11102
(718) 932-1804

619 LORIMER STREET
BROOKLYN, NY 11211
(718) 349-5972

WEBSITE: www.house.gov/maloney

**Testimony of Congresswoman Carolyn B. Maloney
Before the New York City Council Committees on Public Housing and Housing &
Buildings
April 9, 2014**

Chairman Torres, Chairman Williams and members of the City Council Committees on Public Housing and Housing and Buildings, thank you for the opportunity to testify about New York City Department of Housing Preservation & Development's revision of Section 8 subsidy standards and the impact it is having on my constituents. I represent the 12th Congressional district of New York, which includes the East Side of Manhattan, Northwestern Brooklyn, and Western Queens. This policy affects my constituents with Section 8 Enhanced Vouchers living in Knickerbocker Plaza on the Upper East Side and Kips Bay Plaza at 460 Second Avenue, among others. This policy disproportionately harms vulnerable New Yorkers.

As of July 15, 2013, HPD, which manages the Section 8 program for Knickerbocker and Kips Bay and elsewhere, changed its definition of "overhoused." Under previous guidelines, a tenant living alone was considered appropriately housed in a one-bedroom apartment, but now will be forced to downsize to a studio. A single parent and a child are entitled to only one bedroom, eliminating privacy and forcing the parent (or child) to sleep on his or her couch. This dramatic change and the abruptness with which it was announced have caused much fear and confusion among tenants. Many seniors currently living in one-bedroom apartments were considered appropriately housed for decades and will suffer greatly from being downsized to studio apartments. Some have serious health issues, requiring them to use large medical equipment such as wheelchairs or employ home health aides, making it difficult to move to and live in a significantly smaller unit. Seniors who are downsized will not be eligible for live-in home health aides as they age because there will be no living space for the aide. This makes it impossible for seniors to age in place. While HPD offers exemptions, the criteria for eligibility are very vague and do not provide sufficient guidance to those who may wish to appeal HPD's decision. Despite repeated requests, HPD has refused to provide specific circumstances that may warrant an exemption.

Because there simply are not enough apartments available to accommodate the many people who are being asked to move, tenants who have been served with a notice have no way of knowing when they'll be moving. This leaves individuals and families with little time to plan a move. The cost of moving is also very prohibitive for these tenants and thus far, HPD has not offered any moving assistance, as NYCHA has done in the past. Furthermore, HPD is asking for the same rent contribution for downsized tenants for a smaller space, which adds to the sense of hardship.

HPD has repeatedly pointed to sequestration as the reason for changing its subsidy standard. While I understand that the agency has very real fiscal challenges, its projected deficit far exceeds the amount of sequester cuts, suggesting that its financial situation was already difficult for reasons other than the sequester. HPD has never been able to quantify how much it expects to realize from this change, which suggests that they are using a meat cleaver rather than a scalpel in order to find savings. When the pain they are imposing is this great, they should be treading lightly rather than creating a policy which results in maximum pain.

I understand that the agency received more than \$9 million additional funding from HUD to help it with its shortfall for Section 8 for last year. In addition, I understand that its shortfall for this year is less than \$2 million, suggesting that there are ways to achieve savings that would require far less upheaval. I note that this was not HPD's only option. HUD provides several cost-cutting options for public housing authorities with projected shortfalls, including subsidy standard reduction. HPD's choice seems especially punitive and places the entire burden on those who can least afford it. I would suggest that a forensic audit should be done to gain a better understanding of HPD's finances and how savings could best be achieved.

Thank you for holding this joint hearing today and allowing me to submit testimony. I urge the Council to seriously analyze the effects of this policy on low-income New Yorkers who face the terror of losing their homes, and I continue to ask HPD to reconsider the housing standards reduction for Section 8 tenants. I hope that the City Council will take action to prevent HPD from moving forward with this ill-considered policy and will encourage HPD to find other ways to balance its books.

April 8, 2014

My name is Feiya Peskumov,
my husband and two (2) sons
moved into Glen Gardens in
1976 on January 10th. (Thirty Eight 38
yrs). I live in apartment 26 F.
I occupied (3) bedrooms
and I was charged for (1) bedroom,
March, 2005.

Over the years from 1973 I have
from extreme high blood pressure,
heart attack, terrible gut. Recently
I was hospitalized, and a series of
other ailments such as gut, melanoma
and had to undergo two (2)
operations in 2001-2013 on January
13, ~~2013~~

~~My~~ I am suffering from
depression, and under care of
a psychiatrist.

On numerous occasions I
have fallen in the street and in
~~street~~ ^{apartment}, I have no choice but to
use a walker, which impedes my

included in my apartment.

With all my physical limitations in a (4) bedroom, it would be impossible to navigate in a studio.

I would like to remain in my apartment with all my physical limitations. Emotionally and financially unable ^{to move} again!

Sincerely yours,

Feya Peskanov

THINK HARD BEFORE DOWNSIZING OF ELDERLY AND DISABLED!

It might be a bit presumptuous to call an apartment on the 12th floor of a Mitchell-Lama project in Upper-West side of Manhattan as your home, but it is an irrefutable fact, though it is so far away from a house on the prairie. Such a dwelling can be compared to a village with over 250 families.

The cohesiveness of dwellings adds to that notion, because being surrounded by so many neighbors and friends, I have been touched and impacted in multi-faceted ways. During those 28 years our son began his schooling with all the turbulences that go with it.

Friends married, survived the pains of divorces, remarried and now lending hand in bringing up grandchildren, chauffeuring them in their carts. Some of those grandkids have now become performers on some of the most prominent world stages. Several world-renowned artists have dwelled amidst us and contributed greatly to the atmosphere and education of the neighbors.

During these years we have shared the tragedies of the departed and their families. Just on my floor we have parted from an elderly lady in her 90-ies that shared her stories about life in Cuba. A cab driver from Dominican Republic impressed me with his most powerful baritone voice I have ever heard. And many, many more...

The so called Downsizing threatens to dismember our humble way of life and this community. It is inconceivable that the national problems should be solved at the expense and hardships of the lower group of New Yorkers! After all, most of the afflicted are elderly and disabled people who survive on Social Security alone!

Why, during these periods of hardships the Management imposes an increase in rents and thus contributes to the increase in the financial gap? Will these downsizings redeem the present financial problem? Is it truly a practical solution to relocate elderly and disabled into a smaller spaces? What kind of physical and emotional hardship will all this impose upon this group of people? Who will be responsible for the irreversible damages to the health and well-being of these people?

Ilya Levkov

Apt. 12-E

175 West 87th Street

New York, NY 10024

4.8.14

To whom it may concern

I, Sofia Federmesser, residing
at 175 West 87 Sts. Apt. 201
N.Y., N.Y 10024 since
coming to the USA in 1976.

I spend almost all my entire
live here with my husband
of 43 years who passed away
7 years ago. But apartment
is full of memories, full
of happiness of my being.

My son finished school here,
got married and lives
with his family.

Me, being over 70 and having
a diabetes for the last 50 years,
fiscally can't move to another
apartment, it will mean death
to me, really.

Please, please help us stay in
our home.

With respect S. Federmesser

Jan Kraus, Section 8 Tenant
175 W. 87th, #26H (Glenn Gardens)
New York, NY 10024-2910

I moved into a studio apartment in Glenn Gardens in 1990 when the building was still part of the Mitchell Lama program. I tried to do some freelance work with my computer perched on a 36-inch round table tucked into the corner of the apartment's one room, but I was limited because I didn't have space for a printer. Fortunately, an opportunity to move to a 1-bedroom apartment came in the spring of 1993. After moving into the larger apartment, I immediately carved 46 square feet of office space out of the living room, allowing me to pursue my career in educational publishing, including independent contractor assignments and freelance projects. I will start work as a remote editor for a Pearson Education project in June, telecommuting from my home office for approximately 10 months. I recently finished a similar project that lasted 2 years and have had several writing assignments since then. Because of downsizing, I may have to go back to trying to work on that same 36-inch table instead of eating my meals on it.

When Glenn Gardens converted from the Mitchell Lama program, as required by the landlord, I applied for Section 8 and qualified for a "sticky voucher" to subsidize the 1-bedroom apartment I was living and working in. Now, HPD policy says that I am "overhoused" in that same 1-bedroom apartment, despite what I was told at the time of the conversion and what my voucher says.

When Glenn Gardens' conversion took place in 2003, our post-9/11 economy still had not recovered sufficiently for freelance workers, like me, to be steadily employed. Although I had paid the top Mitchell Lama rent on my apartment for 10 years, my financial situation qualified me for Section 8. My only alternative to accepting Section 8 status was to move. Two months later, I was employed full time by McGraw-Hill Publishing with a yearly income \$20,000 more than the qualifying Section 8 amount. The same economy that diminished my earning ability during the months leading up to the conversion provided landlords with advantageous mortgages as they left the Mitchell Lama program and entered into the lucrative market-rate rental environment of neighborhoods like the Upper West Side.

Throughout the time that I have been a Section 8 tenant, my rent has fluctuated wildly – at times I have paid close to the assigned market-rate rent of my apartment. When I am *not* been earning enough to pay \$2000-2500 in monthly rent, I must submit extra financial documentation to HPD – in addition to my yearly recertification. It takes 3-6 months of continuing to pay the high rent when I am in between publishing projects, with little or no income, before a change in rent occurs, albeit retroactively.

Up until the current downsizing situation, Section 8 subsidies have protected people on fixed incomes from exorbitant New York City rents. However, Section 8 policies were *not* designed for people with *unfixed* incomes, like me. My financial situation creates extra work for both me and HPD, and, of course, the chance of confusion, errors and lost documentation increases with that extra work.

As a 56-years-old healthy person, I will not qualify for any traditional senior citizen assistance for at least another 7-8 years. Because I am not a senior citizen and do not have medical issues, I face losing my home and home office of 20+ years because of HPD's new policy of downsizing Section 8 tenants.

During this uncertain time, I try not to think about my two rescue cats—companions for the past 11 years—and the effect downsizing into half the space will have on them.

I understand and support the need to protect senior citizens and tenants with medical disabilities who are facing the threat of downsizing. However, downsizing *cannot* fall solely on "young" and healthy tenants who were forced to become Section 8 tenants during the flurry of Mitchell Lama buyouts that took place 10 years ago.

April 9, 2014

To Whom this May mean:

I have lived at Glen Garden for 38 years. I moved in July 1976. I was ^{FLEEING} fleeing an unhappy marriage and had 2 young children to care for and support.

Having a comfortable apartment with very affordable rent gave myself and my children lives a measure of stability both economical and ~~to~~ emotionally. At a time when I felt like everything was falling apart.

What it provided for me was freedom. The freedom of having choices. The first thing I did was go back to school and complete my education.

Over the years having this affordable apt. enabled me to enlarge my life in many ways, both materially and otherwise.

A house is built with bricks, mortar and stone. A home however is created with love and interest. A material imprint of our personalities. For me it is a place where I can be myself or just be. It is only 2 1/2 rooms but it is my castle.

Things went along well for us and my children were with me until they were grown up. Having an apartment that was subsidized help us a great deal. I was a single parent, working and taking care of all my children's needs. Things were tough at times, but ^{if} it wasn't for the subsidy program things would have been worse.

My children have now been out on their own for a number of years. I have since retired and now live on a fixed income. The subsidy is still a much needed help for me. Not only is the subsidy needed, but I have spent all these years in an apartment that is my home. I have some medical issues and I also have a deep-rooted place in the community. It would be a great hardship to have to downsize or even relocate.

I'm asking that something be done to hold off this policy that HPD is trying to implement. Find another way to fill the gaps, do not take it out on people who have worked hard, sacrificing for their families, maintaining the buildings and the community. Don't
Bette Silva Apt 14G

THINK HARD BEFORE DOWNSIZING OF ELDERLY AND DISABLED!

It might be a bit presumptuous to call an apartment on the 12th floor of a Mitchell-Lama project in Upper-West side of Manhattan as your home, but it is an irrefutable fact, though it is so far away from a house on the prairie. Such a dwelling can be compared to a village with over 250 families.

The cohesiveness of dwellings adds to that notion, because being surrounded by so many neighbors and friends, I have been touched and impacted in multi-faceted ways. During those 28 years our son began his schooling with all the turbulences that go with it.

Friends married, survived the pains of divorces, remarried and now lending hand in bringing up grandchildren, chauffeuring them in their carts. Some of those grandkids have now become performers on some of the most prominent world stages. Several world-renowned artists have dwelled amidst us and contributed greatly to the atmosphere and education of the neighbors.

During these years we have shared the tragedies of the departed and their families. Just on my floor we have parted from an elderly lady in her 90-ies that shared her stories about life in Cuba. A cab driver from Dominican Republic impressed me with his most powerful baritone voice I have ever heard. And many, many more...

The so called Downsizing threatens to dismember our humble way of life and this community. It is inconceivable that the national problems should be solved at the expense and hardships of the lower group of New Yorkers! After all, most of the afflicted are elderly and disabled people who survive on Social Security alone!

Why, during these periods of hardships the Management imposes an increase in rents and thus contributes to the increase in the financial gap? Will these downsizings redeem the present financial problem? Is it truly a practical solution to relocate elderly and disabled into a smaller spaces? What kind of physical and emotional hardship will all this impose upon this group of people? Who will be responsible for the irreversible damages to the health and well-being of these people?

Ilya Levkov

Apt. 12-E

175 West 87th Street

New York, NY 10024

Allois Anne Glasser
175 W 87th St Apt 30B
New York, NY 10024

Apr. 6, 2014

I moved into Glenn Gardens which was then a Mitchell-Lama building in 1975, with two children, one girl, one boy.

We were given 3 bedrooms, my children left in 1983 and I switched to a one bedroom.

I worked as a self-employed Fabric Designer, and also exhibited my art-work around New York in public spaces, such as New York University Broadway Windows and Washington square Windows.

I feel very lucky to be living in Glenn Gardens.

My affordable share of rent has been a god-send.

The management, super, handyman, porters and concierge's are excellent. If there's a problem, they fix it promptly.

My neighbors are friendly and polite.

I want, very much, to stay in my apartment.

Sincerely
Allois Anne Glasser

City Council Hearing on Downsizing 4/09/2014

Submitted by Tuck Milligan

In 1975, I was twenty-six years old and understudying the role of the boy in EQUUS, a long running Tony Award winning play on Broadway. I was standing by for Tom Hulce who played the boy opposite Anthony Perkins. This was the first Broadway jobs for both Tom and me.

At that time, I was living with a roommate in one bedroom apartment in a townhouse on West 88th St between Amsterdam and Columbus. When my roommate, David Boelke, and I moved into that one bedroom on West 88th we flipped a coin to see who would get the bedroom; I lost. So I build a loft-bed, which was common in those days, rising up about six feet from the floor and placed it in front of the 8 foot high living room windows. This was a beautiful apartment with real parquet wood floor, 11 foot ceilings and a small kitchen in one corner of the living room.

As roommates go, David, was a great guy and a very talented versatile artist. David was train as an improvisational comedian at Chicago's famed Second City. He also was an excellent graphic artists and a fine pianist who specialized in ragtime music.

Many a morning, as I stared down from my living room loft bed, I would watch David come out of his bed room and cross over to the kitchen in the far corner of the room, then to his draft board in the near corner to draw something and then to his upright piano in the other corner to play a Scott Joplin piece. I was basically living above my roommate's creative studio.

Throughout that year, I watched the completion of a building that had been going up at the end of the block between 87th and 88th Street on Amsterdam Avenue. The billboard above the construction fence read something like:

"Glenn Gardens Apartments, a Mitchell-Lama Middle Income Development."

I didn't know what any of that meant, but when work ran out for on Broadway, I called the phone number that was on the bottom of that billboard.

My roommate and I applied, sent in our income statements and to our amazement, qualified for a 2 bedroom apartment. In August of 1976, my roommate and I became the original tenants in that apartment. And I have lived there ever since. David eventually married and moved to the West Coast. I eventually married and stayed put.

Over the years, I discovered what the Mitchell-Lama (ML) program was intended for, and in particular Glenn Gardens. We began as a community of middle-income residents, made up of teachers, policeman, artists, clerical workings, musicians and public health professionals all who needed affordable housing to raise their families and allow us to stay in the city. This arrangement also kept the tax base in the city.

For my wife, who is also an actress, and I personally, we have been allowed to pursue our dreams. For me, that has translated into 6 Broadway plays, 8 Off-Broadway, numerous film and television appearances and a base of operation for continuing regional theatre work. But, most importantly, my wife and I have been able to create stability for ourselves in a very tenuous career choice. This

stability in large part, I believe, comes from living in an affordable home that the ML program provided all us at Glenn Gardens.

Ten years ago, Glenn Gardens left the ML program in a “buy-out” that was highly supervised and negotiated by our then City Councilwoman Gale Brewer, our Assemblyman at the time Scott Stringer, our then State Senator Eric Schneiderman, our landlord Murray Smith and HPD. At that time, all tenants of Glenn Gardens were required to apply for Section 8 enhanced vouchers. My wife and I did not qualify for the voucher program and were put into the Landlord Assistance Program (LAP).

Two thirds of our building continued under the Section 8 enhanced voucher program, now adjusted to the market-rate rents of the Upper Westside. Voucher tenants, HPD’s apartment occupancy guidelines were the same as the regulations we always followed before. If family composition changed, voucher tenants reported the change, as required by our annual recertification that maintains the contract that was established by the Housing Choice Voucher Program vouchers that Section 8 tenants received in 2003.

This past year, without warning, we were shocked to learn of HPD’s downsizing plan as their means of covering the budget shortfall cause by federal cuts. Now, suddenly, Section 8 tenants have been reclassified as “overhoused.” These tenants are in jeopardy of having to vacate their apartments for smaller units. Downsizing is in direct contradiction to the vouchers issued by HUD, which clearly state specific unit sizes.

We have now been chewing over this issue for months and months. We discuss tenant’s rights, policy, law, family composition, unit size, Reasonable Accommodation Verification Forms, “informal reviews”... on and on. But it is really all about human dignity.

One of the basics of life is shelter along with food and clothing. Where one lives is one of the basic needs of a life. And the care that goes into that shelter says a lot about our self esteem. A family gets raised in a home environment that we hope will be loving and nurturing but even if it’s not, if you have a room to go to with a door to close, you can still have a measure of self-esteem. However, if we now say, as HPD has, that a living room is perfectly suitable for a bedroom in a family’s home, where are the boundaries, where is the “door of protection”... or a door for just plain modesty? And this goes for adults as well. If we want to create policies that push families into smaller spaces that no longer allow for these minimal needs of dignity, then we will have most assuredly institutionalize the character defect of low self esteem, sending us into downward spiral which will stripe us of our dignity.

What was affordable housing about in the first place, if not dignity? Let’s stop the downsizing.

Tuck Milligan
President
Tenants Alliance of Glenn Gardens
175 W 87th St, Apt. 26G
New York, NY 10024



Mr Francois Lecorps
175 W 87th St Apt 8G
New York, NY 10024-2906

April 8, 2014

To Whom It May Concern,

I moved to Glen Gardens in 1976. I moved to Glen Gardens when it was still under Mitchell-hama with my wife and two daughters, One, seven years old at the time and the other daughter 3 years old at the time. We were given a two bedroom apartment.

I worked as a parking attendant and my wife worked as a nurses aide and we are both retired.

I am honored to live at Glen Gardens for so long.

And now after 38 years, my wife and I both have numerous health issues. I have a bad heart, terrible insomnia, depression and debilitating arthritis. My wife suffers from depression as well as diabetes and debilitating arthritis where she has limited mobility in her arms.

We are both in our mid-70's and survive on social security and one pension. With the section 8 vouchers, it has been a God send, since we can't afford to move anywhere else. With our growing health issues we can't afford physically or emotionally to move to a one bedroom apartment.

Page 2

My neighbors are my close friends and family and we look out for each other. We are all in the same boat. My wife and I can't afford the market value rent that ~~the~~ management company threatens us with and we just very much want to stay in our apartment. We love our home and this is the only home we know for over 38 years.

Francois Lecorps
Sincerely,

Mr Francois Lecorps
175 W 87th St Apt 8G
New York, NY 10024-2906

Form letter to all elected officials from...
Section 8 tenants of Glenn Gardens Apartments
175 W 87th St.
New York, NY 10024

March 4, 2014

Dear Elected Officials

I have lived in Glenn Gardens, a former Mitchell-Lama building, for over ____ years. For all of those years, I was appropriately housed according to the apartment occupancy guidelines of HUD/HPD.

Our landlord bought out of the Mitchell-Lama program in 2003. At that time, every tenant was required to apply for a Section 8 subsidy. Those that did not qualify for Section 8 sticky vouchers, went into a landlord assistance program (LAP).

For Section 8 sticky voucher tenants, HPD's apartment occupancy guidelines were the same as the regulations I have always followed. If our family composition changed, we reported the change, as required by our annual recertification that maintains the contract that was established by the Housing Choice Voucher Program vouchers that we received in 2003.

This past year, without warning, we were shocked to learn of HPD's downsizing plan as their means of covering the budget shortfall caused by federal cuts. Suddenly we have been reclassified as "overhoused." We are in jeopardy of having to vacate our apartments for smaller units. Downsizing is in direct contradiction to our vouchers issued by HUD, which clearly state specific unit sizes.

To help illustrate how downsizing threatens our homes and security, an example of downsizing is moving from a 1-bedroom to a 0-bedroom apartment, or studio, but still paying the same rental rate we have paid—30% of our income. We have upheld our contract with HPD. Now that contract is being broken by HPD. Why us? What other entity receiving a federal subsidy has to vacate his or her home in order to close a government budget gap?

Who will move us? What will become of our belongings? Who will buy us new furniture to fit much smaller spaces? Downsizing is an extreme hardship, and we need your help to stop this unfair budget solution that HPD has chosen.

The threat of downsizing is causing additional medical problems for many senior citizens who already deal with medical issues. Tenants with disabilities are trying to comprehend how they can possibly cope with life in a smaller space. The stress of being uprooted is taking a toll on all Section 8 tenants who live in Glenn Gardens.

We need your help now! Please help save our homes.

Sincerely,

All Section 8 Tenants
Glenn Gardens

**Testimony of Carmen Morales
Enhanced Voucher Section 8 Tenant
Knickerbocker Plaza
April 9, 2014**

My Name is Carmen Morales. I live in Knickerbocker Plaza a former Mitchell Lama development since the day it opened, over 38 years ago.

I moved into a 3-bedroom apartment with my husband and 3 children, 2 girls and a boy. When my two daughters left, I went to management to change the apartment to a 2 bedroom. When my son got married in 1998, management asked me to move to 1-bedroom.

At that same time my husband, Wilson, developed Alzheimer's and needed a separate room. So we stayed in the 2-bedroom apartment.

My husband passed away in 2007. I went to management and told them I didn't need the extra room anymore. Management moved me to the appropriate apartment for my family size that was 1-bedroom.

In order to fit into a 1-bedroom apartment, I had to get rid of everything. Nothing fit into the smaller apartment. The only things I was able to keep were my memories, my pictures.

Now I understand that I will be moved to a 0-bedroom apartment. To me a 0-bedroom in Knickerbocker is so small that it is nothing but a hole.

Every move has cost me a great deal of money. I don't have any more money. I can't afford to buy new things. I have already downsized twice and I'm not doing it again.

Management moved me to the right size apartment. Now HPD tells me it is not the right size. I am not a ping-pong ball that can be hit back and forth. I am 76 years old and this is my last apartment.

I represent various developments as part of Housing Coalition Against Downsizing (HCAD) and speak in support of all Enhanced Voucher tenants. We thank you for giving voice to our concerns and to be part of the conversation.

The tenants are all x-Mitchell Lama tenants. ML was the gold standard of the 1970's Affordable Housing model. It brought together citizens of all races, ages, creeds, ethnicity into hospitable housing complexes across New York State. They were the bedrock of New York's cities as middle income citizens with a strong work ethic and shared family values. They brought up their families and shared in the responsibility and commitment to transform their marginal neighborhoods into stable, vibrant communities that everyone now wants to live in. Their real estate became economically productive for the entire city.

Unfortunately for these tenants there was no planned exit strategy once the program expired and as landlord's no longer wanted to remain in the program. The end of ML for most of these developments created real undue hardships for all tenants. Each development had to struggle to find a balance to keep tenants housed. A makeshift remedy was negotiated with landlord's and the cities. Enhanced vouchers in the Section 8 program became the solution, a program that was not created for tenants with middle income savings and earnings. It was and is a misfit; and it was never retro-fitted to fit the clients but rather the clients had to fit the program. Others who were eligible under ML were now ineligible in the voucher program because they earned too much. They had to negotiate with their individual landlords to reach some compromise that is now bankrupting the affordability for these tenants to remain in their homes. Those tenants who were income eligible for Enhanced vouchers were offered voucher contracts that permitted them to remain in the homes they are currently living in. Tenants were granted vouchers based on a standard family composition that was fair and reasonable. Today that policy has been arbitrarily and capriciously changed and downsizing is the result. This is an added insult to injury because most Enhanced voucher tenants already pay above the 30% rent they were promised. Some pay over 50% of their income and are now asked to downsize. This is Affordable Housing at its worst!

Under the Voucher program the gift of having a lovely home which we had occupied for many decades was overshadowed with the fear and angst of what might be, the proverbial, 'waiting for the other shoe to drop' because politics might undermine their remaining in their homes, funding may be cut.

The interaction with HPD continues to feel like a throwback to another era when authoritative control never took into account the client base as part of the conversation. And that is exactly what happened when HPD arbitrarily modified and changed the family standard policy. In late July 2013, 1667 Voucher families received a HPD official letter advising them they were now overhoused and had to be downsized. There was no discussion; it was an edict. We learnt after the fact that HPD did the least that was required of them by announcing in some obscure local newspaper a public hearing on the downsizing. No one showed up, because no one, no stakeholders of tenants, elected officials, advocates, knew it was being held. The rollout of the downsizing was premeditated to avoid any discussion and response. And the fears originating from the settlement year 2003, from ML to Section 8, became a reality to tenants.

When the mandate went into affect HPD's strategic plan had no due process of uniform and standardized implementation. Staff did not know how to answer questions, gave out incorrect and conflicting information, forms were incomprehensible or non-existent. HPD abrogated their responsibility by delegating much of the implementation to individual management landlords. It took months and lots of political intervention to get clarification on the entire process. Tenant

communications from landlords all were different and conflicting making for bias and subjective methods of downsizing the tenants. Meantime tenants were paying the price with their health.

A direct outcome of this policy change and its lack of clarity has affected the elderly and the not-so-elderly with a health crisis that is well documented: tenant's health became issues culminating in hospitalization, panic and anxiety attacks, sleeplessness, depression, etc. All tenants, disabled, seniors, singles, families, people 40-100, suffering illnesses over this. The only option available to tenants forced to prove they are worthy and deserving of remaining in their current homes is by collecting medical documentation if possible. The HPD process requires medical practitioners to sign affidavits that tenants have illnesses that if downsized would be possibly detrimental to their health; but who is reviewing these medical requests? Not a medical practitioner but a supervisor at HPD. And when tenants go to a 'fair hearing' to plead for their homes, who is mediating at the conference, but a paid employee by HPD. Are these options available to tenants really unbiased?

HPD for years has overlooked its own organizational inconsistencies and inefficiencies leading to mismanagement of funds. In order to understand how monies were spent and wasted it requires a forensic audit which could address such issues as:

- *Why were truly over-housed tenants left for years in their apartments after their family size decreased? How much money was wasted and given away?
- *Why are landlords granted approved contract rent increases annually especially when there are funding shortfalls?
- *How are contract rents calculated to be equitable and fair? Why is HPD funding landlords in a not for profit program with rents way over market rent?
- *Why have these increases in contract rent not been investigated to ensure that money was being spent equitably on voucher apartments and not just on market tenant apartments?
- *Why unlike any other housing program do tenants have to pay more than their 30% of their income? And yet when tenants ask HPD for an explanation of their rent portion calculation tenants are told they must file a complaint in order for it to be reviewed, and there is no offer of disclosure unless the tenant makes it a fight.
- *Why do different departments demand the same documentation as another? Tasks are duplicated because there is no sharing between departments. Everything is so segmented that getting to the appropriate department can be hours of work.
- *Why are voucher tenants penalized in their family composition standard when new Affordable Housing is advertised in the newspapers with the former standard that is now no longer applicable to voucher tenants because they only are ineligible? This is not equitable or fair. This is discrimination directed to one class of tenants and one that pays more than 30% of their income for rent. Affordable Housing should be just that, affordable and equal no matter what the funding sources are, across the board.

Please consider re-evaluating the Enhanced voucher program; deconstruct it and then reconstruct to meet the defined client, the former x-ML, middle income tenant who now has become an older tenant on a fixed income who deserves to be treated with dignity and respect and not pronounced over-housed when all the funds have gone to organizational inefficiencies and landlord rent increases. Let's make this less of a Tale of Two Cities!

Susan Marens, 484 Second Ave, NY 10016

Apr 4, 2014

FOR THE RECORD

Chairman Jumaane Williams
City Council, Committee on Housing
City Hall
NY, NY

Dear Sir:

I, Lisamarie Delgado am a tenant at Kips Bay Court. I am writing to ask not to be downsized from my apartment where I have been a tenant for 13 years. I moved into a one-bedroom apartment in 2000 with a 4 year old son and at that time shared a room with my husband and son. We remained there until he was 7 years old and then we were qualified for a two-bedroom apartment. My son was growing up fast so the extra room was really beneficial to his development and independence. At that time we qualified for the family composition standard of 2 people in a two-bedroom.

Now I am informed that I must downsize to a one-bedroom. My son is now 18 years old and will be starting college this summer. A mother and her grown son should not have to share such a small apartment. This must be respected. He is a young man, and living with his mother and we both need privacy. I am in the process of applying for SSI as I am now disabled. I have not the ability to move nor the money to do so. It is unconscionable for a mother to have to live in a 1-bedroom with her grown son. ~~Why was it okay before and now not?~~ Advertisements for Affordable Housing state that the family composition that we had until July 2013 is okay for new tenants but denied to us. Why?

I respectfully request that you reconsider the family composition defined in this new policy change.

Thanking you for your attention,

Lisamarie Delgado
484 Second Ave #8F
NY, NY 10016

I am an original tenant at Kips Bay Court (previously known as Phipps Houses.) Next year I will mark my 40th year of residency in my apartment. Phipps Houses was built in the 1970's as a Mitchell Lama housing complex whose purpose was to provide affordable housing for middle class New Yorkers. The Mitchell Lama premise was one of the great success stories of the urban renewal movement of the 1970s. Along with the vision of the Phipps family, together they created a multi-cultural housing enclave where people of different ethnic backgrounds could live and thrive together in a safe and harmonious environment. Tenants moved in and rarely ever moved out.

Phipps Houses created a family friendly atmosphere where a community room provided by the complex was the center of many community activities and interaction among tenants.

In 2003 our landlord chose to opt out of the Mitchell Lama program by paying up the remaining mortgage and converting to market rents. We fought hard to keep our complex in the Mitchell Lama program but lost. The families left, the children were gone and the community room was converted to a gym for the market tenants. The market rent tenants consisting mainly of people in their 20s and early 30s are constantly moving in and out taking away from any sense of community that was prevalent for so many years. Those of us who were eligible for the Section 8 program lived in constant fear as to what's going to happen to us next.

Well what's next came in July of 2013 when we were told that we will be downsized and to expect the much dreaded 15 day letter that would inform us that a smaller apartment was available. For months I got a gnawing feeling in the pit in my stomach every time I went to get my mail, but still I thought at least I would be one the last tenants to get the letter, because I was an original tenant in the building, but seniority apparently meant nothing as I got the letter fairly early in the process. I viewed the apartment. It was a teeny studio with no sleeping alcove and a kitchen you could hardly turn around in.

I went upstairs to my current apartment, looked at my surroundings and thought about all the time and effort I put in for the past 40 years to make it my home and what I would have to give up. And then I cried.

I, along with many other tenants haven't had a decent night's sleep since July. No matter what we do or where we are, downsizing is always in the back of our minds. We implore you to help us find a better way to resolve this issue so we may remain in our homes.

Julie Cohen

Kips Bay Court

FOR THE RECORD

DIANE F. STEIN 40 Harrison St., #15 A, New York, NY 10013
Telephone: 212-406-0084 E-mail: dstein10013@gmail.com

CITY COUNCIL HEARING ON DOWNSIZING TESTIMONY

April 9, 2014

My name is Diane Stein and I live in Independence Plaza, a former Mitchell-Lama rental complex with over 3,000 tenants. There are over 400 voucher tenants and as of July 15, 2013, nearly 300 voucher tenants are now considered "overhoused" and are subject to being downsized to smaller apartments.

The pioneers at Independence Plaza helped build the community that is now called Tribeca. We survived 9/11 and Super Storm Sandy. Now we, along with about 40,000 other New Yorkers, are being forced to move into smaller units even though we were previously legally housed.

In addition to the personal disruption and hardship this will cause, there is the larger issue of the lack of and loss of affordable housing and the erosion of the middle class in New York City. We are losing our fire fighters, teachers, nurses and social workers, the people who put down roots, raise families, vote and volunteer to improve their community. I have seen how Independence Plaza is losing its community "feel" and is becoming increasingly transient. It is hard to talk about universal Pre-K when many children don't have an adequate place to live.

I urge this committee to ask the Mayor to put a moratorium on downsizing until the City does a thorough review of this policy to determine whether it is necessary.

Thank you for holding this hearing.



LINDA B. ROSENTHAL
Assemblymember 67th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Commission on Science & Technology

CHAIR
Subcommittee on Mitchell-Lama

COMMITTEES
Agriculture
Corporations, Authorities & Commissions
Energy
Health
Housing
Tourism, Parks, Arts & Sports

TESTIMONY OF ASSEMBLYMEMBER LINDA B. ROSENTHAL BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS AND COMMITTEE ON PUBLIC HOUSING HEARING ON HPD AND NYCHA DOWNSIZING POLICIES

April 9, 2014

Good afternoon. I am Assemblymember Linda B. Rosenthal, and I represent the 67th Assembly District, which includes the Upper West Side and parts of Clinton/Hell's Kitchen in Manhattan. I am testifying today in regard to the underoccupancy or downsizing policies of the New York City Housing Authority (NYCHA) and the New York City Department of Housing Preservation and Development (HPD).

As a member of the New York State Assembly's Committee on Housing and an elected official who has assisted countless NYCHA tenants and Section 8 recipients, I understand the financial needs faced by both agencies and the need to maximize the utilization of the City's precious public housing stock. I am, however, extremely concerned by the lack of forethought that has been evident throughout the process to create and implement these downsizing policies in a way that minimizes the negative impacts on residents.

Under former Chairman Rhea, NYCHA attempted to enforce its occupancy standards for nearly 45,000 underoccupied apartments, many of which had been underoccupied for many years without any repercussions to tenants. NYCHA began its renewed enforcement abruptly and without any anticipation of its residents' needs. NYCHA cannot effectively and humanely ensure that residents are in appropriately-sized apartments without critical changes, including:

- NYCHA must publicize a comprehensive document detailing the rules of its underoccupancy policy. NYCHA sent tenants letters in English only with minimal information, and has yet to create any public policy document detailing important information such as exemptions from downsizing, consequences for failure to downsize, the number of apartments transferring tenants may view and right of tenants to choose to transfer within their building (not just development) only.
 - I wrote to former Chairman Rhea with a list of questions about NYCHA's underoccupancy policy and received a response with critical information that many of my constituents should have been given with NYCHA's first letter asking them to downsize. This information included a policy that tenants who are not severely underoccupied (underoccupying their apartment by two bedrooms or more) can generally refuse to transfer without having their tenancy terminated and that NYCHA does consider refusals to transfer based on reasonable accommodation requests for persons with disabilities on a case-by-case basis.

- NYCHA also needs to ensure that its management staff is fully trained on its own policies to prevent inaccurate and incorrect information being provided to tenants. Many constituents reported that housing assistants gave conflicting answers to questions on the underoccupancy policy, and one such assistant told my office that tenants faced no consequences for refusing to transfer.
- NYCHA must assign a higher priority to underoccupancy transfers. Tenants who agree to transfer face an extremely lengthy delay in transferring, which contrasts sharply with the urgency NYCHA conveyed when demanding that tenants sign transfer paperwork immediately.
- NYCHA should implement an apartment swap system to allow overoccupied and underoccupied tenants to further expedite the transfer process.
- Finally, NYCHA should increase the \$350 rental subsidy to meet the needs of tenants being forced to move. The current subsidy does not even begin to cover the costs of moving.

HPD, by contrast, has created new occupancy standards, forcing tenants who were previously in right-sized apartments to downsize. This new policy forces families of two, such as a parent and child, in one-bedroom units—occupancy standards below that of other agencies that administer Section 8, including NYCHA. Worse, HPD appears to have learned little from NYCHA's implementation of underoccupancy policies and spent months compiling a document that left basic question unanswered. At the same time, the agency has aggressively pursued downsizing and left Section 8 tenants with little time to agree to move before facing sky high and unaffordable rent increases.

I have stood with tenants and housing advocates to demand a restoration of HPD's former occupancy standards. If HPD continues its current downsizing policy, however, it must immediately implement critical changes to its downsizing policies, including:

- Providing each tenant selected for downsizing with an informational pamphlet detailing HPD's policy, with specific attention to the rights of tenants for a reasonable accommodation or exemption from the downsizing requirement. Such exemptions must be spelled out with at least general guidelines; saying that requests will be reviewed on a case-by-case basis is unacceptable.
- Including a reasonable accommodation request form to each tenant selected for downsizing. The form should include detailed information regarding exemptions from downsizing, such as medical condition of the tenant or need for a live-in home health aide.
- Ensuring that tenants are exempt from transferring while a reasonable accommodation request is being reviewed.
- Providing exemptions for senior citizens and the disabled from the new occupancy standards, as well as examples based on household composition (such as a parent and child).
- Offering financial assistance and extensions of time to eligible tenants having physical or financial difficulties moving.
- Ensuring that any Enhanced Housing Voucher (EHV) holders who refuse to downsize can have their EHV reinstated upon transferring, rather than receiving a non-EHV Section 8 voucher indefinitely as HPD currently requires.

I hope that both agencies quickly implement these recommendations and those of tenants, advocates and my colleagues in government. Leaving the downsizing policies unchanged would mean continued harm to tenants with little benefit to either agency. Thank you.

FOR THE RECORD

April 9, 2014
Personal Testimony from
Linda Nicholas
520 Second Avenue
#18d
NY, NY 10016
212-684-7019
lindaleenicholas@gmail.com

MY STORY:

I have been at Kips Bay Court, former Phipps Plaza, since 1977, when the neighborhood was loaded with crime, junkies and drug dealers on every corner. As my mother died recently, I am one person living in a one-bedroom apartment. Now they want to downsize me to a one-room studio. What am I suppose to do with my stuff... the few family heirlooms, my books and clothing and table and 2 chairs.

I have lost 7 closest family members in the last 4 years. Emotionally I am hanging by a thread and after this trauma of caring for my parents and watching them die...the only safe thing I have left... my safe and secure place so I thought was my apartment.

As I have lost 7 of my inner circle, this loss has been difficult enough for me but the stress and anxiety of waiting everyday for that 15 day downsizing letter has made my life hell since the summer. I have had numerous panic attacks every week. I am in therapy, and now suffer from major depression and no sleep. The anxiety and stress has created major migraine headaches that last sometimes for 8 days. Now I am in therapy, the doctors want to give me drugs to deal with the severe panic attacks, the anxiety and the claustrophobia. Do you know how stressful it is to go to the mailbox? The panic and anxiety has left me with a permanent pain in my throat and chest and heart area. It is a physical pain that starts in my throat, in which the tightness creates a severe pain in the throat and chest area and stomach so tight that you cannot breath and are gasping for air. This makes it difficult to eat as well. I now weigh 93 pounds.

This physical pain and emotional dread, is magnified when approaching the mailbox, praying and hoping that the 15 day move letter will not be waiting for me.

Put yourself in my shoes. If I must leave this apartment, I am not sure what I will do. This is my home, and I love it, and I am grateful for it. At this age, I am 60... to be downsized to a one room apartment with walls that are confining and no air, and noise from neighbors coming from both walls is terror enough along with getting rid of some prized possessions of my loved ones who are no longer here.

Please help me keep my home.

It is like waiting everyday, with intense fear, as I cannot plan my life, waiting in limbo: Not knowing when my life will change. It is so random, who and when a letter is coming, who is picked. Please if there is some small piece of compassion with you, please help me stay in my apartment.

I am 1 person in a 1 bedroom apartment, and they want to move me to 0 bedrooms. Am a such a non-entity, not considered a whole person, not deserving to have a bed and a room to put the bed in?

HPD Commissioner never answered question from Counsel about the cost difference between 1 bedroom's and studio's and how much they were saving by just this move. She only talked about the total.

FOR THE RECORD

Testimony Regarding Downsizing of Section 8 Enhanced Voucher Tenants

**BEFORE THE NEW YORK CITY COUNCIL COMMITTEE ON HOUSING AND BUILDINGS AND COMMITTEE
ON PUBLIC HOUSING HEARING ON HPD AND NYCHA DOWNSIZING POLICIES**

Maureen Silverman, Independence Plaza

Three Pages

I am sorry I could not attend the hearing on the downsizing of enhanced voucher Section 8 tenants due to being sick. Since this issue is important to me and my community, I am submitting written testimony.

Impact on Tenants and Request for Moratorium on Down Sizing

It would be financially and emotionally devastating for me to have to downsize from my one-bedroom apartment to a studio, as it would be for many of my neighbors. I also find this HUD decision to be disrespectful, ill conceived and in many ways cruel. I moved from a studio to a one bedroom in 1999, after first moving into Independence Plaza in 1992. I invested money, time and resources in decorating my one bedroom, as it is considerably larger than my studio. I bought new furniture, lamps and carpets when I moved. I intended to have these valued possessions for years to come. It took years of savings to afford to buy furniture and other belongings when I moved to my one bedroom apartment. As a lower income tenant, departing with possessions that took years of savings and careful planning to purchase would be emotionally and financially traumatic -in light of what I would need to do in order to down size. Moreover, disposing of possessions in order to move to a studio would be a tremendous financial loss for me and many of my neighbors who are struggling to get by, making it even more difficult for us to make ends meet. Furthermore, while the decision makers at HUD and HPD may not think downsizing is a big deal, I cannot afford the cost of moving. It costs a substantial amount of money to move property and dispose of what I could not fit into a smaller apartment. Under the government down sizing plan, **I would be required to move to a smaller apartment-- at the same amount of rent I am paying now in a one bedroom, while incurring moving costs and loss of many of my beloved possessions. This would be an extreme hardship and is totally unfair to me and other tenants. Accordingly, many of my neighbors have become traumatized and physically ill by the downsizing plans. As someone who is trained as a Social Worker, LMSW, I am aware of and concerned about the stress anxiety and grief caused by the loss of our homes. Therefore, I request that there be a moratorium on all downsizing until better financial options can be found. The down sizing plan is UNCONSCIONABLE.**

Trauma of Down Sizing--

The adjustment of being forced to move to a smaller apartment—from a one bedroom to a studio, after being in my apartment for 15 years, would be extremely traumatic for me. I suffer from clinical depression and have overcome other mental health issues that I fear will be exacerbated by downsizing. I love my home and have invested so much to make it feel like a happy place over the years. Leaving what I created over the years with little money, is something I cannot fathom or afford.

FOR THE RECORD

. Many of us at IPN are seniors or will be so soon. Some are disabled. It is especially a hardship for those who are frail and disabled to move. Although there are medical exceptions made, there are not exceptions/considerations for the impact that downsizing will have on physically frail people or those with emotional difficulties that may not be so apparent or is not easily documented.

HUD RULE---GREATER HARDSHIP

The HUD rule imposed on low and middle income tenants who experienced a substantial decrease in income and rent due to job loss, medical conditions and other crisis in their lives compounds the hardships already described. The HUD rule requires tenants in this category to pay substantially more than 30% of their income for rent permanently, which exceeds federal housing affordability standards. Due to a job loss resulting in a substantial decrease in my income and rent, HUD permanently penalized me by requiring that I pay 37% of my limited fixed income from Social Security Disability (SSD) for rent. Many other tenants in Independence Plaza and other housing complexes subjected to this onerous HUD rule pay over 50% of their income for rent. The loss of financial resources that downsizing will require will deplete and substantially diminish the very limited amount of money that I have to live on after paying 37% of my income for rent. Those paying 50% of income for rent and more will also experience extreme hardship by the cost of moving and loss of possessions.

OVER HOUSED –HUD DEFINITION TREATS TENANTS WITH LITTLE DIGNITY

In addition, HUD's claim that one person in a one bedroom is over sized is unreasonable, unfair and disrespectful to tenants. We deserved to be treated with dignity, as other tenants of higher incomes are treated in the city. Treating low income tenants with such little dignity reflects poorly on how HUD and city agencies such as HPD view low income tenants. It seems HUD, HPD and other government bodies view low income tenants as disposable objects that can easily be moved from place to place in order to meet any gaps in funding. ONE PERSON IN ONE BEDROOM IS REASONABLE AND HUMANE—IT IS NOT OVER HOUSING. We are NOT disposable objects that government can push from place to place—We are human beings and demand to be treated as such.

FUNDING GAPS—NEED A MORATORIUM

I find it incomprehensible that there are no other sources of funding to meet budget gaps, given the tremendous waste of money in our city and the nation,--including corruption in housing agencies, corporate tax give aways, excessive military spending etc. etc. Saving money off the backs of tenants and pushing them out of homes they have lived in for years, invested and taken pride in, does not make sense and is inhuman. Our New Mayor, Bill De Blasio, says he opposes down sizing and will attempt to stop this from happening. In addition, many of our own politicians have informed us that down sizing will not significantly impact the HPD budget.

FOR THE RECORD

Therefore, I urge government agencies put a moratorium on all downsizing until alternative funds are found. The deleterious impact on tenants will be too large a risk--

Thank you for your consideration

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 3/9/14

(PLEASE PRINT)

Name: Stephanie Johnson

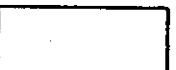
Address: 470 Second Ave

I represent: Julie Cohen

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition to Downsizing

Date: 4/09/2014

(PLEASE PRINT)

Name: Tuck MILLIGAN

Address: 175 West 87th St. #26 G, NYC 10024

I represent: Tenants Alliance of Glenn Gardens

Address: c/o Milligan 175 W 87th St. NYC 10024

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Cecil House

Address: _____

I represent: NMCHA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Carolyn Jasper

Address: _____

I represent: NYCHA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Tina Lam

Address: _____

I represent: NYCHA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Mayzabeth Lopez

Address: _____

I represent: GOLES GOOD OLD LOWER

Address: 173 Ave B. EAST SIDE

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Jessica Welt

Address: 201 Vanck St.

I represent: Rep. Jerrold Nadler

Address: 201 Vanck St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Borough President Gale Brewer

Address: 1 Centre St. 19/FI.

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Diane Stein

Address: 40 Harrison St., #15A, NY, NY 10013

I represent: Independence Plaza (former M-L)

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Vicki Bean

Address: _____

I represent: HPD

Address: 100 Gold Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Laurie LoPrimo

Address: _____

I represent: HPD

Address: 100 Gold Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KEVIN Kurywczak

Address: 400 2nd Ave New York N.Y. 10010

I represent: LISA MARIE DELgado

Address: 484 2nd Ave N.Y. N.Y. 10016

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Hafeesa Nettle

Address: 470 2ND AVE 17B

I represent: KIPS BAY - Painswick

Address: 470 2ND AVE 17B

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-9-14

(PLEASE PRINT)

Name: MARIO CONTI

Address: 480 2ND AVE 26A

I represent: KIPS BAY COURT T. A.

Address: 480 2ND AVE 10016

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-9-14

(PLEASE PRINT)

Name: MICHAEL SOBOL

Address: 510 SECOND AVE APT. 2F

I represent: KIPS BAY COURT (DOWNSIZING)

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/13

(PLEASE PRINT)

Name: JULIE COHEN

Address: 470 SECOND AVENUE 42nd Fl

I represent: KIPS BAY COURT TENANTS ASSN

Address: 5th Fl

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: LINDA NICHOLAS

Address: 520 Second Ave - 18D NY

I represent: Kips Bay Court

Address: 520 Second Ave NY NY 10016

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JANICE STARKES

Address: 480 Second Ave # 4F

I represent: Kips Bay Court

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-9-14

(PLEASE PRINT)

Name: CARMEN MORALES

Address: 1763 2nd Ave, Apt. 26G, NYC 10012

I represent: Knickerbocker Plaza Tenant

Address: As above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: VALERIE BROOKS

Address: 333 LAFAYETTE AV

I represent: HOUSING ALLIANCE AGAINST DOWNSIDING

Address: 310 GREENWICH ST ^{2/F} NY 10013

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4-9-14

(PLEASE PRINT)

Name: RITA POPPER

Address: 1751 2nd Ave., Apt. 14C NYC 10012

I represent: KPTA, HAAD

Address: (as above)

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: Christina Parisi

Address: 11651 Third Ave # 311 New York, NY 10128

I represent: Rep. Carolyn Maloney

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9

(PLEASE PRINT)

Name: Wendy Milligan

Address: NY NY

I represent: CD-Rep H-CAD

Address: NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9

(PLEASE PRINT)

Name: Susan Marans

Address: NY NY

I represent: H-CAD & Expanded Voucher Tenant

Address: NY NY

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: ELLEN DAVIDSON to Lucy Newman

Address: _____

I represent: The Legal Aid Society

Address: 199 WATER ST NY NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Christophe Lamb

Address: _____

I represent: Legal Services NYC

Address: 40 Water St, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 4/9/14

(PLEASE PRINT)

Name: CONSTANTINE HARRISON

Address: 520 2ND AVE # 21A 10016 NY

I represent: TENANTS

Address: 520 2ND AVE NYC 10016

Please complete this card and return to the Sergeant-at-Arms