

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND BUILDINGS

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March 11, 2024

Start: 1:13 p.m.

Recess: 6:34 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

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

COUNCIL MEMBERS:

Shaun Abreu

Alexa Avilés

Eric Dinowitz

Oswald Feliz

Crystal Hudson

Lincoln Restler

OTHER COUNCIL MEMBERS ATTENDING:

Gale A. Brewer

Jumaane Williams, Public Advocate

A P P E A R A N C E S

Adolfo Carrión, Jr., Commissioner at New York City Department of Housing Preservation and Development

Ahmed Tigani, Chief Diversity Officer and First Deputy Commissioner at New York City Department of Housing Preservation and Development

Gardea Caphart, Deputy Commissioner for Finance and Administration at New York City Department of Housing Preservation and Development

Kim Darga, Deputy Commissioner for Development at New York City Department of Housing Preservation and Development

AnnMarie Santiago, Deputy Commissioner for the Office of Enforcement and Neighborhood Services at New York City Department of Housing Preservation and Development

James Oddo, Commissioner at New York City Department of Buildings

Gus Sirakis, Deputy Commissioner for Technical Affairs and Strategic Initiatives at New York City Department of Buildings

Guillermo Patino, Deputy Commissioner for Policy and Legal Affairs at New York City Department of Buildings

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

Gina Ugarte, Assistant Commissioner for Financial Management at New York City Department of Buildings

Laura Popa, Deputy Commissioner for Sustainability at New York City Department of Buildings

Yegal Shamash, Chief Structural Engineer and Assistant Commissioner for Structural Engineering Compliance at New York City Department of Buildings

Adriene Holder, Legal Aid Society

Runa Rajagopal, The Bronx Defenders, Legal Service Providers

Ami Shah, Legal Service Providers

Barika Williams, Executive Director of the Association for Neighborhood and Housing Development

Shakima Gillings, self

Gabriela Sandoval Requena, Director of Policy and Communications at New Destiny Housing

Pascalle Leone, Executive Director of the Supportive Housing Network of NY

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

Viviana Gordon, Director of Planning and Implementation at the Center for Justice Innovation

James Dill, Executive Director of Housing and Services, Inc.

Paula Segal, Staff Attorney in the Equitable Neighborhoods Practice of TakeRoot Justice

Colin Kent-Daggett, Advocacy Coordinator and Paralegal with the Housing Rights Team at TakeRoot

Wendell Walters, Manager of Policy and Advocacy at the Osborne Association

Memo Salazar, Co-Chair of the Western Queens Community Land Trust

Elana Wood, Housing Director at Housing Works

2 SERGEANT-AT-ARMS: Check one, two, three,  
3 check, check on the Committee of Housing and  
4 Buildings in the Committee Room on March 11, 2024,  
5 recorded by Patrick.

6 SERGEANT-AT-ARMS: Good afternoon and  
7 welcome to the New York City Council's hearing on  
8 Housing and Buildings.

9 At this time, we ask that you silence all  
10 electronic devices.

11 At no time is anyone to approach the  
12 dais. If you have any questions during the hearing,  
13 please see the Sergeant-at-Arms.

14 Chair, we are ready to begin.

15 CHAIRPERSON SANCHEZ: [GAVEL] Good  
16 afternoon and welcome to this afternoon's hearing of  
17 the Committee on Housing and Buildings on the Fiscal  
18 2025 Preliminary Budget and the Fiscal 2024  
19 Preliminary Mayor's Management Report. I am Council  
20 Member Pierina Sanchez, the Chair of the Committee on  
21 Housing and Buildings, and I would like to  
22 acknowledge that I am joined today by Council Members  
23 Brewer, Hudson, Dinowitz, and Abreu. We're also  
24 joined by Public Advocate Jumaane Williams.

2 New York City is facing its worst  
3 affordability crisis and decades driven in large part  
4 by housing costs. As the cost of rent and housing  
5 skyrocket, working- and middle-class New Yorkers who  
6 have been here for generations who have helped to  
7 build our city are struggling to remain in their  
8 homes. Last week, we had a hearing on the City's  
9 Housing and Vacancy Survey. The most recent findings  
10 highlight a vacancy rate of 1.4 percent, the lowest  
11 on record. The findings also highlight what I  
12 understand and what we can understand as a hyper-  
13 gentrification of New York City, one like we've never  
14 seen before with working-class and low-income  
15 families leaving our city while being replaced by  
16 higher-income households earning over 200,000 dollars  
17 per year. In my District, 61 percent of renters are  
18 rent-burdened meaning that they're paying more than  
19 30 percent of their monthly income in rent. The  
20 housing stock is also falling apart. More than 55 of  
21 every 100 units in my District has a code violation  
22 and, across the city, CSS, Community Service Society,  
23 estimates that over 100,000 families in 10,000  
24 buildings are living with multiple conditions that  
25 are hazardous to their health and safety. At today's

2 Preliminary Budget hearing, we will first hear from  
3 the Department of Housing Preservation and  
4 Development and then the Department of Buildings and  
5 finally the public at 4:30 p.m.

6           HPD is responsible for maintaining  
7 buildings, building and resident safety and health,  
8 creating opportunities for New Yorkers through  
9 housing affordability, and engaging New Yorkers to  
10 build and sustain our neighborhood strength and  
11 diversity. As such, the agency's budget is a  
12 reflection of our City's commitment to tackling the  
13 housing crisis. HPD's Fiscal 2025 Preliminary Budget  
14 totals 1.79 billion, 373.4 million greater than at  
15 Fiscal 2024 at budget adoption due to additional  
16 emergency shelter responsibilities for asylum  
17 seekers. HPD's actual Fiscal 2025 agency budget when  
18 pass-through funding for NYCHA is removed, however,  
19 is 1.57 billion. The Fiscal 2025 Preliminary  
20 Financial Plan includes 15.7 million in Programs to  
21 Eliminate the Gap, or PEGs, in Fiscal 2024 and 110.4  
22 million in Fiscal '25. When removing the 98.9 million  
23 asylum seeker PEG in Fiscal 2025, the pass-through  
24 PEGs to NYCHA, HPD receives 9.1 million in City  
25 funding reductions over Fiscals '24 and '25. While it

2 is positive that these cuts were not deeper and did  
3 not remove headcount, it is noteworthy that almost  
4 all of these PEGs are at the expense of the  
5 Administration's own Housing Blueprint Initiatives.  
6 There are cuts to programs that combat source-of-  
7 income discrimination, prevent tenant harassment  
8 through Partners in Preservation, and support  
9 homeowners through the Homeowner Helpdesk. The  
10 Committee is interested in learning more about the  
11 trajectory of Housing Blueprint Initiatives and what  
12 the department is doing to limit for their delays to  
13 its own plan for tackling the housing crisis and,  
14 unfortunately, it is clear that the housing crisis is  
15 deepening. The State was unable to negotiate a major  
16 housing production deal last year or extend new  
17 tenant protections. The Housing Vacancy Survey, as I  
18 mentioned, published last month revealed startling  
19 facts about the depths of the City's current  
20 affordable affordability crisis. Among the units  
21 renting for 1,100 or less, the HVS found a tiny  
22 vacancy rate of only 0.39 percent. Even among units  
23 renting for under 2,400 dollars, which would require  
24 a 96,000-dollar annual income to be affordable at 30  
25 percent of your income. There is less than a 1



percent vacancy rate. As a result, the multiracial working class is being driven out of New York with 200,000 black New Yorkers, nearly one-tenth, leaving over the past two decades. HPD is at the center of the City's plan to build and preserve affordable housing and neighborhoods. While gratefully HPD has increased the headcount over the past year by 214 positions, kudos, to 2,461 active positions as of the end of January 2024, internal capacity for inspection, development, and especially for preservation remain overstretched. The Council invites closer collaboration to build more deeply affordable and supportive housing while extending more affordable homeownership opportunities. It is positive that the Administration raised its previous target of 18,000 units starts to 20,000 starts, but this is still below the target of 25,000 units from the prior Administration. New Yorkers simply need more affordable housing as soon as possible. Further, capital investments are needed. When removing capital funding for RAD/PACT at NYCHA, HPD's Five-Year Capital Plan totals 8.84 billion, which is about 70 percent of the 12.5 billion five-year capital target the Mayor promised for HPD as a candidate in 2021.

2 Now that the Administration has canceled the  
3 Executive Plan PEG, I hope to hear more about new  
4 capital and expense investments planned for HPD. You  
5 know, the Council has our own ideas that we want to  
6 work with you on. Whether in preservation, new  
7 construction, inspections, supportive housing, or new  
8 responsibilities caring for asylum seekers, HPD has  
9 substantial tasks in front of you. Although they are  
10 challenging, the Committee stands ready to support  
11 ambitious initiatives that will set New York City on  
12 a path to meeting our goals. I look forward to  
13 hearing from the Commissioner and HPD leadership on  
14 how we can collaborate to make a real difference for  
15 New Yorkers.

16 Thanks once again to the Committee Staff  
17 who have helped prepare this hearing, Dan Kroop, our  
18 Principal Financial Analyst; Jack Storey, our Unit  
19 Head; Chima Obichere, Deputy Director in the Finance  
20 Division; Taylor Zelony, Austin Malone, Jose Conde,  
21 Andrew Bourne, Brooke Frye, and Reese Hirota in the  
22 Legislative Division and, on my team, Sam Cardenas,  
23 my Chief-of-Staff; Kadeem Robinson, Legislative  
24 Director; Magaly Mendez, Adrian Cacho, Maria  
25 Villalobos, Paola Olivo (phonetic), Gerard Fernandez,

2 and our 12 community interns, shout out to our Chief  
3 for making that happen.

4 Finally, a reminder for members of the  
5 public who would like to testify, please fill out a  
6 witness slip with the Sergeant-at-Arms so that we can  
7 include you in the speakers list. I'll now pass it to  
8 our Public Advocate to make some introductory  
9 remarks.

10 PUBLIC ADVOCATE WILLIAMS: Thank you very  
11 much, Madam Chair. As I mentioned before, my name is  
12 Jumaane Williams. I'm the Public Advocate for the  
13 City of New York. Thank you very much to Chair  
14 Sanchez and Members of the Committee on Housing and  
15 Buildings for holding this hearing and allowing me  
16 the opportunity to provide a statement. Just first,  
17 before I even get to this statement, and before the  
18 statement was written this morning there, was an  
19 announcement of an arrest of Daniel Ohebshalom so I  
20 just wanted to congratulate HPD and the  
21 Administration. I did read in your press release that  
22 there was a reference to his name being on lists of  
23 worst landlord. I'm sure it was unintentional  
24 omission, but those lists are the Public Advocate's  
25 list, and so we're very proud of those and he was on

1 the list for many years and number one two years in a  
2 row and, as I said before, I don't think anything's  
3 going to change until arrests are made or buildings  
4 are taken away, and I'm glad to see the  
5 Administration is moving in the right direction.

6  
7           New York City's housing crisis has  
8 progressively worsened over the past couple of years  
9 with the COVID-19 pandemic exacerbating it in every  
10 aspect. Our housing agencies have faced high  
11 attrition rates with the Department of Housing and  
12 Preservation Development, HPD, losing nearly a third  
13 of its full-time employees, many of whom were  
14 experienced staff in the period between April 2020  
15 and October 2022. As of January 2024, the vacancy  
16 rate for HPD was 7.7 percent, accounting for 205  
17 positions. While there are clear indications that HPD  
18 has rebounded from pandemic low production in Fiscal  
19 Year '23, which we're happy about, rising from the  
20 low point of the previous Fiscal Year, staffing  
21 shortages continue to negatively impact the agency's  
22 capacity. The average time for capital project  
23 completion has increased as well as median time for  
24 application approval in the housing lottery, up to  
25 192 days from the previous median of 88, leaving

1 affordable units sitting empty for months on end. I  
2 know we'll be speaking about DOB later, but I'd like  
3 to say the vacancy rate of 5.6, the Department of  
4 Building, DOB, face similar staffing challenges,  
5 having met only 43 percent of its goals in the first  
6 few months of Fiscal Year '24. From building and  
7 parking lot collapses to dangerous crane incidences,  
8 there is a concerning trend in overall infrastructure  
9 and building safety. According to the Preliminary  
10 Mayor Managed Report, enforcement inspections fell  
11 4.3 percent even as development inspections completed  
12 roles by 9.5 percent. DOB also issued fewer  
13 violations and average wait times for construction  
14 and plumbing inspections increased as a result of  
15 ongoing budget constraints and staffing shortages.  
16 Finally, I want to highlight a trend in all five  
17 boroughs, fires and crippling infrastructure. The  
18 Bronx in particular has experienced many tragedies  
19 due to landlord abandonment and neglect, and it's no  
20 surprise that these fires are taking place in  
21 communities of more color. There's also been an  
22 increase in lithium-ion battery fires throughout the  
23 city. In 2022, these batteries caused 220 fires and  
24 six deaths and, in 2023, they caused 243 fires and 17  
25

1 deaths and 124 injuries. The most recent lithium-ion  
2 battery fire that took place last month in Harlem  
3 caused the death of Fazil Khan, a young journalist,  
4 was truly a tragic incident that could have been  
5 prevented. It is critical that we maintain the ample  
6 funding that provides these vital services to  
7 residents that survived the fire. In addition, we  
8 need more inspectors in both HPD and DOB who can  
9 identify violations that could potentially cause  
10 collapses and fires and further address emergency  
11 complaints. It just shows how the type of cuts that  
12 we've heard about before really impact people's  
13 lives. I hope during today's hearing, the  
14 Administration will provide more information on the  
15 issues I highlighted in my statement. We cannot have  
16 unsafe and weakened infrastructure that puts New  
17 Yorkers at risk every day. I also like to know if the  
18 Administration plans to end the hiring freeze and  
19 meet the goal of fully staffed HPD and DOB. We do  
20 know for any housing plan to be successful,  
21 Preservation has to be a large part of it, and that  
22 means making sure we're taking care of the  
23 infrastructure. Thank you so much. Appreciate it.  
24

2 CHAIRPERSON SANCHEZ: Thank you so much,  
3 Public Advocate, for all the things you said. Before  
4 I turn it over to our Committee Counsel, I also want  
5 to highlight, I hear there's an echo, Sergeants, I  
6 don't know. Is this better? Oh, no. How about this  
7 one? All right. This is what we're going to do, I'm  
8 going to move over one of my 25 screens. Okay. Thank  
9 you.

10 Before I turn it over to Committee  
11 Counsel, I also want to highlight that this morning  
12 prior to this hearing, the Progressive Caucus joined  
13 by elected officials from all across the city, our  
14 Borough Presidents, our Public Advocate, the  
15 Comptroller, many Members of this Council, labor  
16 organizations, and affordable housing advocates  
17 across the City of New York, we announced the Homes  
18 Now, Homes for Generation Campaign, which calls for a  
19 2-billion-dollar investment separate and apart from  
20 investments currently in the Capital Plan, a 2-  
21 billion-dollar capital investment to quadruple the  
22 City's investments in affordable homeownership and  
23 make good on the City's promise to prevent the  
24 displacement of thousands of tenants by preserving  
25 rent-stabilized units. Specifically, we're looking to

2 increase funding for the Open Door program, which  
3 finances new construction of multi-family shared  
4 equity cooperatives and the Neighborhood Pillars  
5 program, which I know HPD loves. Neighborhood Pillars  
6 helps community organizations, including M/WBE  
7 developers, acquire and rehabilitate for-profit owned  
8 housing, and I will leave it at that and hope to hear  
9 commentary on these two existing initiatives at HPD  
10 and if the Administration has a perspective at this  
11 time on this ambitious but doable proposal that we  
12 can achieve in collaboration. Thank you. I will now  
13 turn it over to our Committee Counsel.

14 COMMITTEE COUNSEL: Thank you. Please  
15 raise your right hand.

16 Do you affirm to tell the truth, the  
17 whole truth, and nothing but the truth before this  
18 Committee and to respond honestly to Council Member  
19 questions?

20 COMMISSIONER CARRIÓN: I do.

21 DEPUTY COMMISSIONER CAPHART: I do.

22 FIRST DEPUTY COMMISSIONER TIGANI: I do.

23 COMMITTEE COUNSEL: Thank you. You can  
24 begin.



2 COMMISSIONER CARRIÓN: Is this my signal  
3 to begin, Chair?

4 CHAIRPERSON SANCHEZ: Yes.

5 COMMISSIONER CARRIÓN: Good afternoon,  
6 Chair Sanchez, Chair Brannan in absentia at the  
7 moment, Members of the City Council of this  
8 Committee, Public Advocate Williams. Let me just  
9 pause for a moment and say thank you to you for the  
10 worst landlords list. I guess you'll see later in the  
11 news some talk about this, but the work that you do  
12 is resulting in the kind of outcomes that we're  
13 looking for New Yorkers so thank you.

14 I'm Adolfo Carrión, Jr. Commissioner of  
15 the New York City Department of Housing Preservation  
16 and Development, and I'm joined by members of our  
17 agency's senior leadership team sitting here at the  
18 dais as well as sitting behind me. We have with me at  
19 the dais First Deputy Commissioner Ahmed Tigani and  
20 Deputy Commissioner for Finance and Administration  
21 Gardea Caphart. As Commissioner, but more importantly  
22 as a lifelong New Yorker, it is my honor to testify  
23 before you today on HPD's Fiscal Year 2025 budget. It  
24 is also my responsibility to tell you New York City's  
25 housing crisis is at its worst point in over 50

1 years, putting the city we know and love in serious  
2 trouble. This crisis is deeply personal to me. My  
3 family moved from a basement apartment in a tenement  
4 building in Williamsburg in the 1960s into an  
5 apartment in NYCHA's Jacob Reese Houses on the Lower  
6 East Side just a decade after my parents arrived from  
7 Puerto Rico. From there, we moved to a federally  
8 supported new development on 12th Street and Avenue C  
9 in Loisaida. Eventually, we were able to squirrel  
10 away enough savings to buy a home in the Northeast  
11 Bronx through a Federal Housing Administration  
12 supported mortgage so, for folks like me and my  
13 family, this crisis, and this budget, isn't really  
14 about numbers at all. It's about the people who make  
15 a home in our city, who raise their children and  
16 grandchildren here, who raise their prospects for a  
17 better and brighter future. Behind all the numbers we  
18 share with you today isn't just the bricks we lay and  
19 the homes we build, it's about the children,  
20 families, working people, older New Yorkers who live  
21 in your Districts and on your blocks, the people who  
22 are counting on the City of New York to create,  
23 preserve, and protect their homes.

2           For decades, we've talked about a housing  
3 crisis. For many, the term may have started to lose a  
4 sense of urgency, but the New York City housing  
5 crisis is more real, more relevant, and more dire  
6 than ever before. If you're wondering why am I  
7 starting with a warning today, instead of diving  
8 straight into the numbers, it is because I want to  
9 make crystal clear that our single biggest motivator,  
10 the driving force behind our budget decisions and  
11 budget requests, is the need to solve the housing  
12 crisis not in the future, not in the next budget  
13 cycle, but this year, in this budget. As we testified  
14 before you last week, we recently released the latest  
15 New York City Housing and Vacancy Survey, the longest  
16 running housing survey in the country. The survey  
17 measures, among other things, the number of homes  
18 available for rent, a data point called the "vacancy  
19 rate." Anything 5 percent or less can be considered a  
20 housing emergency. A vacancy rate under 2 percent is  
21 deeply troublesome. New York City's vacancy rate is  
22 now an alarming 1.41 percent, the lowest recorded  
23 since 1968. That means at the time of the survey, for  
24 the more than 2.3 million renter households, there  
25 were only about 33,000 homes available for rent. This

2 isn't just a faceless statistic. It's a harsh reality  
3 for the diverse and vibrant communities who call this  
4 city home. It means families have little to no  
5 choice, working people are forced to live in  
6 apartments they can't afford, older New Yorkers and  
7 those with disabilities can't easily find accessible  
8 homes and, as a City, it means our economic and  
9 cultural potential is harmed as middle- and low-  
10 income people are forced out.

11           The Mayor set a moonshot goal of 500,000  
12 homes created and preserved over the next decade  
13 because that's what it will take to solve the housing  
14 shortage and homelessness crisis, and we are moving  
15 full-steam ahead to make this a reality. In the past  
16 two years, the City broke record after record to  
17 create and preserve as many homes as possible while  
18 getting people into apartments as quickly as  
19 possible. In Calendar Year 2023, we closed on  
20 financing for the creation of an all-time record-  
21 breaking 14,227 newly constructed affordable homes.  
22 We also directly connected more New Yorkers to homes  
23 than ever before, bringing nearly 13,000 households  
24 into affordable units this past Calendar Year. Nearly  
25 10,000 of those connections were through our Housing

Connect lotteries. Another 3,000 households left shelter to move into HPD homeless set-aside units, a creation of this Body by the way, an increase of more than 30 percent from 2022 to 2023. Overall, HPD and our partner, the Housing Development Corporation, financed a total 27,911 units in Calendar Year 2023 through new construction and preservation projects, an increase of 80 percent from Calendar Year 2022. We focused on new homes for the most vulnerable New Yorkers, setting records by creating 3,926 new homes for New Yorkers who had experienced homelessness and 1,670 new supportive homes with restricted rents and supported by social services. Despite immense challenges, every team at HPD with our partners at HDC are working tirelessly, and it's making a difference for the people we serve, the people who depend on us. We are optimistic, but we are not declaring victory. These milestones are important and mean we are helping New Yorkers, more vulnerable families, more individuals that will benefit from supportive services, and more older New Yorkers than we have in the past, but the need continues to be great.

2           When it comes to working with this  
3 Council to solve the housing crisis, I am lifted up  
4 by the success we've shared. Together, we've moved  
5 new projects through the Land Use review process,  
6 we've approved tax abatements that ensure long-term  
7 affordability for thousands of families, we've  
8 invested in rehabilitation efforts that will  
9 stabilize some of our most distressed buildings, and  
10 we've advanced the Fair Housing Framework with you  
11 that will improve access and equity in the city. In  
12 fact, after the last two years, I am optimistic. This  
13 year, we are going to need the full court press. To  
14 win, to create a city where all our friends and  
15 neighbors can build lives, raise families, and grow  
16 old, we can't sit back and wait on defense. We need  
17 to create more tools. We need to find more  
18 opportunities. We collectively will need to be more  
19 proactive. We will need to work together to convert  
20 the resources in our 2025 Fiscal Year budget into  
21 housing wins citywide. Like any good team, we need a  
22 shared understanding of the resources and challenges.

23           On that front, I want to start with some  
24 key numbers:

2 1.79 billion: HPD's Fiscal Year 2025  
3 total expense budget.

4 1.57 billion: HPD's operational and  
5 programmatic budget. The remaining 217 million serves  
6 simply as a pass-through for the New York City  
7 Housing Authority.

8 20-plus: The number of individual funding  
9 sources that flow into HPD's budget.

10 762.3 million: a significant, almost  
11 half, of the City's own resources that go into our  
12 budget.

13 2,660: The number of full-time staff on  
14 HPD's budget. This includes 356 staffers dedicated to  
15 building and preserving affordable homes, 380  
16 inspectors and inspector supervisors keeping our city  
17 safe, 225 positions still remain open, and our  
18 current staff vacancy rate is down to 8.4 percent.

19 12 million dollars is the budget that  
20 supports our Neighborhood Planning teams, serving as  
21 a lifeline for neighborhoods to make sure that new  
22 affordable housing works for our host communities.

23 126 million is the budget for our  
24 Enforcement and Neighborhood Services teams, the  
25 backbone of safety and security for our communities.

2 Our inspectors ensure that every family can lay their  
3 heads down in a home that offers safety, warmth, and  
4 hopefully prosperity.

5           677 million: The budget for our Housing  
6 Access teams who provide subsidies, placement  
7 services, and tools that connect New Yorkers to  
8 affordable housing and ensure vulnerable households  
9 in subsidized housing have the support they need to  
10 be safely housed.

11           We're going to stay laser-focused on our  
12 mission to create and preserve affordable homes,  
13 especially for vulnerable, low- and middle-income New  
14 Yorkers. We're constantly working to find ways to  
15 finance deeper affordability and to partner with  
16 community partners to provide wraparound services to  
17 better serve New Yorkers. Our development team is  
18 currently comprised of more than eight teams, who are  
19 working on hundreds of projects, everything from  
20 converting hotels and commercial buildings into  
21 affordable homes to helping homeowners create safer  
22 basements to rent out at affordable rates.

23           Communities are central to developing  
24 solutions for the future of their neighborhoods. We  
25 aren't just here to build homes and protect tenants.



2 We are also deeply committed to helping to build  
3 communities and support the New Yorkers who are the  
4 backbone of our city. That means real on the ground  
5 neighborhood planning in our host communities. HPD's  
6 Office of Neighborhood Strategies and partner City  
7 agencies are working with communities throughout the  
8 city to plan for the preservation and development of  
9 affordable housing in a manner that fosters  
10 equitable, diverse, and livable neighborhoods. In the  
11 next year, we're working with the Department of  
12 Environmental Protection to develop a comprehensive  
13 vision for the Jewel Streets neighborhood in East New  
14 York that will pair planned investments in green  
15 infrastructure with new housing and community  
16 amenities in a neighborhood that had been forgotten  
17 and ignored by past Administrations. We are advancing  
18 affordable housing projects on multiple public sites  
19 across the city, putting into motion a significant  
20 piece of Mayor Eric Adams' 24 in 24 Plan announced in  
21 his recent State of the City address. Through the 24  
22 in 24 Plan, we, along with our partners at NYCHA,  
23 EDC, and the New York Public Library are advancing 24  
24 affordable housing projects on public sites in 2024  
25 that will ultimately create or preserve over 12,000

2 housing units. The development of these sites will be  
3 guided by robust community engagement that ensures  
4 local priorities are at the forefront of every public  
5 site project.

6 Our Enforcement and Neighborhood Services  
7 team almost never gets the acclaim that they deserve,  
8 but they truly are the unsung heroes keeping tenants  
9 safe. Each day, our team responds to housing  
10 complaints and issues violations, holding landlords  
11 accountable. By intensifying our focus on self-  
12 closing doors, thanks to this Body, and fire safety  
13 protocols, inspections yielded a significant increase  
14 in violations, issuing nearly 50,000 in just FY23.  
15 Our team also intervenes to make emergency repairs  
16 when landlords fail to address hazardous conditions,  
17 prioritizing the health and safety of New Yorkers.  
18 Through litigation efforts, including securing orders  
19 to correct, and civil penalties, which were  
20 referenced before, the appointment of 7A  
21 administrators or even jail time when warranted, have  
22 enforced the laws against some of the most notorious  
23 landlords. Just this morning, we announced that New  
24 York City's worst landlord will soon be arrested. HPD  
25 secured a warrant for his arrest and commitment to

2 civil jail for notorious landlord Daniel Ohebshalom  
3 for neglecting two Washington Heights buildings with  
4 700 open violations and dangerous conditions and,  
5 just for the record, this only represents a small  
6 portion of his portfolio. We continue to escalate  
7 enforcement at Ohebshalom's other properties as well  
8 as against any landlord who thinks they can flout the  
9 law. This Administration prioritizes health and  
10 safety of tenants, escalating action against  
11 negligent landlords to the full extent of the law. We  
12 encourage you all to find out more our efforts  
13 through our new ABCs of Housing, and we look forward  
14 to bringing this information about tenants' rights,  
15 owner responsibilities, and all of the City's  
16 resources to tenants and property owners as we engage  
17 in our HPD In Your District outreach this summer,  
18 which we encourage you to sign up. We'll talk about a  
19 little bit of that later.

20           Regarding the management of our property,  
21 as you know, we are also a landlord in the City of  
22 New York. Our Division of Asset and Property  
23 Management is responsible for ensuring the longevity  
24 and affordability of units the agency has created and  
25 preserved. We don't own those. We're focused on

2 proactively identifying at-risk buildings and  
3 portfolios to stabilize struggling and mismanaged  
4 assets. The Division tracks real-time information on  
5 the physical and financial condition of properties.  
6 This tracking is used as an early warning system to  
7 detect and mitigate potential risks to buildings.  
8 Working with owners, partners, and the Office of  
9 Development, the Division helps reposition projects  
10 using a variety of approaches including financial  
11 assistance, management changes, and sometimes  
12 ownership changes. We also oversee the Tenant Interim  
13 Lease Program, which trains and assists tenant  
14 associates in City-owned buildings to develop  
15 economically self-sufficient low-income housing  
16 cooperatives, not to mention the important and  
17 severely under-funded portfolio of City-sponsored  
18 Mitchell-Lama developments. HPD and HDC continue to  
19 work to address the rehabilitation needs of the aging  
20 Mitchell-Lama stock and preserve the long-term  
21 affordability of all remaining City Mitchell-Lama  
22 units.

23 I'm nearing closing by offering an  
24 invitation to you. Even with our budget requests met,  
25 we can't win this fight without legislative changes

2 at both the City and State levels. New York City's  
3 supply of available housing simply cannot keep up  
4 with the demand to live here so we need your help to  
5 approve new tools and land-use changes. Here at home,  
6 we need the City Council and our neighbors to help  
7 create a City of Yes for Housing, a set of zoning  
8 changes we can make happen at the City level to  
9 create a little more housing in every neighborhood.  
10 City of Yes focuses on tailored policies to support  
11 more housing, from the highest-density to lowest-  
12 density areas. Taken together, these small changes  
13 will have a big impact on New Yorkers' housing needs  
14 without over-burdening any one area's infrastructure  
15 or creating the dramatic change that New Yorkers  
16 often fear. Approving this citywide change to what is  
17 and isn't allowed to be built here stands as a  
18 critical step toward creating a healthier housing  
19 market. Amid this challenging landscape, we extend a  
20 heartfelt plea to each one of you and your Colleagues  
21 to stand with us to pass comprehensive legislation at  
22 every level of government to help create new homes.  
23 Changes in State law would encourage new affordable  
24 housing construction to alleviate the shortage of  
25 homes and support middle- and low-income families. In

2 Albany, we must create a new affordable housing tax  
3 incentive, facilitate office conversions for  
4 affordable homes, create safe basement apartments,  
5 and remove the cap on floor-area-ratio to allow for  
6 the construction of more affordable homes. In  
7 Washington, we need congress to act with urgency and  
8 do everything in their power to provide the federal  
9 resources to tackle our growing affordable housing  
10 crisis. While we were relieved to see Congress  
11 marginally spare our most critical federal housing  
12 programs from drastic cuts in the Fiscal Year '24  
13 spending deal, these federal investments are vastly  
14 insufficient obviously to meet the affordable housing  
15 needs of New Yorkers. More must be done. First, the  
16 Senate must follow the House's lead and immediately  
17 pass the Tax Relief for American Families and Workers  
18 Act, which includes two critical affordable housing  
19 tax provisions that could help finance an additional  
20 4,400 affordable homes in New York over just the next  
21 two years alone. Also, our Congressional leaders must  
22 pass Fiscal Year '25 spending bills with the highest  
23 levels of funding possible for the federal housing  
24 programs our City needs and depends on to continue  
25 building and maintaining our affordable housing

2 stock. As we grapple with the economic pressures and  
3 the stark reality of a 1.4 percent vacancy rate, we  
4 must remember that solutions are within reach. It  
5 should come as no surprise that any New Yorker who  
6 has needed a new apartment, struggled to pay rent, or  
7 to make ends meet could tell you that there aren't  
8 enough homes here. Let's transform our experiences  
9 into a force for change. Let's champion policies that  
10 pave the way for a city where everyone, regardless of  
11 income, can find solace, stability, and a place to  
12 call home. This might be the city that never sleeps,  
13 but together we can make sure it's also a city where  
14 everyone has a safe, stable, and affordable home to  
15 lay their head at night.

16 Thank you, and I look forward to trying  
17 to best answer your questions today.

18 CHAIRPERSON SANCHEZ: Thank you so much,  
19 Commissioner. No offense to anyone, but that was  
20 probably the best remarks that I've heard at a budget  
21 hearing in my little 10 years, but my 10 years in the  
22 Council...

23 COMMISSIONER CARRIÓN: Thank you, Madam  
24 Chair.

2 CHAIRPERSON SANCHEZ: And in the City  
3 government so thank you for that...

4 COMMISSIONER CARRIÓN: Thank you.

5 CHAIRPERSON SANCHEZ: Very comprehensive  
6 overview. First, just a statement that is certainly  
7 just coming from me in this moment, but I know many  
8 of my Colleagues on the Council agree with here in  
9 solving the affordable housing crisis together, the  
10 Council with the Administration, the City with the  
11 State, and with the Federal Government. We must work  
12 together, and it's a yes/and approach, and I often  
13 talk about it in terms of clothes, you don't walk out  
14 the door in the morning, you don't just put on your  
15 shoes and then you're like, great, let's go, right?  
16 That's similarly...

17 COMMISSIONER CARRIÓN: That would be  
18 interesting, yeah.

19 CHAIRPERSON SANCHEZ: That's similarly the  
20 kind of approach that we need to take in terms of  
21 tackling the housing crisis. One that is talking  
22 about increasing supply, using the tools that we have  
23 and the best ways that we can use them, one that is  
24 talking about protecting tenants and, of course, one



2 of that is helping New Yorkers to be able to stay and  
3 afford their homes.

4 First, I just wanted to make that  
5 position statement and then, in terms of the policies  
6 that you highlight in Albany, this Council has  
7 provided resolutions in support of many of these  
8 topics, office conversions for affordable homes,  
9 basement apartments, we've introduced, although it  
10 didn't quite get to pass I don't believe, removing  
11 the cap on the floor-area-ratio. I introduced that  
12 legislation in the last cycle, and so there's a lot  
13 of alignment that I want to highlight between the  
14 Council and the Administration in terms of what we do  
15 need to see. When it comes to the topic of an  
16 Affordable Housing Tax Incentive, the replacement  
17 program for 421-A, I think I speak for several, if  
18 not many, of my Colleagues here that we really do  
19 need to see the affordable component here in the  
20 deeply affordable component here highlighted. We  
21 can't just give away taxpayer money, your money, the  
22 public's money in return for not the affordability  
23 levels that we need. The lowest income New Yorkers  
24 are leaving us and so how can we shape that program

2 to help that part of the crisis? Thank you,  
3 Commissioner.

4 My first question, and then I want to  
5 turn it over to my Colleagues who may have schedules  
6 that don't allow them to stay as long as I will, but  
7 my first question is regarding the Mayor's moonshot  
8 goal of creating 500,000 units of housing over the  
9 next decade. The State has not yet passed major  
10 housing enabling legislation as we just highlighted.  
11 Meanwhile, the housing vacancy survey does reveal  
12 that the vacancies in New York City are at historic  
13 lows, with less than 1 percent of apartments renting  
14 at prices under 2,400 dollars per month. HPD's  
15 Capital Budget is the key place in City funds to  
16 create this urgently needed affordable housing, and  
17 so I want to ask the question of what are we talking  
18 about here in terms of the Mayor and the  
19 Administration's perspective where public dollars are  
20 involved, what share of the 500,000 new homes target  
21 will be financed by HPD through the Capital Budget.

22 COMMISSIONER CARRIÓN: Thank you, Madam  
23 Chair. I'm glad you started your remarks and preview  
24 to your question sort of emphasizing the notion of  
25 partnership, because I think that is clearly what

2 it's going to take, and when I referred to that  
3 partnership and in my prepared remarks, you saw there  
4 that I talked about the State and the Federal  
5 Government as partners in this process. If we step  
6 back a little bit and look at the whole pie and,  
7 maybe just for a moment, think about the conversation  
8 that has taken place as we've been climbing out of  
9 this pandemic into a post-pandemic economy, this  
10 recovery, the Governor offered a bold 800,000 for the  
11 state. New York City is the economic engine of this  
12 state and the global city in America, and so our  
13 share of that 800,000 is a half a million units, and  
14 you could almost say it's half a million units at a  
15 minimum that we need to keep this economy thriving  
16 and to keep that open invitation to the world to come  
17 here and participate in the global city so when you  
18 look at that whole pie, and there are many estimates,  
19 there was a lot of traffic and a lot of conversation  
20 around 500,000 units and is it 400,000, is it  
21 600,000? A ballpark 500,000 units that would allow us  
22 to keep up with population growth and stay  
23 competitive is a responsible target for our City to  
24 set. I'm just want to recognize the Mayor's  
25 leadership in that conversation. Our share of that

2 500 is a thin slice as is our production of housing  
3 in the normal cycle without a 500,000-unit goal.

4 We've got 2 million apartments right now in New York  
5 City, in the rent-stabilized and free market

6 universe. We've talked about the amazing vacancy rate  
7 that we're facing. If you estimate the number of

8 units that we are able to produce just with the City  
9 resources, with subsidy, with the low-income housing

10 tax credits that are available to us that are very  
11 limited, we do about anywhere between 10,000 and

12 12,000 new construction units every year and about

13 20,000 to 25,000 units of total new construction and  
14 preservation of existing housing. Last year we had a

15 banner year. A lot of that production leaned on the  
16 tax incentive. Half of the new construction, just

17 about half of the new construction numbers, the

18 record 14,227, was a result of a public-private

19 partnership, back to the theme of partnership. We've

20 seen a severe drop-off in new permits for

21 construction as a result of the sunseting of that

22 public-private partnership tax incentive for

23 affordable housing. We need to make sure that gets

24 restored, and you referred to a menu of legislation

25 and other tools that we're trying to employ to

2 address this crisis, whether it's commercial  
3 conversions, whether it's lifting the FAR, whether  
4 it's legalizing basements and there's hundreds of  
5 thousands of New Yorkers who that we're guesstimating  
6 live in basements that are in dangerous conditions  
7 that have no rights and no supports. We need to do  
8 that, but one of our most important tools is this  
9 public-private partnership. It's been the most  
10 productive public-private partnership for creating  
11 affordable housing anywhere in the country. It's a  
12 model that has been replicated in other  
13 municipalities around the country, and so the  
14 question for us this year is can we get the  
15 leadership from the State legislature and the signals  
16 that I hear are good signals. We were up there last  
17 week, twice. I was encouraged to see some of your  
18 Colleagues, Members of the City Council, walking the  
19 halls asking for support for New York City, which is  
20 great. It was the SOMOS caucus weekend. There were  
21 Members of the City Council up there talking about  
22 housing. We need all of these tools to be able to  
23 produce more housing. The City of New York cannot do  
24 it alone so we're going to need our State and Federal  
25 partners to pitch in far more, and I talked a little

2 bit about what the federal government can do to help  
3 us in that regard.

4 CHAIRPERSON SANCHEZ: Oh, it's still on.  
5 Great.

6 COMMISSIONER CARRIÓN: And no feedback.

7 CHAIRPERSON SANCHEZ: No feedback. Yeah,  
8 and I wasn't whispering other things that I shouldn't  
9 be.

10 Thank you, Commissioner. To extrapolate  
11 and simplify, but please correct me if this is not a  
12 fair summary, HPD can finance close to, you had a  
13 record 14,000 new construction financed in the last  
14 year, and if you extrapolate that and maybe put a  
15 little buffer, we're talking about 120,000 publicly  
16 financed affordable units out of the 500,000. Would  
17 that be fair to say?

18 COMMISSIONER CARRIÓN: If you do that  
19 simple math, yes. However, I would not want to attach  
20 myself to that number because my hope is that with a  
21 new tax incentive, we get more private investment  
22 coming into more neighborhoods and high-cost areas of  
23 the city that allow New Yorkers the fair housing  
24 choice opportunities that that they need, the more  
25 deeply affordable housing opportunities that they

2 need. If we unleash the federal side of this with the  
3 low-income housing tax credit, there's that 50  
4 percent test that I think everybody knows now what it  
5 is. I heard at a public meeting, somebody talking  
6 about the 50 percent test and it was just like a  
7 regular person from the crowd. Right now, we have an  
8 opportunity to reduce that to 30 percent. It's in the  
9 bill. If we're able to do that, it's going to unleash  
10 thousands of units, at least 4,400 in the next two-  
11 year cycle. Just multiply that over several times. We  
12 also have launched some initiatives that are yet to  
13 be tested. I think at one of the hearings, if I  
14 remember correctly watching from a distance, we  
15 talked about the mixed-income market initiative,  
16 which is a tool with no tax credits, and it's a new  
17 idea. We're looking for new ideas to build affordable  
18 housing even without the tools that we have. We want  
19 to let the market do some of that and that program  
20 would be a 70 percent affordable, 30 percent market.  
21 The 30 percent market would help to cross-subsidize  
22 the 70 percent affordable so everything is on the  
23 table, and I want to be able to say that we could  
24 have a bigger share of the half a million, but it's

2 going to require a lot of tools and a lot of  
3 creativity.

4 CHAIRPERSON SANCHEZ: Thank you,  
5 Commissioner. I want to note that last time that 421-  
6 Aa expired in 2017, we saw a similar phenomenon where  
7 construction starts and permit applications and all  
8 of that did grind to a halt and, as soon as the State  
9 government re-upped 421-A, we saw a bounce back, so I  
10 do want to just state that as a caution to make sure  
11 that we get it right, to make sure that the policy is  
12 the right policy to deliver the affordability that we  
13 need as a city and not just a policy that is rushing  
14 to incentivize any construction. We should pay for  
15 the kind of construction that we need to see. Thank  
16 you.

17 My next question is, I'm a broken record  
18 and, Commissioner, you used to represent District 14  
19 so you can particularly understand my focus on the  
20 lowest income New Yorker, so the most recent Housing  
21 Vacancy Survey found a 1.4 percent vacancy rate, but  
22 a functional vacancy rate of zero when it comes to  
23 the lowest rent units, and there's a highlight that  
24 families earning 25,000 dollars or less, 90 percent  
25 of those, if they receive no subsidy or no other



2 supports, are housing cost burdened. 25,000 for a  
3 family of three, that's an AMI of about 20 percent.  
4 Focusing and zooming in on that AMI of 20 percent,  
5 can you share what the agency is doing in particular,  
6 and I asked a version of this question last week, but  
7 what is the agency doing in particular to reach the  
8 20 percent of AMI households and, with respect to the  
9 Tax Relief for American Families and Workers Act that  
10 is considering reforms to the LIHTC program, is the  
11 City fighting for and is our federal delegation  
12 fighting for us to be able to finance deeper levels  
13 of affordability through LIHTC than we can currently  
14 do right now?

15 COMMISSIONER CARRIÓN: I think it's  
16 important and it deserves repeating that the lion's  
17 share of the housing that we build is for low-income  
18 households. In fact...

19 CHAIRPERSON SANCHEZ: I'm sorry,  
20 Commissioner, when you say low-income households...

21 COMMISSIONER CARRIÓN: Yeah, no, I'm going  
22 to get into that.

23 CHAIRPERSON SANCHEZ: Define, please,  
24 thank you.

2                   COMMISSIONER CARRIÓN: Better than 90  
3 percent of the housing that we finance, new  
4 construction and preservation, is households 80  
5 percent of AMI and below but, if you go down to 50  
6 percent AMI and below, the share of the housing that  
7 we produce is still better than two-thirds dedicated  
8 to those households and, if you go down even further  
9 to 30 and 40 percent AMI, you're still talking about  
10 4 out of every 10 units that we produce going to  
11 extremely low-income and very low-income households,  
12 which are below 50 percent of AMI. A large share of  
13 that is households between 0 and 30 percent of AMI.  
14 Then, of course, we're constantly advocating for more  
15 support for vouchers for people who have little-to-no  
16 income to cover that part of the demographics of the  
17 city, and maybe First Deputy Commissioner Tigani can  
18 talk a little bit about some of the work we do at  
19 that lower end of the spectrum.

20                   FIRST DEPUTY COMMISSIONER TIGANI: Yeah, I  
21 would just add that for our vouchers that we use to  
22 commit to our extra low, most vulnerable families, we  
23 see up to 98 percent of our vouchers are targeted at  
24 40 percent and below, which allows us to take that  
25 combination of federal tax dollars, remember the low-

2 income housing tax credit benefit is actually geared  
3 to 80 percent and below and us to drive and use  
4 capital dollars to ensure we're building our ELLA  
5 projects, our extra low and low-income projects. We  
6 couple that with the strength that comes from the  
7 federal subsidy to drive that down and allows us to  
8 go forward, and that's why you see 42 percent of our  
9 subsidized production serving up to 30 percent of  
10 AMI. In addition, we have a commitment to serving  
11 those who are vulnerable and in our homeless  
12 shelters. The bill that was passed by the Council  
13 that moved forward a policy that HPD had beforehand  
14 to make sure that we were creating housing for  
15 homeless New Yorkers continues to be a very critical  
16 piece of our work. In addition to those commitments  
17 in our term sheet, we often talk to developers about  
18 volunteering more units, and we see them come to the  
19 table. We're creating more units for homeless New  
20 Yorkers and, on this part, we continue to work around  
21 the processes to speed up the placement of those New  
22 Yorkers into that housing. Our toolkit for funding is  
23 geared toward the extra low and low-income housing.  
24 We couple that with the voucher support that allows  
25 us to dig deep into the 30 and 40 percent AMI level,

2 and we have our homeless New Yorker set-aside  
3 commitments that allow us to make sure that we're  
4 serving every portion of our vulnerable families and,  
5 again, this allows us still to continue to help  
6 middle and moderate-income New Yorkers who are also  
7 feeling the crunch of the housing crisis. We look to  
8 this as the baseline and, as the Commissioner said,  
9 we're thinking about other ideas to make that even a  
10 stronger strategy.

11 CHAIRPERSON SANCHEZ: Thank you. Thank  
12 you, Commissioner and First Deputy Commissioner. I'll  
13 say I'd love to see a breakout of the number of  
14 families served at 0 to 10 percent of AMI, 10 to 20  
15 percent of AMI, layering the voucher supports and  
16 everything else that you've mentioned and, yes,  
17 always welcome partnership to get those affordability  
18 levels deeper.

19 I now want to turn it over to Council  
20 Member Hudson to ask her questions.

21 COUNCIL MEMBER HUDSON: Thank you so much,  
22 Chair, and hello, Commissioner. About housing  
23 production, how long is HPD's new construction  
24 pipeline as measured in average time from proposal to  
25

2 closing or start to finish, and how long is the  
3 preservation pipeline using the same measure?

4           COMMISSIONER CARRIÓN: These are startling  
5 numbers and statistics that you've heard and we all  
6 read about and talk about online, offline. It's a  
7 constant churn for us because there's anxiety about  
8 trying to get to solve the problem. With the limited  
9 resources that we have and the different factors that  
10 factor into production timelines, a project can go  
11 from anywhere to being delivered in one year to being  
12 delivered in excess of five years and sometimes  
13 significantly more. The factors that go into that are  
14 the conditions of the site, is it part of a rezoning,  
15 is there use of low-income housing tax credits in the  
16 deal, is it supportive housing, are there multiple  
17 partners, does the development team get through a  
18 review process that is pretty rigorous quickly so it  
19 really can vary, and then there's the backdrop of the  
20 competition, which is, and we'll probably talk about  
21 this a little bit later, but there's 750 projects in  
22 the pipeline, 300 new construction and 450  
23 preservation deals.

24           COUNCIL MEMBER HUDSON: Sorry, 750 in the  
25 pipeline, 300 under construction?

2 COMMISSIONER CARRIÓN: 300 new  
3 construction deals.

4 COUNCIL MEMBER HUDSON: Okay.

5 COMMISSIONER CARRIÓN: And that's pretty  
6 much around today. There'll probably be more  
7 tomorrow, but...

8 COUNCIL MEMBER HUDSON: And 450  
9 preservation?

10 COMMISSIONER CARRIÓN: 450 preservation  
11 deals, and every preservation deal is complicated.  
12 Our team on the preservation side really was impacted  
13 by COVID and we lost a lot of folks, so those deals  
14 also take time and they're often not simple deals.

15 COUNCIL MEMBER HUDSON: I understand  
16 firsthand. I have a number of those projects in my  
17 District, and we're certainly trying to get them  
18 closed and worked on as quickly as possible. How many  
19 not-for-profit developers work on affordable housing  
20 projects in HPD's pipeline?

21 COMMISSIONER CARRIÓN: We have a pretty  
22 robust partnership with non-profits. We've dedicated  
23 some specific programs and objectives to them as  
24 community partners, as partners who have  
25 relationships and host communities, and we consider

2 your Districts and the neighborhoods within those  
3 Districts, host communities. We've dedicated the New  
4 York City Acquisition Fund to minority and women-  
5 owned business enterprises and non-profits to help  
6 them acquire land. The exact share, number of non-  
7 profits. Maybe Ahmed, I know you in your work with  
8 neighborhood planning.

9 FIRST DEPUTY COMMISSIONER TIGANI: We  
10 don't have the exact number of non-profits. I will  
11 say that on our public land deals going back at least  
12 the last seven or eight years, we're seeing 83  
13 percent inclusion in the development partnership  
14 since we changed our rules to require that every  
15 public site that's designated includes M/WBE or non-  
16 profit. Obviously, we have 100 percent compliance  
17 with that. Additionally, we're working not only with  
18 the non-profits individually in our new construction,  
19 we have our Supportive Housing RFQ where we're  
20 lifting up and highlighting those partners to  
21 ensuring we have good partners on our supportive  
22 housing projects. I think we're also working with  
23 groups like the JOE that maximize the efficiency and  
24 power of non-profits and so, between setting up the  
25 acquisition fund to put them in a stronger position,

2 using our public land to make sure that they have a  
3 committed seat at the table, plus continuing to work  
4 with them on new models that enhance their work on  
5 with the JOE or looking at CLTs, there are a lot of  
6 different ways that we're trying to increase their  
7 participation.

8 COUNCIL MEMBER HUDSON: Got you. Sorry, I  
9 have several questions so I want to try to make sure  
10 I can get through them. Regarding ANCP, may I  
11 continue? Thank you. ANCP and TIL I have one TIL  
12 building in my District. I know there are plenty  
13 other TIL and ANCP buildings across the city, but how  
14 many ANCP projects does the Fiscal '24 through '28  
15 Capital Commitment Plan support, and what projects  
16 are closing next in the pipeline?

17 COMMISSIONER CARRIÓN: I'll give a little  
18 context and maybe we can have somebody fill in the  
19 blanks on the details, and we do have our Deputy  
20 Commissioner for Development here who's got her  
21 finger on the pulse daily. Kim Darga might want to  
22 join us here. Thank you, Kim. I just want to say  
23 about ANCP. When I walked in the door 26 and a half  
24 months ago and I heard about where we were, I'll  
25 spare you the expletives, but in the 1980s, I worked



2 on a TIL building in Williamsburg as a graduate  
3 student. You would think that by now we would have  
4 completed these deals. We've done a lot. We'll get  
5 you the numbers. We've done a lot. There are about 78  
6 remaining deals, but we're starting to see the  
7 closings happen. I made it my mission and we made it  
8 our mission as an agency to educate the public and  
9 educate you, the Members of the City Council about  
10 the efficacy of this homeownership opportunity for  
11 folks in that there was a lot of misinformation that  
12 was being bandied about this program. To the people  
13 who have closed on those deals, they're very happy  
14 and they're encouraged and they're now homeowners and  
15 now they're essentially ambassadors for the program  
16 because it works. Where in God's good earth are you  
17 going to get an apartment in New York City for 2,500  
18 and own it? And if you are below 80 percent of AMI,  
19 you'll get it for 250 dollars as originally intended.  
20 Nowhere. It's absurd that this is not seen as a  
21 fantastic thing that should be hurried up and closed,  
22 and so we're doing that. Details from the Deputy  
23 Commissioner.

24 CHAIRPERSON SANCHEZ: Sorry, before you  
25 answer, let (INAUDIBLE) swear you in.

2 COUNCIL MEMBER HUDSON: Oh, they have to  
3 swear you in first.

4 COMMITTEE COUNSEL: Please raise your  
5 right hand.

6 Do you affirm to tell the truth, the  
7 whole truth, and nothing but the truth before this  
8 Committee and to respond honestly to Council Member  
9 questions?

10 DEPUTY COMMISSIONER DARGA: Yes.

11 COMMITTEE COUNSEL: Thank you.

12 DEPUTY COMMISSIONER DARGA: I think the  
13 Commissioner pretty much covered it. We actually did  
14 some pretty substantial programmatic changes last  
15 year. We were seeing some concerns by residents about  
16 the program terms, concern about private debt, and so  
17 we have modified some of those program terms to  
18 address those issues, and we also had a lot of  
19 staffing changes over the last couple years that  
20 slowed things down. We have 75 buildings remaining,  
21 and we are hoping now that we have mostly rebuilt the  
22 team and that we have modified the terms that we'll  
23 be able to make some good progress. We are trying at  
24 this point in time to prioritize the projects or the  
25 buildings where residents have been relocated the

2 longest so that they can get back to their buildings  
3 quicker.

4 COUNCIL MEMBER HUDSON: Okay. Great. Thank  
5 you. I'm just going to skip to some other questions  
6 in the interest of time, but how much funding does  
7 the administration currently anticipate allocating to  
8 the Neighborhood Pillars and Open Door programs?

9 COMMISSIONER CARRIÓN: You want to handle  
10 that? Our Deputy Commissioner for Finance and  
11 Administration.

12 DEPUTY COMMISSIONER CAPHART: Thank you,  
13 Council Member, for that question. For the Open Door  
14 program in our Capital Budget right now, we have over  
15 the 10-Year Capital Plan, we have about 474 million  
16 in Capital Budget for the Open Door program. For  
17 Pillars, we don't have any active projects under  
18 Pillar yet, but that's something we are still in  
19 conversations about and looking to relaunch that  
20 program.

21 COUNCIL MEMBER HUDSON: Sorry, you said  
22 that was across which Fiscal Years?

23 DEPUTY COMMISSIONER CAPHART: Over the 10-  
24 Year Plan from Fiscal Year '24 to Fiscal Year '33.

2 COUNCIL MEMBER HUDSON: Okay. The  
3 Neighborhood Pillars program has been put on the back  
4 burner and has preserved less than 400 units since it  
5 launched in December 2018. Are there plans to scale  
6 up this program?

7 DEPUTY COMMISSIONER CAPHART: We're in  
8 conversations right now and looking to relaunch this  
9 program. We don't have details on that yet, but the  
10 details will be forthcoming.

11 COUNCIL MEMBER HUDSON: Okay, great. Thank  
12 you. Thank you so much, Chair. Appreciate it.

13 CHAIRPERSON SANCHEZ: Thank you so much,  
14 Council Member Hudson. I'd just like to acknowledge  
15 that we've been joined by Council Members Brewer,  
16 Restler, and Feliz, and next I'll turn it over to  
17 Council Member Brewer for questions followed by  
18 Council Member Dinowitz.

19 COUNCIL MEMBER BREWER: Thank you very  
20 much. Just picking up on the TIL question, because I  
21 spent some time on that in the past. How do you make  
22 sure as you go through this that the individuals who  
23 are buying it for 2,500 or 250 aren't going to get  
24 stuck with a big mortgage? Has that not been true in  
25 terms of the ones that have been converted? You have

2 to deal with, the mortgage is going to be for the  
3 construction and whatever else, you got perhaps a  
4 private mortgage and perhaps the HPD, and how does  
5 that keep the maintenance down in the future?

6 COMMISSIONER CARRIÓN: Thank you. Thank  
7 you.

8 COUNCIL MEMBER BREWER: That's what people  
9 are concerned about and that's why they're not moving  
10 forward.

11 COMMISSIONER CARRIÓN: Thank you. Thank  
12 you, Council Member, for the question. I know you've  
13 been advocating on this for a long time, yeah. The  
14 structure of the deals is to maintain affordability,  
15 especially for the original shareholders who come in  
16 under that notion. These are math problems like any  
17 other real estate deal, right? They have to work, and  
18 so the deals are structured in a way where the  
19 buildings can assume to have income to cover all the  
20 costs for that service and operating costs so that's  
21 the underlying assumption, that's the structure of  
22 the deal, and it maintains that integrity throughout  
23 its life.

24 COUNCIL MEMBER BREWER: Okay. Without  
25 getting into all the details, a lot of people don't

2 agree with that, and so you're going to continue to  
3 have these challenges, and the vacant apartments get  
4 sold for a higher amount to be able to deal with the  
5 original but, in my opinion, when you go down that  
6 road, you're going to end up with, in the end, a non-  
7 affordable future housing stock. I'm just saying, at  
8 least in Manhattan because the higher, I'm shocked at  
9 who's buying some of these vacant units. Brokers are  
10 moving them, not individuals who need them, I think  
11 you need to re-look at this TIL issue, I'm just  
12 saying.

13 COMMISSIONER CARRIÓN: Yeah and, as you  
14 heard Deputy Commissioner Darga say, we addressed  
15 some of those core issues so that we can ensure  
16 affordability long-term...

17 COUNCIL MEMBER BREWER: Okay.

18 COMMISSIONER CARRIÓN: For the  
19 shareholders.

20 COUNCIL MEMBER BREWER: We'll see what  
21 Alicia thinks of it. (INAUDIBLE) not happy still.  
22 Okay.

23 COMMISSIONER CARRIÓN: I'm going to say it  
24 for the record and I'll poke the lion. They have  
25 advanced misinformation about this program.

2 COUNCIL MEMBER BREWER: Okay.

3 COMMISSIONER CARRIÓN: We are trying to  
4 counter-educate and counter-inform and deal with that  
5 misinformation.

6 COUNCIL MEMBER BREWER: Okay. Number two  
7 is just 7A. What's the status of that program now  
8 because I know it plays a role, but the reason I ask  
9 is how many still in effect. You do have quite a few  
10 buildings that I think maybe that were on the list  
11 that the Public Advocate puts out every year where it  
12 could be used. I just was wanting the status and just  
13 AEP in general.

14 COMMISSIONER CARRIÓN: On AEP, we select  
15 the 250 buildings...

16 COUNCIL MEMBER BREWER: Right. That was my  
17 law.

18 COMMISSIONER CARRIÓN: As you guys  
19 directed, right? The most distressed buildings  
20 citywide each year. This last, 17th, round was just  
21 released at the end of January. We have 250  
22 buildings, more than 7,600 units. Most apartments  
23 ever included in a single round which is about a 35  
24 percent increase from 4,900 in the past, 53,000  
25 violations they address, almost 16,000 of them are

2 class C violations, which are health, life, and  
3 safety, the most important ones. There's about 3.6  
4 million dollars owed in emergency repair related  
5 arrears by some of these buildings, and 42 were in  
6 litigation prior to being selected for the program.  
7 It's aggressive. It continues to be aggressive. It's  
8 important for our Administration.

9 COUNCIL MEMBER BREWER: Then this is my  
10 non-knowledge, but so they are run by you, by an  
11 administrator, when the AEP kicks in, who runs those  
12 buildings? Who's the management? Do you take them  
13 over? Does a 7A take them over? How does that work?

14 COMMISSIONER CARRIÓN: The 7A is a  
15 separate program. I don't know...

16 COUNCIL MEMBER BREWER: A separate  
17 program, yeah.

18 COMMISSIONER CARRIÓN: The Deputy  
19 Commissioner for Enforcement is here. Maybe she can  
20 help. We have AnnMarie Santiago, who everybody knows.  
21 She's a regular.

22 COUNCIL MEMBER BREWER: Everybody knows  
23 her.

24 COMMISSIONER CARRIÓN: She's got a  
25 greatest hits for the City Council hearings.



2 COMMITTEE COUNSEL: Please raise your  
3 right hand.

4 Do you affirm to tell the truth, the  
5 whole truth, and nothing but the truth before the  
6 Committee and to respond honestly to Council Member  
7 questions?

8 Yes, I do.

9 COMMITTEE COUNSEL: Thank you.

10 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
11 Council Member Brewer. Yes, as the Commissioner  
12 started to say, AEP and 7A are two separate programs.

13 COUNCIL MEMBER BREWER: I know.

14 DEPUTY COMMISSIONER SANTIAGO: In AEP, the  
15 owner continues to own the building and manage the  
16 building day-to-day. The difference in 7A is the  
17 owner still does own the building, but a 7A  
18 administrator is appointed for the day-to-day  
19 management and to do the major repairs.

20 COUNCIL MEMBER BREWER: How many seven  
21 days do you have now, do you think?

22 DEPUTY COMMISSIONER SANTIAGO: We have  
23 about 27, I believe, active 7As or 24 active 7As, and  
24 we have many in progress. As you probably know, it  
25 takes a long time going through the courts to get the

2 appointment so we do have more than 20 active cases  
3 right now.

4 COUNCIL MEMBER BREWER: In terms of the  
5 AEP, how long does it take, maybe there's no average,  
6 but to get the building back in track so that I guess  
7 you pull out of it and the owner stays, how long does  
8 that take? That's a lot of units, 7,600.

9 DEPUTY COMMISSIONER SANTIAGO: That is the  
10 most units we've ever had, Council Member, and it is  
11 going to be a challenge for us this year.  
12 Historically speaking, about 50 percent of the  
13 buildings get out within the first four months. If  
14 you recall in AEP, there's an incentive of inspection  
15 fees that starts kicking in after a certain period of  
16 time, and about half of the buildings get themselves  
17 discharged, they address all the violations or 80  
18 percent of the violations, there is a criteria for  
19 discharge, they have to be registered, they have to  
20 pay their fees, and the other half stay in the  
21 program past that at which point, as I mentioned,  
22 they get fees imposed, they have an order to do  
23 larger types of corrective action so this round,  
24 we're going to have to wait and see. There are a lot  
25 of challenging buildings in this round.

2 COUNCIL MEMBER BREWER: Are there  
3 vacancies that could be used for those who are  
4 unhoused? Is that something that is part of this  
5 program or are they mostly completely tenanted?

6 DEPUTY COMMISSIONER SANTIAGO: Again, an  
7 AEP, the owner still owns the property and handles  
8 any vacancies associated with that.

9 COUNCIL MEMBER BREWER: So you couldn't  
10 put in some stipulation that in addition to the fines  
11 that you're not paying because you haven't fixed up,  
12 you could also be mandated to house people who are  
13 unhoused?

14 DEPUTY COMMISSIONER SANTIAGO: I don't  
15 know of any current enforcement programs that have  
16 that type of stipulation, Council Member, but  
17 certainly we can take your question back.

18 COUNCIL MEMBER BREWER: Okay. Now the  
19 other thing, we have disagreements in this room, but  
20 Mitchell-Lamas. Article 2 to 11, I am not for the  
21 Cadman Plaza proposal, I am not for that change,  
22 which I know HPD likes, but I'm worried about the  
23 Mitchell-Lama program staying as is in order to  
24 continue for the future. What's your stance on that?

2           COMMISSIONER CARRIÓN: The Mitchell-Lama  
3 program is one of the most successful historically,  
4 and we're committed to supporting it. We've got 93  
5 developments. I think it's about 47,000 households,  
6 about 85,000 New Yorkers that live in it. Two thirds  
7 of the Mitchell-Lamas are co-ops as you know.

8           COUNCIL MEMBER BREWER: Yeah, I want to  
9 keep them like that, but they'd love in some cases to  
10 go out of the program?

11           COMMISSIONER CARRIÓN: Yes. We definitely  
12 want to keep affordability and affordable  
13 homeownership and the original intent of the program,  
14 and I'll just say that I was encouraged today to see  
15 the conversation shifting up in the New York State  
16 Senate.

17           COUNCIL MEMBER BREWER: Right, I saw that.  
18 They want to build Mitchell-Lama 2.0 on state land.

19           COMMISSIONER CARRIÓN: Yes, and I think  
20 that would be helpful and it would speak back to what  
21 the Chair started the hearing earlier on, which is  
22 how do we get to half a million units. Every tool,  
23 including a Mitchell-Lama 2.0, we would be certainly  
24 interested in hearing what the State has to say,

2 obviously we need more detail, but it was very  
3 encouraging to see that today.

4 COUNCIL MEMBER BREWER: Okay, Wards  
5 Island, you know where Wards Island is.

6 COMMISSIONER CARRIÓN: I certainly do.

7 COUNCIL MEMBER BREWER: Okay, that's City  
8 and State. We could have Mitchell-Lama 2. 0, 3. 0, 4.  
9 0, I don't care, that entire island could be housing,  
10 but has to be..

11 COMMISSIONER CARRIÓN: Mitchell-Lama on  
12 steroids over there.

13 COUNCIL MEMBER BREWER: Yes, I have  
14 legislation to say do that, just so you know. I think  
15 that would be the only land left in the Borough of  
16 Manhattan, and it would be a great, along with the  
17 hospital and other, I know there are issues. I know  
18 what's there, the Fire Department, Help USA, etc.,  
19 but that's something to think about. You have big  
20 pictures? That's a big picture.

21 COMMISSIONER CARRIÓN: We welcome the  
22 opportunity to discuss those ideas.

23 COUNCIL MEMBER BREWER: My last proposal,  
24 what about Harborview? 124 units. Que pasa?

2 FIRST DEPUTY COMMISSIONER TIGANI: On  
3 Harborview, we are working with NYCHA on their larger  
4 development plan. This is one of their  
5 considerations. They are working through different  
6 projects. We understand it's a priority for you, and  
7 we've talked to them about working to get back to you  
8 with an answer.

9 COUNCIL MEMBER BREWER: You, he, and I  
10 have had the same conversation for 20 years. I just  
11 want to let everybody know. Thank you.

12 COMMISSIONER CARRIÓN: And let me just  
13 say, Madam Chair, on any individual district-specific  
14 projects. We welcome the opportunity to host Members  
15 at the office, to go to the District. Many members,  
16 I've walked through the streets of your District  
17 already with you or hosted briefing sessions at our  
18 office. We roll out the maps, we roll out the tables,  
19 we look at where the opportunities are, where the  
20 trouble is. We're taking a very proactive, hands-on  
21 approach to working with you all.

22 COUNCIL MEMBER BREWER: Harborview.

23 COMMISSIONER CARRIÓN: Harborview, yes.

24

25

2 CHAIRPERSON SANCHEZ: Thank you. Council  
3 Member Brewer, I think that was somewhat support for  
4 the Wards Island proposal. Was it?

5 COUNCIL MEMBER BREWER: State Land.

6 CHAIRPERSON SANCHEZ: State Land. State  
7 Land. Thank you. Thank you, Commissioner.

8 I'd now like to turn it over to Council  
9 Member Dinowitz.

10 COUNCIL MEMBER DINOWITZ: Thank you,  
11 Chair. Good afternoon. Thank you. I think, you did  
12 the same thing earlier?

13 COMMISSIONER CARRIÓN: Lost track of time.

14 COUNCIL MEMBER DINOWITZ: We lose track. I  
15 got so excited when Council Member Brewer brought up  
16 Mitchell-Lamas that I lost track of time.

17 I want to talk a little bit about  
18 Mitchell-Lamas and then my other favorite subject,  
19 bedrooms.

20 I'm looking at the Mayor's Management  
21 Report, and it says preservation, starts in  
22 preservation, completions, and affordable units. Are  
23 your Mitchell-Lama apartments ones that you consider  
24 when you consider your portfolio of affordable  
25 housing?

2 COMMISSIONER CARRIÓN: Yes.

3 COUNCIL MEMBER DINOWITZ: Okay, and can  
4 you talk a little bit about what you mean by  
5 preservation of those units?

6 COMMISSIONER CARRIÓN: Whenever a project  
7 that has a history with us, a Mitchell-Lama  
8 obviously, 93 of those developments in New York City  
9 do. There are State Mitchell-Lamas as well. Whenever  
10 they get to a critical point where they need to  
11 refinance, where they need the famous rent increases  
12 that they ask for, by the way, FYI, because they need  
13 to keep up with costs, whenever their financing  
14 sunsets and they are looking to make improvements  
15 into the future and remortgage those improvements and  
16 that modernization, they often come to us and we  
17 participate in the preservation deals as a lender and  
18 often as an equity capital...

19 COUNCIL MEMBER DINOWITZ: So it's solely  
20 financial though, is when you say preserve affordable  
21 units, you're talking about financial.

22 COMMISSIONER CARRIÓN: And on the renter  
23 side, we enter into regulatory agreements, anybody  
24 correct me if I'm wrong, to keep the rent units  
25 affordable.



2 COUNCIL MEMBER DINOWITZ: I just want to  
3 talk about that, the keep affordability, because  
4 that's a phrase you use, and preserving affordable  
5 units doesn't just mean the existence of affordable  
6 units deemed affordable. We've been through this  
7 before at hearings when one of my rental units, Tracy  
8 Towers, is facing 22 percent rent increases and  
9 Cannon Heights in my district, 44 percent to 70  
10 percent, depending on the maintenance that you're  
11 looking at, that to me does not indicate  
12 affordability. Those units still exist but, on top of  
13 that, the conditions of the building are almost  
14 unlivable. At Tracy Towers, they have always had one  
15 broken elevator that when one gets fixed, another  
16 breaks, there are holes in the ceiling, as I've  
17 mentioned before, it took them months to get the  
18 batteries changed in the smoke detector in their  
19 community room, which I would think, given the fire  
20 situation, that would be a basic thing. Have any more  
21 efforts been made to preserve, not just the existence  
22 of units you deem affordable, but the actual  
23 affordability of these units with better financing  
24 loans, cash infusion into the investments into our  
25 affordable housing.

2 COMMISSIONER CARRIÓN: Let me just frame  
3 this a little bit. I want to pass it over to the  
4 First Deputy Commissioner to give a little more  
5 texture, but the rents in Mitchell-Lamas are  
6 affordable rents by almost any standard. The reason  
7 that some of these large increases happen is because  
8 of delayed increases in rent.

9 COUNCIL MEMBER DINOWITZ: Sorry, so I just  
10 have to pause there because that may be partially  
11 true, but that's also a different answer than was  
12 given to us, which is that insurance costs...

13 COMMISSIONER CARRIÓN: No, no, I was going  
14 to, I was going to put some more onto that, right?

15 COUNCIL MEMBER DINOWITZ: I just jumped  
16 the gun there.

17 COMMISSIONER CARRIÓN: Yeah, the cost of  
18 insurance has exploded. In your District in  
19 particular, one development went from an insurance  
20 premium of 200,000 dollars a year to an annual  
21 insurance premium of 900,000 dollars a year in one  
22 year, in one year, which raises a whole other issue  
23 about insurance costs and the insurance industry and  
24 what we ought to be doing to deal with that, and we  
25 look forward to coming back outside of a Fiscal Year

2 '25 Budget hearing and thinking out loud with you  
3 about that, but the costs have gone up. The income in  
4 these Mitchell-Lama developments has not increased,  
5 and there's been often a refusal to accept increases  
6 and then when the development does come to us, the  
7 ask is so large for the catchup that it's really  
8 sticker shock, but Ahmed, do you want to add anything  
9 to that?

10 FIRST DEPUTY COMMISSIONER TIGANI: Very  
11 quickly, I'll say when we're talking about  
12 preservation, it's not simply financial in terms,  
13 right? We are using Housing Choice federal vouchers  
14 in order to keep people in place. We're dealing with  
15 the distress that comes from either legal mandates,  
16 sustainability, energy, proactive changes so we have  
17 green energy term sheets that they can put on top of  
18 other preservation term sheets in order to not only  
19 bring in dollars to repaired buildings but extend the  
20 affordability so we continue those affordable homes.  
21 We are also looking at ways that housing supervision  
22 can help if there are other costs. We are often  
23 working closely with the property management or the  
24 boards as they have inquiries from the outside to  
25 figure out how the government can help them

2 triangulate those issues, whether it's utility costs,  
3 whether it is mandates or requirements from other  
4 agencies, we provide a technical resource as a  
5 partner to those boards and the property management  
6 so we're thinking about how we can talk them through  
7 and work through mandates.

8 COUNCIL MEMBER DINOWITZ: I want to pause.  
9 I know a lot of work's done but, this in particular,  
10 these buildings have been going on years, and it is  
11 wonderful to hear that you want to sit down and talk  
12 about insurance, for example, but this was something  
13 I've been raising for years, and you are a City  
14 agency. If insurance is an issue, this is something  
15 that I've been speaking to HPD about for years, and  
16 there's no reason why those conversations shouldn't  
17 have been happening years ago as we started to see  
18 increases in insurance, and the result is, as many  
19 programs as you say exist, we have issues accessing  
20 those programs. SCRIE was one of the programs you  
21 said, well, just sign up for SCRIE, which you know  
22 only serves a few people, a handful of people.

23 COMMISSIONER CARRIÓN: Thank you for what  
24 you did, by the way, on SCRIE.

2 COUNCIL MEMBER DINOWITZ: Thank you for  
3 saying that, but there was resistance to doing that,  
4 trying to streamline that in the recent law that we  
5 passed.

6 FIRST DEPUTY COMMISSIONER TIGANI: Sir,  
7 just real quick. On the insurance piece we actually,  
8 just to be clear, we are actively talking (INAUDIBLE)  
9 we're working with partners in the private sector,  
10 especially in the affordable housing sector with  
11 recently thought about ideas in which the City and  
12 State can partner with them. The Governor just  
13 recently announced legislation to look at this from  
14 discriminatory practice perspective with the  
15 Department of Financial Services. We're looking at  
16 both legislation, thinking about this as an area that  
17 we can put more pressure on insurance companies to  
18 put fair prices. We're looking at captives on the  
19 local level, and whether the City or State can have a  
20 role to help move other options that are more  
21 affordable. Then, on the SCRIE bill, again, I want to  
22 echo the Commissioner, we're grateful for your  
23 partnership. I think we had questions about  
24 implementation and how to make that happen in a way  
25 that would be streamlined and not create confusion or

2 any issues with the implementation but, again, we are  
3 committed to making sure that it's seamless and  
4 streamless. That's not a word. That's not even a  
5 word.

6 COUNCIL MEMBER DINOWITZ: It is a word  
7 now. You're under oath. You have to speak only the  
8 truth. It's a word now.

9 FIRST DEPUTY COMMISSIONER TIGANI: Thank  
10 you, but we are committed to making sure that the  
11 partnership and the ideas lay down the bill gets...

12 COMMISSIONER CARRIÓN: I have to, for the  
13 record, say that we have been, just to echo a little  
14 bit, we have been working on this issue for years,  
15 but it exploded, it exploded in the last few years to  
16 the point where developments are coming to us and  
17 saying, we're choking on insurance costs, we're going  
18 to have to refinance, so that cost is out of control  
19 and it's going to require us at the City level along  
20 with you as a partner and the State to do something  
21 about it and the partnership with the private sector  
22 because there are tools that can be created,  
23 responses that can be created to bring the cost down.

2 COUNCIL MEMBER DINOWITZ: I will have my  
3 office reach out. I would love updates on that  
4 because it is an issue for a lot.

5 Just one more quick question. I'm looking  
6 at the Mayor's Management Report again. I think only  
7 the people in this room talk about units. Most people  
8 talk about apartments. One-bedroom, two-bedroom,  
9 three-bedroom. I don't see listed here the data on  
10 how many studio, one-bedroom, two-bedroom, three-,  
11 four- were constructed in the Fiscal Year and last  
12 Fiscal Year.

13 COMMISSIONER CARRIÓN: Yeah, we can break  
14 that down for you. We've got new construction program  
15 starts going back to 2014 up until today. In each of  
16 our programs we, typical unit spread is well-known,  
17 but I think we can probably provide that information  
18 to you.

19 COUNCIL MEMBER DINOWITZ: Yeah. The  
20 typical unit spread is like 70 percent studio, one-  
21 bedrooms. In the past, you have said the one-bedroom,  
22 the studios are flying off the shelves.

23 COMMISSIONER CARRIÓN: I've said that?

24 COUNCIL MEMBER DINOWITZ: You did. I don't  
25 want to shout you out, but yeah.

2 COMMISSIONER CARRIÓN: Ones and twos. Ones  
3 and twos. Ones and twos.

4 COUNCIL MEMBER DINOWITZ: So the  
5 construction of twos are very low. I have not been  
6 provided with that survey data specific to local  
7 Community Boards because, as I mentioned, I have  
8 examples where we have buildings going up that are  
9 going to be 70 percent studio and one bedrooms going  
10 up right next to a school across the street from a  
11 playground and down the block from a family shelter,  
12 which I think common sense would indicate that's the  
13 perfect area to have two- and three-bedroom  
14 apartments for families so if you please share the  
15 District level survey data with me, I would  
16 appreciate that. I will take no more time. Thank you,  
17 Chair. Thank you, Commissioner.

18 CHAIRPERSON SANCHEZ: Thank you, Council  
19 Member Dinowitz. I just want to follow up on your  
20 question about insurance and, First Deputy, your  
21 response about captives. I've been approached as  
22 Chair of this Committee to ask the agency if you will  
23 be collaborating with affordable housers that are  
24 trying to work together to create a captive in order  
25 to address the insurance costs issue in the City of



2 New York and, in particular, might as well name them,  
3 Milford Street Association.

4 COMMISSIONER CARRIÓN: We are in active  
5 discussions. We to respond. This is a cost crisis for  
6 many, many, many residential buildings across the  
7 city. There's a lot of layers here, and there's a  
8 potential redlining that's occurring that we're going  
9 to have to look at as a City, and I'm not taking a  
10 position as HPD Commissioner on this, I'm stating the  
11 obvious, I've seen redlining, and I know what it is,  
12 and you'll know it when you see it, and we're very  
13 animated about this, and we're very interested in it.

14 CHAIRPERSON SANCHEZ: Thank you,  
15 Commissioner. Yes, and it's an issue that we're  
16 seeing in affordable housing and just home  
17 residential insurance rates, but we're also seeing it  
18 in the vehicle market as well.

19 Just to ask a clarifying question, is the  
20 agency in discussion with multiple entities about  
21 different captives?

22 COMMISSIONER CARRIÓN: We know of one  
23 discussion that Richard Ravitch was the chairing the  
24 group. I know that there's interest obviously among  
25 the development community and the owners of

2 residential real estate. We're certainly interested  
3 welcome ideas, new ideas, and new players.

4 CHAIRPERSON SANCHEZ: Thank you,  
5 Commissioner. I just want to emphasize my Colleague's  
6 perspective that we should definitely be pursuing  
7 these opportunities and broadening them to the full  
8 scale of need so not just HPD-financed buildings and  
9 homes, but everything that we can to keep the homes  
10 affordable in the City of New York. Thank you.

11 With that, I'm going to turn it over to  
12 Council Member Restler.

13 COUNCIL MEMBER RESTLER: Thank you so  
14 much, Chair Sanchez. I really appreciate how  
15 tremendous a job you do leading this Committee.

16 I do want to just echo Council Member  
17 Dinowitz and the Chair's concerns about the increased  
18 insurance costs. This is something that I'm hearing  
19 from many constituents about, and we really want to  
20 see action and intervention to help address this.

21 Before jumping into some questions, I'll  
22 just say some nice things despite the presence of the  
23 First Deputy Commissioner.

24 COMMISSIONER CARRIÓN: Thank you, Council  
25 Member.

2 COUNCIL MEMBER RESTLER: I think we're on  
3 our way to a really good solution of Bedford Gardens,  
4 which was a very scary situation, and I want to thank  
5 you and your team for helping us get there. The  
6 landlord proposed a 70 percent rent increase, and  
7 we've been able to, so far, avoid any rent increase  
8 for the tenants who are on the precipice of securing  
9 Section 8 vouchers, and we'll do everything we can to  
10 facilitate enrollment there. Secondly, we're closing  
11 in this Fiscal Year on a major loan for Cadman Plaza  
12 North, 140 Cadman Plaza West, one of our Mitchell-  
13 Lamas, and we're excited for that to be as bold and  
14 ambitious a loan as it can be to not only preserve  
15 affordability, but also help the building reach some  
16 of urgent sustainability goals so thank you for  
17 working on some both of those fronts. I don't want to  
18 be premature and giving you credit on Cadman Plaza  
19 North until we're done, but I'm hopeful that we're  
20 moving in a good direction.

21 I do want to flag some areas of concern  
22 though, because there was a but coming. When we  
23 looked at the PMMR, units started for homeless  
24 individuals and families year-over-year down 65  
25 percent, supportive units started down 90 percent,

2 units completed for homeless individuals and families  
3 down 43 percent, supportive units completed down 58  
4 percent year-over-year. This is our homeless housing  
5 and supportive housing that is the biggest priority  
6 of the agency to make sure that we're meeting the  
7 needs of people who we need to move out of the  
8 shelter system. I recognize that it's the full-year  
9 stats that matter, but just want to give you the  
10 chance. Are you confident you'll be able to turn  
11 around each and every one of those data points around  
12 supportive housing and homeless housing units started  
13 and units completed this Fiscal Year to meet last  
14 year's goals?

15 COMMISSIONER CARRIÓN: I'm glad you  
16 mentioned, Council Member, and thank you for your  
17 partnership on Cadman North and West and Bedford  
18 Gardens. I'm glad you mentioned the full-year number  
19 because there's a rhythm and a pace to this that has  
20 to be taken into consideration. I stated in my  
21 testimony, the Chair offered it in her opening  
22 remarks, we had a banner year. We had a record  
23 Calendar Year for new construction starts and for  
24 homeless housing units and for supportive housing so  
25 the Administration remains committed to the goals

2 that we've set and we remain committed to the  
3 supportive housing and 15/15 and we've accelerated  
4 the deadline on that. The commitment remains in terms  
5 of the total number. We are looking to continue to be  
6 creative in getting there. There is no straying from  
7 the target, and it's really about the pace. I don't  
8 know if, Ahmed, you might want to add a little bit of  
9 color to this or Kim in terms of, Kim has already  
10 been sworn in so take it away.

11 DEPUTY COMMISSIONER DARGA: Hello. So PMMR  
12 is actually not a cycle for us that provides really  
13 meaningful information because most of our housing  
14 production happens at certain points in time in the  
15 year so November/December, May and June, and, as the  
16 Commissioner said, we have done a lot in the last  
17 couple of years to be able to increase production for  
18 homeless households, to be able to increase their  
19 supportive housing production and those trends that  
20 we saw last year in both the Fiscal Year and the  
21 Calendar Year production, we expect to continue this  
22 year.

23 COUNCIL MEMBER RESTLER: I totally  
24 appreciate the closings come end of Calendar Year,  
25 end of the Fiscal Year, but those are significant

2 declines for the first four months of the year that  
3 are concerning. You're confident we're going to hit  
4 last year's numbers on homeless housing and on  
5 supportive housing that were in the PMMR?

6 DEPUTY COMMISSIONER DARGA: Again, July  
7 through October is just not a point of year where  
8 there's...

9 COUNCIL MEMBER RESTLER: No, I get it, but  
10 we're now nine months into the Fiscal Year so you  
11 have a much better sense of where we are so I'm just  
12 trying to get an understanding. I have the PMMR data  
13 to look at, and I'm trying to use this moment to  
14 understand how...

15 DEPUTY COMMISSIONER DARGA: We expect the  
16 larger trends of upward production of homeless units  
17 and supportive housing units to continue.

18 COUNCIL MEMBER RESTLER: Okay. Chair, do  
19 you mind if I do just one more brief? Thank you.

20 I'm just following up on Council Member  
21 Hudson's questions around Open Doors and Neighborhood  
22 Pillars. As you probably saw, the Progressive Caucus,  
23 Comptroller Lander, Public Advocate Williams, others,  
24 non-Progressive Caucus members, it was a real party  
25 just announced Our Homes, Our Future, or I don't

2 know, Pierina, what are we calling it, Chair Sanchez?

3 I don't know.

4 CHAIRPERSON SANCHEZ: Homes Now, Homes for  
5 Generations.

6 COUNCIL MEMBER RESTLER: Thank you. This  
7 was her idea. It's very good. I like it. Really  
8 focusing on restoring and expanding Open Doors and  
9 Neighborhood Pillars so just to clarify for Open  
10 Doors, it's 407 million dollars that you funded over  
11 the next five Fiscal Years for FY24 to FY28, yes or  
12 no.

13 DEPUTY COMMISSIONER CAPHART: No. Council  
14 Member, the figure of 474 million is over the 10-Year  
15 Plan.

16 COUNCIL MEMBER RESTLER: Over the 10-Year  
17 Plan.

18 DEPUTY COMMISSIONER CAPHART: Yeah. If the  
19 Council was successful in securing two billion  
20 dollars in funding over the next four Fiscal Years  
21 for Open Doors and Neighborhood Pillars, A), would  
22 HPD be appreciative and supportive of this infusion  
23 of resources, and B), could you execute on that kind  
24 of major investment in the work of your agency to  
25 build more new affordable homeownership opportunities

2 through Open Doors and through Neighborhood Pillars  
3 actually get bad landlords out of operation in New  
4 York City and bringing high-quality non-profits to  
5 take over the housing stock.

6 COMMISSIONER CARRIÓN: I was walking over  
7 to the steps earlier today for a different reason and  
8 doing an interview about our arrest warrant for this  
9 slumlord.

10 COUNCIL MEMBER RESTLER: Congrats, again,  
11 on that.

12 COMMISSIONER CARRIÓN: Yeah, thank you,  
13 and I saw this crowd on the steps and I heard about  
14 what they were proposing. I heard that it was being  
15 organized over the end of last week into the weekend  
16 and, frankly, I was very encouraged by the fact that  
17 so many groups and interested parties want to talk  
18 about bigger investments in affordable housing and  
19 homeownership. I think that's the right direction to  
20 be giving more resources to those efforts so we  
21 welcome the conversation. I have to say, as a  
22 guardian of the responsibility of this agency, the  
23 lion's share, the greatest need in New York City is  
24 for affordable rental housing. Families are just  
25 choking. The number of applicants that we get for our



2 affordable housing units, you've heard it from  
3 previous testimony, it's in the tens of thousands of  
4 people that are applying to every deal, every new  
5 project. Given that need, we have targeted most of  
6 our work, frankly, to low-income New Yorkers. Better  
7 than 90 percent of the housing that we produce goes  
8 to households that are considered low-income by the  
9 federal standard, but two-thirds are below 50 percent  
10 AMI and about almost 40 percent are 0 to 30 percent  
11 AMI. So that's the essence of our work, and then we  
12 have, do we want to promote homeownership?  
13 Absolutely. Yes. Are we committed to doing it? Yes.  
14 But we have to also be responsible to the  
15 overwhelming need.

16 COUNCIL MEMBER RESTLER: I completely  
17 understand that the majority of renters in New York  
18 City are rent-burdened, a third of New York City  
19 renters are paying majority of their income in rent.  
20 I think that's a majority of residents of Districts  
21 like our Chair. I get it. We also have no access to  
22 affordable homeownership in New York City except for  
23 a couple out of the 51 Council Districts so that's a  
24 reality that we've unfortunately come to experience  
25 in New York City so that's why we want to create

2 those pathways. We also want to get the worst  
3 slumlords out of operation in New York City. I  
4 appreciate your warmth and interest in receiving a  
5 major new investment in these areas. I hope that you  
6 take it as a positive indicator that the Council and  
7 the Comptroller and Public Advocate are putting  
8 forward a plan that leans into existing HPD programs  
9 that are underutilized and not properly invested in  
10 by this Mayor but, if we were to allocate two billion  
11 dollars over the next four years, could HPD spend  
12 that money effectively and make a major difference in  
13 addressing some of the affordable housing challenges  
14 that we have?

15 COMMISSIONER CARRIÓN: We welcome  
16 additional resources.

17 COUNCIL MEMBER RESTLER: I will take that  
18 as a yes.

19 COMMISSIONER CARRIÓN: And we can execute.  
20 You obviously saw it in the last cycle, and let me  
21 just say, to tip my hat to some of the work that  
22 we're doing and some advocacy groups are doing with  
23 us. The Community Land Trust Initiatives that are  
24 going on around the city, these are opportunities  
25

2 that have been on the burner already that we're  
3 working on.

4 COUNCIL MEMBER RESTLER: And that's why I  
5 hope you'll embrace my bill, Public Land for Public  
6 Goods, so that we ensure that when City property is  
7 getting redeveloped, it's going to non-profit,  
8 affordable housing developers, including CLT's but,  
9 with that, Chair, I will defer back to you. Thank you  
10 very much, Commissioner and team.

11 COMMISSIONER CARRIÓN: Thank you, Council  
12 Member.

13 CHAIRPERSON SANCHEZ: Thank you so much,  
14 Council Member Restler.

15 I'd like to acknowledge that we've been  
16 joined by Council Member Avilés and turn over the mic  
17 to Council Member Feliz.

18 COUNCIL MEMBER FELIZ: Thank you. Thank  
19 you so much, Chair Sanchez, and thank you, Council  
20 Member Restler, for setting the stage of our  
21 questions related to homeownership. Great to see you,  
22 Commissioner and everyone at HPD. I feel like we're  
23 having a weekly conversation at this point, right?

24 COMMISSIONER CARRIÓN: Yes, we are.

2 COUNCIL MEMBER FELIZ: My questions relate  
3 to homeownership programs in our city. As a lifelong  
4 New Yorker, I've seen so many families work hard to  
5 move up the economic ladder and, when people move up  
6 the economic ladder, they think about owning a home.  
7 Everyone thinks about owning a home. That's usually  
8 people's goal. As a lifelong New Yorker, I saw many  
9 friends become professionals, teachers, lawyers,  
10 doctors and, after becoming professionals, we lost  
11 them, we lost them to another city or another state  
12 and etc. Why? Again, because we didn't provide them  
13 with the opportunity to purchase a home in the  
14 community that they've always called their home. A  
15 few questions on that. We have the Open Door program,  
16 which focuses on creating affordable homeownership.  
17 So how many units of housing have we built under the  
18 Open Door Program in the last two years? Also, can  
19 you give a breakdown of the amount of units per  
20 borough?

21 COMMISSIONER CARRIÓN: Let me, do you have  
22 those numbers handy, Mr. Tigani?

23 FIRST DEPUTY COMMISSIONER TIGANI: Yes.  
24 Produced in Calendar Year '23 is 177, and we have 474  
25 million over the 10-Year Plan has been mentioned. I

2 think it's important to say, because as you pointed  
3 out, access to homeownership is the main question  
4 here. We talked earlier about the ANCP program. That  
5 in itself is a 613-million-dollar commitment over the  
6 10-Year-Plan. We've talked about the 78 buildings in  
7 place that will in the future offer very affordable  
8 homeownership opportunities for New Yorkers.

9 Additionally, we have naturally occurring

10 homeownership opportunities in the HDFCs in all our  
11 boroughs, and making sure people have an opportunity  
12 with down payment assistance has been a big piece.

13 It's the reason why we've invested so much to go from  
14 40,000 dollars to 100,000 dollars in down payment  
15 assistance. It's the reason why we expanded the  
16 parameters to include middle and moderate families.

17 In addition to putting our public sites up where we  
18 have hundreds of units in the pipeline, some in your  
19 District as well including the other Boroughs, we  
20 need to make sure that there is an ability for  
21 homeowners to go after homeownership opportunities in  
22 other ways. Down payment assistance is a very  
23 effective from a cost perspective way of us achieving  
24 that and the Mayor had committed to expanding that

2 and now we're well on our way to doing that through  
3 the down payment assistance program.

4 COUNCIL MEMBER FELIZ: So 177 units in the  
5 last year. Can you give a breakdown by borough?

6 FIRST DEPUTY COMMISSIONER TIGANI: I don't  
7 have that with me, but we will look for those  
8 numbers. Yes.

9 COMMISSIONER CARRIÓN: Yeah, we can  
10 provide that for you.

11 COUNCIL MEMBER FELIZ: Okay. Yeah, if you  
12 could send that information over after the hearing,  
13 that would be great.

14 FIRST DEPUTY COMMISSIONER TIGANI:  
15 Absolutely.

16 COUNCIL MEMBER FELIZ: Also, all of us  
17 have had a lot of conversations about this topic but,  
18 if I'm correct, in the last few years, we haven't  
19 built one single homeownership unit in my District,  
20 in District 15, and my District is ground zero for  
21 the issue of lack of homeownership. We have one of  
22 the lowest homeownership rates in the entire city. So  
23 just curious, why have we not built homeownership in  
24 this part of the Bronx? What are obstacles that

2 you've faced when building or trying to build in this  
3 area?

4 COMMISSIONER CARRIÓN: I will say that,  
5 and we recently had a time together in your District,  
6 it was probably the coldest day of the year that we  
7 met, and you have presented some sites that are  
8 interesting possibilities, and I know that at the end  
9 of that discussion, we left off that we would  
10 continue to look at your District map and identify  
11 new opportunities. The sites that drive our  
12 investments, the lion's share of the work that we do  
13 is driven by privately owned sites and private  
14 applications, and then we have the opportunity to  
15 issue requests for proposals for public sites where  
16 we've incorporated throughout the city the ask in  
17 different parts of the city based on a local Member's  
18 advocacy, based on the local market conditions, based  
19 on the appetite. I'm not certain about the history of  
20 sites in your District that have come before us. I  
21 don't know if, Ahmed, we have some public sites  
22 there?

23 FIRST DEPUTY COMMISSIONER TIGANI: We do.  
24 I know that we have two sites that we're working on

2 in your district, one of which is with a CLT that I  
3 think is known to your office.

4 COUNCIL MEMBER FELIZ: Yeah.

5 FIRST DEPUTY COMMISSIONER TIGANI: And we  
6 can meet with you after to continue going over the  
7 details, but those are in our pipeline and they're  
8 important to us, and we have other public sites where  
9 we're doing Open Door across the city.

10 COUNCIL MEMBER FELIZ: Okay. Chair, if I  
11 could just ask one more question?

12 CHAIRPERSON SANCHEZ: Sure.

13 COUNCIL MEMBER FELIZ: So 177 units in one  
14 year. That number is extremely low. 177 units,  
15 affordable co-ops or homeownership opportunities in  
16 an entire city. That number is extremely low. So just  
17 wondering, are there any modifications, any way that  
18 we could modify the Open Door program to make  
19 building affordable homeownership a little bit  
20 easier?

21 COMMISSIONER CARRIÓN: Let me go back to a  
22 comment I made during the time back and forth with  
23 Council Member Restler and add just a point of  
24 information for you. The homeownership program is the  
25 most expensive program we run, the subsidy is



2 unbelievable. For every one homeownership unit that  
3 we produce, we can produce two rental units for two  
4 families, for two households and, again, the lion's  
5 share of the need in our city is for renter  
6 households, workforce housing, housing for low-income  
7 families so just as a backdrop for this discussion  
8 and we welcome talking about how we best invest in  
9 homeownership going forward.

10 FIRST DEPUTY COMMISSIONER TIGANI: The  
11 only thing I'll add, sir, is that we also work with  
12 the State on this. So again, I've mentioned our down  
13 payment assistance program. The State has a down  
14 payment assistance program. They also have the  
15 Affordable Housing Opportunity Program, which we  
16 leverage and work with them to expand homeownership  
17 opportunities. Just in Queens with the Creedmoor  
18 proposal, there are hundreds of affordable housing  
19 homeownership opportunities leveraged there. I will  
20 take a step back and say that the Open Door term  
21 sheet did go through changes recently so that we can  
22 continue to use it to hopefully built on those  
23 changes, it'll be more successful and, between the  
24 State and the City, more resources are coming for  
25 homeownership, including keeping people in their

2 homes so I'll just plug HomeFix, which is a term  
3 sheet it allow for repairs and geared toward low-  
4 income families and seniors in their homes.

5 COUNCIL MEMBER FELIZ: All right. Thank  
6 you. No more questions, but just want to emphasize we  
7 want to see results on this issue. We need to give  
8 this issue additional time, attention, and energy. We  
9 appreciate all the conversations that we've had about  
10 this, but we want to see results on this. Thank you.

11 CHAIRPERSON SANCHEZ: Thank you so much,  
12 Council Member Feliz.

13 I'd now like to turn it over to Council  
14 Member Avilés. Thank you.

15 COUNCIL MEMBER AVILÉS: Thank you so much,  
16 Chair. Thank you to the HPD team for being here. I  
17 may have missed this question, so forgive me, but in  
18 terms of the HomeFirst program, what's the total  
19 amount of investment that's been made in that  
20 program?

21 COMMISSIONER CARRIÓN: In terms of the  
22 budget or?

23 COUNCIL MEMBER AVILÉS: Yeah.

24 COMMISSIONER CARRIÓN: Okay.

2 DEPUTY COMMISSIONER CAPHART: Thank you,  
3 Council Member. For our HomeFirst down payment  
4 assistance program, on the capital on the capital  
5 side, we have the 5 million across the 5-Year Plan, 5  
6 million per year, so about 25 million across the  
7 Five-Year Plan. That was originally an expense  
8 budget. It was in our tax levy expense budget that  
9 we're now going to be using capital dollars for.  
10 That's what the new program that the Commissioner  
11 mentioned about for homeowners who earn between 80  
12 percent to 120 percent AMI. As far as the original  
13 program for first-time owners under 80 percent AMI,  
14 we use our federal Home dollars for that program, and  
15 we budgeted about 20 million set-aside in Home  
16 dollars for that program over multiple Fiscal Years.  
17 On average, it's about 5 million or so per year on  
18 that program, 5 million a year, but we can give more  
19 information on that later if you need.

20 COUNCIL MEMBER AVILÉS: Great. No, thank  
21 you. We'd like that. Unfortunately, I come from a  
22 District where there is no real affordable  
23 development nor homeownership opportunities.  
24 Everything seems unfortunately out of reach so we  
25 spend a lot of time around enforcement so I want to

2 ask a little bit about enforcement. How much money  
3 does HPD recover for each building that requires an  
4 intervention, obviously not each building but in  
5 total, what has HPD been able to recover on  
6 enforcement activities like emergency repairs or the  
7 open market work orders.

8           COMMISSIONER CARRIÓN: Let me call on the  
9 deputy Commissioner for Enforcement to talk a little  
10 bit about that in terms of some texture, but I'm sure  
11 you heard the news today about the slumlord that's  
12 going to jail for some time for abusing New Yorkers,  
13 got hit with a 3-million-dollar penalty, and we have  
14 a suite of programs that go after them, and so I'd  
15 like Deputy Commissioner AnnMarie Santiago to talk a  
16 little bit about that.

17           DEPUTY COMMISSIONER SANTIAGO: Thank you,  
18 Commissioner. Thank you, Council Member, for your  
19 question. A couple of hearings ago, we did provide  
20 detail to the Chair regarding collections. Generally  
21 speaking, obviously the further back you look, the  
22 better our collections are. Property owners are  
23 billed as you probably know through the Department of  
24 Finance for our emergency repair alternative  
25 enforcement program type fees and charges, and the

2 tax lien sale program that is not currently in place  
3 certainly was a help to us in terms of encouraging  
4 property owners to pay those charges and fees. We can  
5 once again refresh that data. We work with our  
6 partners at the Department of Finance to report  
7 collections.

8 COUNCIL MEMBER AVILÉS: I guess we'll  
9 refresh back.

10 Why are there no PMMR targets for the  
11 Alternative Enforcement Program and the Underlining  
12 Conditions Program, or 7A.

13 DEPUTY COMMISSIONER SANTIAGO: I'm sorry.  
14 What's the question, Council Member?

15 COUNCIL MEMBER AVILÉS: Why are there no  
16 PMMR targets for the Alternative Enforcement Program  
17 or the 7A program?

18 DEPUTY COMMISSIONER SANTIAGO: The 7A  
19 program brings in different numbers of buildings,  
20 depending on our success in Housing Court or a  
21 tenant's success in Housing Court so it's difficult  
22 to predict how many buildings and units are even in  
23 the program. I think similar to AEP, as the  
24 Commissioner referenced earlier, this is the largest  
25 number of units we have ever included in AEP this

2 year starting January 31st and so, again, the numbers  
3 will fluctuate based on how many units are selected  
4 for the program. For AEP, it's 250 buildings every  
5 year. That is a set number, but the buildings this  
6 year are much larger in general, and to set a target  
7 isn't clear when that number of units can fluctuate  
8 from cycle to cycle.

9 COUNCIL MEMBER AVILÉS: Sure. With the 250  
10 buildings, are we seeing adequate remedy and what  
11 average amount of time?

12 DEPUTY COMMISSIONER SANTIAGO: Again, as I  
13 as was asked by Council Member Brewer, it's a little  
14 bit of a difference for how quickly things are  
15 resolved. Historically speaking, about half of the  
16 buildings resolve the required number of violations  
17 for discharge in about four months, which is the  
18 first initial period for the alternative enforcement  
19 program. After that, the inspection fees are  
20 significant, and so we do see a lot of buildings  
21 attempt to get out of that program within four  
22 months. The time varies. We have seen the buildings  
23 that stay in the program the longest are the smallest  
24 buildings.

2 COUNCIL MEMBER AVILÉS: How long are they  
3 allowed to stay in that program before we move  
4 forward with affirmative action?

5 DEPUTY COMMISSIONER SANTIAGO: The  
6 buildings can stay in the program for quite some  
7 time.

8 COUNCIL MEMBER AVILÉS: I have a feeling...

9 DEPUTY COMMISSIONER SANTIAGO: And again,  
10 it's the smaller, yes, it's the smaller buildings  
11 that really face a lot of challenges in terms of  
12 being able to pay the emergency repair charges that's  
13 required for discharge, doing the violation  
14 correction. As you know, the alternative enforcement  
15 program does address systemic issues in buildings,  
16 and we consistently respond and do emergency repair  
17 as necessary we do move some of those buildings  
18 through the 7A program as well.

19 COUNCIL MEMBER AVILÉS: Thank you. In  
20 terms of what is the budget and an actual headcount  
21 amongst HPD staff working to ensure fire door safety?

22 DEPUTY COMMISSIONER SANTIAGO: We have,  
23 and I will defer to the Deputy Commissioner to talk  
24 about the budget overall. There is no budget  
25 dedicated specifically to fire door safety. That is

2 part of our total package, right? So all inspectors  
3 are looking for fire safety. Our emergency repair  
4 program is committed to doing the fire safety repairs  
5 as necessary specifically for the self-closing doors.  
6 It's not a stand-alone program that I can pull out  
7 that number.

8 COUNCIL MEMBER AVILÉS: Great. Thank you.

9 CHAIRPERSON SANCHEZ: Thank you so much,  
10 Council Member Avilés, and thank you to all of my  
11 Colleagues who have joined and asked really great  
12 questions so that I didn't have to. Thank you.

13 I want to turn it over to Council Member  
14 Brewer, and then I'll ask a few concluding questions.  
15 We have DOB waiting for their turn.

16 COUNCIL MEMBER BREWER: Thank you. Very  
17 quickly. When I asked IBO, they did a study of  
18 uncollected money, it was 2.1 billion, and I then go  
19 to OATH and OATH says that when they can't collect  
20 something, somebody gets a judgment, and then it  
21 goes, I assume, like you mentioned, 3.6 on the AEP as  
22 an example of what's assessed, so my question to you  
23 is, then I think it goes to Finance because Finance  
24 is then supposed to collect, but do you have any  
25 sense of, or maybe that's just Finance, of how much



2 is owed to HPD because some of these owners, I don't  
3 know if they ever pay. Do you have any sense of that  
4 or that's just Finance?

5 DEPUTY COMMISSIONER CAPHART: So it's  
6 Finance. We haven't received a report for a while  
7 because of a glitch, but we are working with them to  
8 get the latest report, and we'll be happy to share as  
9 soon as we have.

10 COUNCIL MEMBER BREWER: Can you share that  
11 with the Chair when you get it, and that will be like  
12 for the last year, two years, what kind of time  
13 period are you looking at?

14 DEPUTY COMMISSIONER CAPHART: Over the  
15 last two or three years or so.

16 COUNCIL MEMBER BREWER: Okay. Thank you,  
17 Madam Chair.

18 CHAIRPERSON SANCHEZ: Thank you, Council  
19 Member Brewer. I want to follow up on the arrest that  
20 was made this morning so you highlighted in your  
21 testimony and several times in your questions the  
22 arrest of landlord Daniel Ohebshalom, I don't know  
23 how to say that, for neglecting, this is criminal  
24 neglect, but I want to understand, and for the  
25 benefit of the public, we want to understand the

2 mechanism. Was this in relation to the actual  
3 violations of the building, or was it just for  
4 contempt of court and not showing up?

5           COMMISSIONER CARRIÓN: He has a long  
6 history of being a horrible landlord. The two  
7 buildings in Washington Heights together had 700  
8 violations, and these are modest-sized, typical  
9 apartment buildings in typical Washington Heights  
10 apartment buildings, and he's got an extensive  
11 portfolio so we have been going after this guy for  
12 some time and the Deputy Commissioner can talk a  
13 little bit about the details of how that took place  
14 and how we got to this point, but I will say this  
15 should serve as a warning to bad owners and it should  
16 also serve as a call to tenants as well to know that  
17 the City is looking out for you. The last guy we did  
18 this to, we collected millions of dollars and put in  
19 jail, was just at the end of 2022. Another bad guy on  
20 Hunts Point Avenue in the Bronx. We're going to  
21 continue very aggressively pursuing these bad  
22 landlords. My hope is that this message really is  
23 strong enough so that folks will see that this is  
24 really a disincentive, and this is a family that's  
25 been doing residential real estate in New York for a

2 long time. They should be ashamed of themselves.

3 Deputy Commissioner.

4 DEPUTY COMMISSIONER SANTIAGO: Thank you,  
5 Council Member. This is a civil arrest warrant and  
6 this was, as the Commissioner said, a long struggle  
7 to get to this point. We have been involved with our  
8 Alternative Enforcement Program, with our Anti-  
9 Harassment Unit, with our Housing Litigation Division  
10 at multiple of his properties. As you probably know,  
11 we did take one property through our 7A program, 46th  
12 Street. He did get foreclosed on by his bank on  
13 certain other buildings, and we hope to see progress  
14 now that they are at those buildings. We have active  
15 litigation across other buildings in this portfolio.  
16 It is encouraging that, although it took some time  
17 for the courts to see where we are, that they took  
18 this strong action and they issued this order. We're  
19 very grateful that our team stuck with this building  
20 for many years going through the court process and  
21 assuring that these tenants are hopefully going to  
22 start seeing repairs now that his 60 days is going to  
23 start once he gets arrested.

24

25

2 CHAIRPERSON SANCHEZ: Thank you. Just to  
3 clarify, what exactly was the reason for the arrest  
4 warrant?

5 DEPUTY COMMISSIONER SANTIAGO: He failed  
6 to comply with many orders from the court about  
7 making repairs over quite some time.

8 CHAIRPERSON SANCHEZ: Got it. Thank you.  
9 Thank you so much. It is heartening to see this kind  
10 of action. In my District and in so many across the  
11 city, tenants feel ignored. They feel like they call  
12 3-1-1 and they don't know what happens next.  
13 Sometimes, from their perspective, the inspectors may  
14 show, sometimes they don't. On the backend, it may be  
15 a scheduling conflict. There may be reasons behind  
16 it, but the tenant experience is nobody's paying  
17 attention, nobody's looking out for me, and we've  
18 been talking about a particular building that is in  
19 similar circumstance, and I suppose I'll turn this  
20 into a question about what do we do, what does the  
21 agency need from the Council that the Council can  
22 provide to allow you to move more quickly? Is there  
23 anything that we could change in terms of legislating  
24 HPD's powers to shorten the timeframe for removing  
25

2 ownership from the worst of the worst? Leave it at  
3 that.

4           COMMISSIONER CARRIÓN: Yeah, let me just  
5 say that we welcome that discussion. Obviously, we  
6 have to work through the court system, and the  
7 building in your District that we've been talking  
8 about, owners sometimes have the ability to tie the  
9 system up in knots based on legitimate property  
10 rights but they often abuse the system and we have to  
11 go through process to get to the right conclusion. If  
12 there are authorities, new ideas about how to handle  
13 this process, we welcome that, any policy shifts that  
14 we can make but, frankly on our end, we're doing  
15 everything that we can to get it across the finish  
16 line and get rid of bad owners for the sake of New  
17 York City residents.

18           CHAIRPERSON SANCHEZ: Thank you. According  
19 to an analysis by Community Service Society, there  
20 are 10,000 buildings in the City of New York with  
21 over 100,000 households that fit the statutory  
22 definition of distress under the 7A program. My  
23 question is, you mentioned 24 buildings are currently  
24 in the 7A program and using 7A for a stand-in for any  
25 of HPD's enforcement programs, AEP, Underlying

2 Conditions, etc. How many buildings could HPD be  
3 acting on that you are not, whether it's because of  
4 resource constraints or whatever the case may be?

5 COMMISSIONER CARRIÓN: I'll just say from  
6 a very general level we can always do more with more  
7 resources. Our team works very hard. You see it in  
8 the numbers of violations that were issued in the  
9 last cycle, the number of inspections that were  
10 attempted and completed in the last cycle, and we can  
11 talk numbers all day, but they're dramatic increases.  
12 You passed some Local Laws that require us to do  
13 more. It's a challenge, obviously, because for every  
14 new local mandate we require more bodies, more time,  
15 but just an overarching response would be we can  
16 always do more with more and are willing to do more  
17 with the resources available to us.

18 CHAIRPERSON SANCHEZ: Thank you. I just  
19 want to highlight in particular that some of the  
20 vacancies that remain in the agency and, again, kudos  
21 for how much work the agency has done and how much  
22 success that you've had in hiring, but many of the  
23 vacancies that remain are in programs that are  
24 designed to help tenants. For instance, nine  
25 positions in the AEP program, five positions at 7A,

2 and then additionally, while there are 93 active  
3 staff in the Housing Litigation Division, there are  
4 also some vacancies. How much more capacity would  
5 that add to the agency filling those?

6 COMMISSIONER CARRIÓN: You want to take  
7 that?

8 DEPUTY COMMISSIONER CAPHART: Yeah.  
9 Regarding the vacancy numbers, we have to look into  
10 the breakdown that you have to compare with what our  
11 internal numbers are but, just specifically for the  
12 Office of Enforcement, our budgeted headcount for  
13 that office is 1,052 total and we have over 969  
14 people on board with about 83 vacant overall, but we  
15 have to get back to you in terms of a drawdown number  
16 for each of the areas. Specifically for our  
17 inspectors, because as the Deputy Commissioner  
18 mentioned, we don't have our headcount broken down as  
19 you have, but the inspectors, we have a budgeted  
20 headcount of about 445 inspectors, that's between  
21 field inspectors and supervisors, and we have about  
22 59 vacancies right now, and I want to add that's a  
23 significant increase from where we were about a year  
24 ago in terms of our inspector headcount and vacancy  
25 rate, our vacancy rate was cut by about 60 percent in

2 that area so that's something we'll continue to work  
3 hard to ensure that we bring in more staff in that  
4 area.

5 CHAIRPERSON SANCHEZ: I want to see more  
6 selfies of First Deputy Commissioner (INAUDIBLE)  
7 inspector classes.

8 COMMISSIONER CARRIÓN: And, Chair, we've  
9 done an aggressive, yeah, I can't speak for the  
10 selfies, but we've done an aggressive recruiting  
11 campaign in many of the Districts around the city, I  
12 believe in 16 of the members to avail themselves of  
13 partnering with us to do recruitment or more maybe,  
14 and we also have partnered with the Borough  
15 Presidents to do job fair days. These are good, solid  
16 jobs. I encourage members to work with us to help us  
17 recruit more good New Yorkers to do this work.

18 DEPUTY COMMISSIONER CAPHART: I would just  
19 like to add to that, Council Member, that just aside  
20 from enforcement, just overall, the agency overall if  
21 you compare to where we were around this time last  
22 year to where we are now, we've cut our vacancies in  
23 half. We were over 16 percent vacancy rate overall,  
24 and now we're about 8 percent so thanks to our  
25 partners at DCAS with all the different hiring halls



2 that we had and, as the Commissioner said, the job  
3 fairs and the team that just works hard to go out and  
4 recruit and bring people on, and we'll continue to  
5 make every effort to fill remaining vacancies.

6 CHAIRPERSON SANCHEZ: Thank you. One note,  
7 don't expect a response at this moment, but when I'm  
8 asking the agency about your powers to go after  
9 landlords, I'm reminded of something that the Public  
10 Advocate often says, the way that you get the worst  
11 of the worst to listen is you throw them in jail or  
12 you take their building away, and so I definitely do  
13 want to highlight that although the Third-Party  
14 Transfer Program is frozen, there were serious  
15 concerns, legitimate concerns in my view, of  
16 racialized impacts in particular communities for  
17 black and brown homeowners. There's no doubt that  
18 program needs to be reformed, but we also need to  
19 give the agency back that power to go after these  
20 landlords, and it is a court process and it's a  
21 foreclosure, but I do want to invite those  
22 conversations with the agency this year.

23 COMMISSIONER CARRIÓN: We welcome that. We  
24 welcome that.

2 CHAIRPERSON SANCHEZ: Thank you. My last  
3 question. With respect to delivering on the Housing  
4 Blueprint, I mentioned this in my opening remarks,  
5 the Preliminary Plan includes savings on the  
6 Administration's own Housing Blueprint Initiatives,  
7 including cuts to program that combat source-of-  
8 income discrimination, prevent tenant harassment  
9 through Partners in Preservation, and support  
10 homeowners through the Homeowner Helpdesk. In last  
11 year's prelim budget response, this Council plotted  
12 what were then new investments and we called for  
13 more, but instead we're seeing a total decrease of  
14 4.8 million dollars in Fiscal '24 for the three  
15 programs that I just mentioned, reflecting delays and  
16 getting the program started. The questions are, when  
17 will HPD launch the enhanced Homeowner Helpdesk,  
18 Partners in Preservation and source-of-income  
19 discrimination testing programs; what are HPDs key  
20 accomplishments to date regarding the Blueprint,  
21 anything that you would like to highlight since it  
22 was launched almost two years ago, and finally with  
23 the Executive Plan PEG now canceled, what new needs  
24 or PEG restorations is HPD considering?

2           COMMISSIONER CARRIÓN: I'll just start by  
3 saying that we had this PEG 5 percent that we had to  
4 meet. We tried to do it in the most responsible, non-  
5 impactful way, and I think that we have achieved  
6 that. We are encouraged like everyone else by the  
7 increasing revenue that we see and a little more  
8 optimism about the overall direction of the economy  
9 which I think is going to bode well for us in the  
10 coming cycles, but our Deputy Commissioner for  
11 Finance and Administration could talk a little bit  
12 about the mechanics of how we got there.

13           DEPUTY COMMISSIONER CAPHART: Thank you,  
14 Commissioner, and thank you, Council Member. Just at  
15 the outset, as the Commissioner shared and as you're  
16 aware, all agencies were asked to find ways to come  
17 up with savings and while no agency will tell you  
18 that it's something that we want to do to reduce our  
19 budget in a way. Ideally, any under spending, we'd  
20 like to spend in other areas of our budget. The way  
21 we addressed it was working with our partners, our  
22 Colleagues at OMB, and just trying to figure out  
23 where can we have the very, very minimal impact on  
24 our operations and we started by looking at areas  
25 where we already knew we weren't going to spend the

2 amount that was budgeted so for those programs you  
3 mentioned, I just want to clarify that funding for  
4 those programs remained intact in the outyears. The  
5 current years, because these were new programs and  
6 the procurement for those programs were delayed. As a  
7 result of delays with the procurement for those  
8 programs, we knew where we were not going to spend  
9 the funds that were allocated for those programs in  
10 this current Fiscal Year, and so we pointed to that  
11 underspending as our savings to meet our savings  
12 target without having to touch programs that were  
13 already operational and already fully launched. Also  
14 in terms of for those programs within the Blueprint  
15 where we already started doing work as, for an  
16 example, our HomeFix program, we looked to see what  
17 are the areas where we have grant funds or special  
18 funding that we could use to cover some of the  
19 expenses that were already incurred, and so we use  
20 some of that to swap out expenses that were incurred  
21 to save on City tax levy dollars. Overall, that's how  
22 we were able to achieve our target without  
23 significantly impacting operations and, for those  
24 programs, we are expecting to launch those programs  
25 later this Calendar Year so you ask specifically

2 about the Homeowner Helpdesk, that's something that  
3 we're looking to launch later this year. We're aiming  
4 for the spring/summer of this year so that's  
5 something we're looking to launch. As far as the  
6 delays, we were working to just finetune the scope,  
7 working with the contractors to ensure that the scope  
8 and budget align with what we're looking to  
9 accomplish, and a lot of that has been happening and  
10 we are looking to start around that time. Also for  
11 our Partners in Preservation program that you  
12 mentioned, we're looking to launch that program in  
13 May of this year so all those programs are on track  
14 to be launched, but we're just looking at the savings  
15 that we realized because of delay and underspending  
16 that we have in those programs.

17 FIRST DEPUTY COMMISSIONER TIGANI: I'll  
18 just add we've already mentioned a number of  
19 programs, Housing Our Neighbors, which continue to  
20 move forward. I'll also say we meet we've made  
21 advances in streamlining Housing Connect and trying  
22 to continue to move people into housing faster. We've  
23 eliminated upfront review, to a (INAUDIBLE) audit.  
24 Again, moving people in faster and not letting  
25 process get in the way. We've eliminated credit

2 checks for applicants with rent subsidies, something  
3 that we've continued to look at and pull back over  
4 time. We have removed several forms, some of which  
5 were creating trauma and harm for victims who are  
6 finding victims of DV abuse and saw that we can get  
7 the information another way without re-triggering  
8 that harm. We also moved forward with redesigns and  
9 upgrades in our design guidelines, further embedding  
10 sustainability goals in both preservation and new  
11 construction. Additionally, we've mapped out, and  
12 you'll see some changes that allow our enforcement  
13 team to be more proactive and result in some of the  
14 wins we've talked here. This is in addition, and  
15 Housing Our Neighbors is critical, but you also have  
16 to look at the Get Stuff Built program and the 111  
17 recommendations there that we're working to reduce  
18 the regulatory period by 50 percent so we can  
19 construct more. It's been a theme of today's  
20 discussion. One I'll lift up from there is the  
21 advance of the Green Fast Track, which will allow  
22 buildings of a certain size that are sustainable,  
23 that meet the requirements of good housing around not  
24 violating historic sources, noise pollution, certain  
25 parameters, but you can have buildings between 175

2 and 225 by District already get through some  
3 regulatory issues that are unnecessary. Those are  
4 housing that can provide affordable buildings and  
5 units in our neighborhoods. Both in Housing Our  
6 Neighborhoods, our partnership across agencies on Get  
7 Stuff Built, and the other plans from the  
8 Administration are all advancing under the respective  
9 agency's push.

10 CHAIRPERSON SANCHEZ: Thank you so much.  
11 Those were all my questions, but I do have a  
12 clarifying question. Does that mean that I fibbed? I  
13 did just want to clarify one point that you made,  
14 Commissioner. You said that developing homeowner  
15 units are twice the cost as a rental unit produced.  
16 Can you explain why that is?

17 COMMISSIONER CARRIÓN: Kim, do you want to  
18 come up and talk a little bit about the...

19 Yeah, that, It's a little shocking when  
20 you think about it, but...

21 DEPUTY COMMISSIONER DARGA: Yeah, I'm  
22 happy to do so. I think there are a couple of big  
23 things. One, there are lots of other sources that can  
24 support creation of affordable rental housing that  
25 are not available for homeownership. Second, in

2 affordable rental projects, we can create a mix of  
3 affordability, which allows us to get pretty deep,  
4 but it basically allows some cross-subsidy with  
5 slightly more expensive units, still affordable. You  
6 can't do that with affordable homeownership. We are  
7 largely creating affordable or limited equity  
8 cooperatives through our programs, and the  
9 maintenance needs to be equalized so you want to make  
10 sure that maintenance is really going to be  
11 affordable for the people that you're trying to  
12 house. For example, in the Affordable Neighborhood  
13 Cooperative Program, we set maintenance at 40 percent  
14 of area median income. As a result, we can't bring in  
15 as much private sources so private debt, for example,  
16 and we have to invest far more City capital.

17 CHAIRPERSON SANCHEZ: Thank you. That's  
18 helpful.

19 With that, thank you, HPD. Thank you, DOB  
20 for your patience. We're going to take a five-minute  
21 recess and get started again. Thank you so much,  
22 Commissioner, and your fabulous team.

23 COMMISSIONER CARRIÓN: Thank you, Chair.

24

25



2 CHAIRPERSON SANCHEZ: [GAVEL] Good

3 afternoon and welcome back to today's hearing of the  
4 Committee on Housing and Buildings on the Fiscal 2025  
5 Preliminary Budget and the Fiscal 2024 Preliminary  
6 Mayor's Management Report.

7 I'd like to acknowledge that we have the  
8 same Council Members as we did before, Council  
9 Members Restler, Avilés, and Brewer. Thank you for  
10 being here.

11 We will now hear from the Department of  
12 Buildings followed by the public at about 4:30 p.m.

13 The Department of Buildings serves as the  
14 primary regulator of the construction and real estate  
15 industries in the City of New York. DOB enforces the  
16 City's construction codes, zoning resolutions, and  
17 the New York State Multiple Dwelling Law to protect  
18 workers and the public, including across the city's  
19 nearly 1.1 million buildings and over 43,900 active  
20 construction sites through its review and approval of  
21 building plans, permitting, and licensing functions  
22 and inspections. As such, DOB's staffing actions and  
23 budget are a reflection of our City's commitment to  
24 safety in our buildings. DOB's Fiscal 2025 expense  
25 budget totals 178.7 million dollars, and its revenue

2 budget is 340.3 million dollars. The expense budget

3 is 40.6 million lower than at Fiscal 2024 budget

4 adoption. The major action in DOB's Preliminary

5 Budget is a cut or a PEG to its available budgeted

6 headcount. The move saves DOB 10.8 million dollars

7 this year, 9.4 million dollars next year and 9.3

8 million dollars in the outyears. A total of 134

9 positions are removed in Fiscal 2024 and 90 positions

10 are removed in the baseline from Fiscal 2025.

11 Remarkably by Fiscal 2025, DOB will have removed 577

12 positions since Fiscal 2022, which is an equivalent

13 of 26 percent of your headcount. In October 2022, DOB

14 had the highest vacancy rate of any medium-to-large

15 City agency at 22.7 percent. Today, the vacancy rate

16 is much lower at 5.7 percent but it's driven, but

17 it's driven not by hiring, but by headcount

18 reductions. DOB has an essential role as a City

19 agency responsible for enforcing New York City's

20 construction codes, zoning resolutions, multiple

21 dwelling law. Additionally, it plans and will enforce

22 heightened energy standards due to Local Law 97. You

23 work to improve construction site safety and training

24 compliance and implement the Department's self-

25 service online portal, DOB Now.

1                   In light of too many recent building  
2 collapses and increasing construction fatalities, the  
3 Administration's proposed headcount cuts are  
4 troubling and must be closely examined. DOB's lower  
5 headcount raises concerns over how it can fulfill its  
6 core mission of safety. Nearly all collapsed  
7 buildings have had a number of DOB violations issued  
8 against them. This includes 1915 Billingsley Terrace,  
9 which we have worked very closely on in my District,  
10 where a structural column misclassification as  
11 decorative made over 50 families homeless overnight,  
12 days before their cherished holidays and, on February  
13 2nd, the tragic death of 33-year-old Juan Ganzhi,  
14 leaving behind a 10-year-old son and his pregnant  
15 wife, shook us all. DOE inspectors had recently  
16 visited the home in December after receiving two  
17 complaints, but they were unable to gain access. When  
18 inspectors returned in January, they saw excavation  
19 being done and ordered a halt. The City had not been  
20 given plans for the construction. A stop work order  
21 was then violated. This is in the context of OSHA  
22 data revealing construction fatalities in New York  
23 are at a 10-year high last year in 2023. There were  
24 22 construction-related fatalities. The second most  
25

2 deadly year was in 2015 with 20 recorded deaths in  
3 the city. We, I believe and we all can see, are  
4 trending in the wrong direction. Nevertheless, in a  
5 city of over 1 million buildings to inspect and  
6 attend to, owners are seeming to refuse to make  
7 necessary repairs and, as we can see in the tragic  
8 case of Mr. Ganzhi, they're not following DOB Orders.  
9 Today, the Committee hopes to hear more about what  
10 actions are taken against owners who refuse to  
11 correct hazardous violations even after violations  
12 have been written. Additionally, we would like to  
13 explore whether stronger enforcement would help  
14 reduce dangers and delays in prompt enforcement while  
15 also strengthening the City's bottom line. DOB has  
16 key roles to play, not just in inspections and  
17 enforcement, but also in sustainability, sidewalk  
18 sheds across our city and many other issues. For  
19 example, DOB is tasked with ensuring that the city's  
20 over 50,000 buildings covered under Local Law 97 meet  
21 their demands and ensure the greatest benefits to our  
22 planet and achieve our sustainability goals. I  
23 welcome Commissioner Oddo to the Committee and look  
24 forward to continued work together to achieve a safe  
25 and livable New York.

2 Thank you once again to all the staff who  
3 worked so hard to prepare today's hearing. As a  
4 reminder, after DOB, we will hear from the public.

5 I would like to remind everyone that if  
6 you would like to testify today, you must fill out a  
7 witness slip with the Sergeant-at-Arms so that we can  
8 place you on the queue.

9 I will now pass it out to our Committee  
10 Counsel to swear in DOB leadership before turning it  
11 over to testimony.

12 COMMITTEE COUNSEL: Thank you. Please  
13 raise your right hand.

14 Do you affirm to tell the truth, the  
15 whole truth, and nothing but the truth before this  
16 Committee and to respond honestly to Council Member  
17 questions?

18 DEPUTY COMMISSIONER SIRAKIS: I do.

19 COMMISSIONER ODDO: I do.

20 DEPUTY COMMISSIONER PATINO: I do.

21 ASSISTANT COMMISSIONER UGARTE: I do.

22 COMMITTEE COUNSEL: Thank you. You can  
23 begin.

24 COMMISSIONER ODDO: Good afternoon, Chair  
25 Sanchez and Members of the Housing and Buildings

2 Committee. I've uttered a lot of words in this room  
3 and on the Chamber's floor and this side of the  
4 building. Some of them rational over the years. I've  
5 never been known to be someone at a loss of words,  
6 but I have to tell you it is a surreal experience to  
7 be before you, Madam Chair, and before a Committee  
8 that I was a Member of for a very long time. I was  
9 part of the Council family for 22 years, 7 as a  
10 staffer, 15 or so as an elected. I've said on the  
11 floor and I'll say it again, it was a transformative  
12 experience, it broke me out of my little bubble of  
13 Staten Island, it introduced me to people who were  
14 different than I was really for the first time in my  
15 life, and it made me a better person. Despite being  
16 angry and frustrated many an occasion in this room  
17 and budget negotiating team and, other than the day  
18 that we lost James Davis, I never had a bad day in  
19 this building and, again, it's an honor to be here  
20 before you.

21 As you can see behind me, there are lots  
22 of men and women of DOB. I was always impressed when  
23 I was a member when Commissioners and agencies came  
24 in with a big group of folks. To me, it was a sign of  
25 respect. It meant as busy as those women and men

2 were, they thought that this was the place they  
3 needed to be, and I asked the team to be here because  
4 I want them to hear your questions, and I want them  
5 to hear the urgency in your voice, and I want them to  
6 have as many facts as possible as we try to achieve a  
7 mutual agenda. We roll heavy, as I say, at DOB  
8 because it's my management style. I like being  
9 surrounded by really smart people, and my management  
10 style is to empower them so you're going to hear from  
11 the folks at the dais maybe speak a little bit more  
12 than a usual Commissioner. It's partly because it's  
13 my management style. It's also partly in all candor  
14 because I come here with a good dose of humility.  
15 I've been at this agency 10 months, 11 months. These  
16 folks have forgotten more than it will take a  
17 lifetime for me to know, and I want them here because  
18 I want you to get the answers that you deserve and  
19 you should hear. I want you to get complete answers.  
20 To my right is Gus Sirakis, Deputy Commissioner for  
21 Technical Affairs and Strategic Initiatives; to my  
22 left is Guillermo Patino, who is the Deputy  
23 Commissioner for Policy and Legal Affairs; to his  
24 left is Gina Ugarte, who is our Assistant  
25 Commissioner for Financial Management. At the next

2 table, there's another sort of homecoming here in the  
3 Council, and that was someone who was a superstar  
4 when she was here and she's a superstar in our  
5 agency. That's Laura Popa, who is our DC for  
6 sustainability and, when you ask very difficult  
7 questions on Local Law 97, Laura's going to field  
8 those tough questions and also is Yegal Shamash, who  
9 is our Chief Structural Engineer and an Assistant  
10 Commissioner for Structural Engineering Compliance.

11           Again, Madam Chair and Members of the  
12 Committee, my name is Jimmy Oddo. I'm the  
13 Commissioner of the New York City Department of  
14 Buildings. We are pleased to be here to discuss  
15 Fiscal Year 2025 Preliminary Budget as well as the  
16 Department's performance and priority initiatives. I  
17 was appointed Commissioner for the Department in late  
18 April of last year, and it's been an honor to lead  
19 the agency's dedicated public servants since that  
20 time. I was clear when I accepted this appointment  
21 that keeping buildings and construction sites safe  
22 would be my top priority, and that is what we focused  
23 on for the past 10 months, including rising to the  
24 occasion to protect New Yorkers in the aftermath of  
25 major building and construction incidents. I found



1 out early in my tenure that the Department is replete  
2 with professionals, which made my work to identify  
3 internal talent to take on leadership roles at the  
4 agency clear from the start. We've built out the  
5 right team to fulfill the Department's mandate, and  
6 that has been key to serving New Yorkers and pushing  
7 forward our priorities over the past few months. The  
8 Department's duty to regulate the built environment,  
9 which includes nearly 1.1 million existing buildings  
10 and tens of thousands of active construction sites  
11 would not happen without the people who work at the  
12 Department. I thank our team for all of their hard  
13 work to keep those who live, work, and visit the city  
14 safe.  
15

16           Turning out to the budget, Fiscal Year  
17 2025 Preliminary Budget allocates approximately 179  
18 million dollars in expense funds to the Department.  
19 Of this funding, approximately 149 million is for  
20 personal services, which supports 1,627 budgeted  
21 positions, and nearly 30 million is for other-than-  
22 personal services, which primarily supports  
23 contractual services, equipment, and supplies. This  
24 funding is critical to supporting the Department's  
25 mandates and priorities. In Fiscal Year 2023, the

2 last full Fiscal Year, approximately 289 construction  
3 jobs were filed with the Department, and we issued  
4 approximately 1,800 initial and renewal construction  
5 permits combined. This represents a slight uptick in  
6 construction job filings from the previous Fiscal  
7 Year. Despite the uptick in filings, the average time  
8 to review filings decreased across the board last  
9 Fiscal Year, including for new building applications  
10 and for major and minor alterations. So far this  
11 Fiscal Year, we're seeing a slight decrease in job  
12 filings compared to the beginning of the last Fiscal  
13 Year and a slight increase in the time it takes the  
14 Department to review such filings with customers  
15 waiting just under three days for their job filings  
16 to be reviewed. This slight uptick in the time that  
17 it takes the Department to review filings can be  
18 attributed to an increase in the number of  
19 resubmissions after the Department conducts an  
20 initial review of a filing and issues objections. Our  
21 goal is to continue to promptly complete our initial  
22 plan reviews and to ensure that customers know what  
23 to expect when their plans are being reviewed by  
24 continuing to train our plan examiners to ensure that  
25 plan review is efficient and consistent. Notably, the

2 number of construction jobs filed online in DOB Now  
3 continues to grow year over year as we continue to  
4 shift from the Buildings Information System, the BIS  
5 system, a three-decades-old mainframe system. Nearly  
6 90 percent of construction jobs are currently being  
7 filed in DOB Now. When the original scope is fully  
8 implemented, DOB Now will allow our customers to  
9 conduct all their business with the Department  
10 online, which will lead to greater efficiency and  
11 more transparency by allowing building owners,  
12 business owners, design professionals, and  
13 contractors to determine exactly where a construction  
14 project is in the approval process. The wait time  
15 between a construction inspection request and an  
16 inspection, which occurs after a construction project  
17 is completed by a contractor, also continues to be  
18 short. While there has been an uptick in the time it  
19 takes for a development inspection to be completed  
20 due to an increased demand for inspections and  
21 budgetary constraints, such inspections are still  
22 being completed within three days of a request in  
23 most instances, which includes inspections involving  
24 general construction, electric work, and plumbing  
25 work. This progress on development inspection service

2 levels can be attributed to the efficiencies gained  
3 from DOB Now, which allows for all types of  
4 development inspections to be scheduled online. This  
5 makes it easier for our customers to schedule  
6 inspection appointments and offers more precise  
7 inspection scheduling. We also continue to respond to  
8 complaints from members of the public expeditiously.  
9 We are responding to the most serious complaints,  
10 priority A complaints, which are those complaints  
11 that relate to conditions that may present an  
12 immediate threat to the public, within hours. We are  
13 responding to priority B complaints, which capture  
14 violating conditions that, if occurring, while  
15 serious, do not present an immediate threat to the  
16 public within 12 days. As a result of responding to  
17 these complaints and our proactive inspections  
18 concerning construction safety, we issued  
19 approximately 4,600 OATH summonses last Fiscal Year.  
20 This is a decrease from the previous year and can be  
21 attributed to education campaigns by the Department  
22 intended to provide more transparency to the  
23 construction industry regarding conditions that will  
24 result in enforcement action being taken, greater  
25 adherence to construction regulations by the

2 industry, and the continued implementation of the  
3 homeowner relief program, which provides small  
4 property owners with the opportunity to address  
5 violating conditions before receiving a summons and  
6 monetary penalties. To ensure the safety regulations  
7 are being complied with at construction sites, the  
8 Department continues to conduct proactive,  
9 unannounced inspections of larger construction sites.  
10 Last Fiscal Year, the Department conducted  
11 approximately 180 enforcement inspections, which was  
12 15,000 more inspections than the previous year.  
13 Despite conducting more inspections and finding fewer  
14 violating conditions during such inspections, the  
15 number of construction-related incidents that  
16 resulted in injury or fatality to a worker increased  
17 last Fiscal Year. Notably, the number of worker falls  
18 that did not result in enforcement action being taken  
19 by the Department, which means violating conditions  
20 were not discovered during our inspection, increased  
21 last Fiscal Year. This is a troubling trend that the  
22 Department is investigating further to determine how  
23 the issues that resulted in increased worker falls  
24 can be addressed. The Department urges the  
25 construction industry to be more vigilant so this

troubling trend can be reversed. The Department is also fulfilling its obligation to address greenhouse gas emissions coming from buildings. We are well-positioned with a dedicated team of energy and sustainability experts to support the City's goal of achieving carbon neutrality. In addition to enforcing the energy code and existing laws that require certain buildings to report their energy and water use, and to perform retro-commissioning, we are also implementing the Climate Mobilization Act, which includes Local Law 97 of 2019. Local Law 97 requires the city's largest buildings to increase energy efficiency and reduce greenhouse gas emissions over several compliance periods, culminating in achieving net zero emissions by 2050. The Department is working diligently to fully implement Local Law 97 and has released rules and guidance to inform property owners about how to comply with the law when they start reporting their progress to the Department on May 1, 2025. This year, we will continue to engage in rulemaking and on-the-ground implementation. The Administration is committed to supporting building owners as they work to come into compliance.

2           While I'm proud of the strong service  
3 levels we are maintaining for both our customers and  
4 members of the public filing complaints, we are also  
5 taking significant steps to improve quality of life  
6 for New Yorkers and improve building and construction  
7 safety. Last summer, the Mayor announced the Get  
8 Sheds Down plan, a multifaceted approach to removing  
9 sidewalk sheds more quickly while re-imagining the  
10 sidewalk sheds that are needed to protect the public  
11 and in connection with construction work. This builds  
12 upon the work of the Department to address long-  
13 standing sidewalk sheds, including performing regular  
14 inspections and taking legal action to hold building  
15 owners accountable for maintaining their buildings.  
16 Since the Mayor's plan was announced, we have  
17 released solicitations in connection with two major  
18 initiatives, which includes redesigning sidewalk  
19 sheds to make them less obtrusive and more  
20 aesthetically pleasing and to study Local Law 11,  
21 which requires buildings greater than six stories in  
22 height to have their façades inspected periodically.  
23 We have also released guidance to the construction  
24 industry regarding the use of netting in lieu of  
25 sidewalk sheds and rules regarding the installation

2 of art on sidewalk sheds. Key proposals to the plan  
3 require legislative action and we look forward to  
4 working with this Committee to pursue those changes  
5 in the future.

6           We have also taken steps to strengthen  
7 our regulations and hold bad actors accountable in  
8 the aftermath of major building incidents that  
9 occurred last year, which included a parking  
10 structure collapse in lower Manhattan and the partial  
11 collapse of the building in the Bronx alluded to by  
12 the Chair. Following the parking structure collapse  
13 in Manhattan, we immediately revisited our  
14 regulations to require that every parking structure  
15 be inspected by a design professional this year,  
16 which significantly sped up the timeline for certain  
17 parking structures, some of which would not have been  
18 inspected until 2027. Additionally, we revised our  
19 regulations to require that an engineer be  
20 responsible for performing annual observations for  
21 such parking structures. So far, we are seeing  
22 promising compliance with the first sub-cycle of the  
23 requirement to conduct parking structure inspections,  
24 which applied to buildings in lower Manhattan. We  
25 encourage all owners of parking structures not to



2 delay complying with this important requirement as we  
3 are committed to holding owners accountable until  
4 they achieve compliance. Following the partial  
5 building collapse in the Bronx, we conducted a sweep  
6 of all the properties owned by the owner of the  
7 building to determine whether any violating  
8 conditions existed at such buildings. Further, we  
9 moved to swiftly suspend inspection privileges for  
10 the engineer who conducted the last façade inspection  
11 at the building. Last month, we entered into a  
12 settlement agreement with the engineer, which  
13 resulted in a two-year suspension of their privileges  
14 to conduct façade inspections. We're currently  
15 reviewing existing regulations related to the  
16 qualifications of industry professionals who perform  
17 such façade inspections to determine if there are any  
18 opportunities to strengthen registration requirements  
19 for such private façade inspectors in the interest of  
20 public safety. Given the recent incidents involving  
21 existing structures, the Department is doubling down  
22 on compliance. We are conducting a comprehensive  
23 review of the summonses that have not been corrected,  
24 which includes conducting outreach to property owners  
25 with open summonses to provide them with guidance

2 about the correction process. While the Department is  
3 taking an education-first approach to the issue, if  
4 summonses are not corrected in a timely manner, we  
5 will be performing followup inspections and we'll  
6 take additional enforcement action to prompt  
7 correction. We are also taking a hard look at our  
8 enforcement toolbox to determine how we can hold bad  
9 actor property owners accountable for maintaining  
10 their properties when traditional summonses do not  
11 suffice, and we look forward to discussing this issue  
12 with you further. We encourage all New Yorkers to  
13 visit the Department's website to determine whether  
14 there are any unresolved issues at their properties  
15 and to reach out to us with any questions that they  
16 might have about bringing their properties into  
17 compliance.

18 Thank you for the opportunity to testify  
19 before you today. We welcome any questions. Madam  
20 Chair, if I could just say one last thing before  
21 taking your questions. If I appear to be nervous and  
22 if you see me looking over my shoulder frequently,  
23 it's not because I'm worried about OMB staff or CLA  
24 staff to my undoubtedly too candid testimony. It's  
25 because I fear those doors are going to blow open and

2 former Colleague Charles Barron is going to come sit  
3 down and ask me questions. Somewhere Charles is  
4 smiling right now in Brooklyn because of that  
5 statement.

6 CHAIRPERSON SANCHEZ: He is. He is. Is he  
7 here? Is he in the building?

8 COMMISSIONER ODDO: No.

9 CHAIRPERSON SANCHEZ: Love that guy. Thank  
10 you so much, Commissioner. I just want to start by  
11 thanking you, Commissioner, and the agency staff and  
12 leadership that was so responsive following the 1915  
13 collapse. For those that may not be aware, when a  
14 tragedy or an emergency such as a collapse or a big  
15 fire or whatever the case may be happens, there is a  
16 task force of agencies that come together and they  
17 meet regularly and there's usually one that is, I  
18 don't know if it's formally or informally, chosen to  
19 be the coordinating entity. More often than not, it's  
20 Emergency Management but, in the case of 1915  
21 Billingsley, it was the Department of Buildings, and  
22 we spoke at 11 p.m. on Christmas Eve, we spoke at all  
23 hours of the night to address concerns at the  
24 building by those tenants, and I just want to thank  
25 you, I want to thank the Assistant Commissioners that

2 were on the ground. It just really was helpful to  
3 know that I had the ability to reach out and have  
4 problems solved in real time so thank you.

5           COMMISSIONER ODDO: Thank you for that,  
6 Madam Chair, and I, too, echo the kudos to the team.  
7 Let me just say that I am really cognizant of the  
8 fact that you are not sitting in front of me solely  
9 as the Chair of this Committee but you are a Council  
10 Member in whose District this happened and so, as you  
11 will hear in response to some of your questions, I  
12 want to continue our partnership because I think  
13 that's the best path and that will be the most likely  
14 path for us to make the changes we all want.

15           CHAIRPERSON SANCHEZ: Thank you. Thank you  
16 so much, Commissioner, and a special shoutout to  
17 Assistant Commissioner McCarton. He would probably be  
18 upset if I didn't name him. He's been really great.

19           Okay, so I'm just going to ask one set of  
20 questions and then I'm going to turn it over to  
21 Colleagues just in case they might not be able to  
22 stay, but this in particular is with respect to my  
23 highlighting 577 positions not being at the agency  
24 anymore. Vacancy reduction of 577 positions since  
25 Fiscal '22. The major action in the Preliminary Plan

2 cuts DOB staff by 137 positions in Fiscal '24 and 90  
3 positions in Fiscal 2025 in the outyears, and this is  
4 the latest move in a pattern of vacancy reductions  
5 that by next year will have removed 577 positions  
6 since Fiscal 2022. Considering how inspectors play a  
7 critical role in the safety and revenue generation of  
8 the agency and the City of New York, why didn't OMB  
9 allow DOB to maintain its inspectorial headcount and  
10 provide funding to fill those positions in the  
11 Preliminary Plan, two, given the reversal of the  
12 executive PEG, is DOB requesting staffing  
13 restorations to better fulfill its critical public  
14 safety roles and, three, can you provide a breakdown  
15 of the titles removed in the 577 positions reduced  
16 since Fiscal '22?

17 COMMISSIONER ODDO: Obviously, difficult  
18 fiscal climate for all of us. Particularly difficult  
19 for a new Commissioner to come in within a few months  
20 to be told you're staring at three PEGs, 5 percent, 5  
21 percent, and 5 percent and, like other agencies, we  
22 sought a path that had the least impact to the  
23 agency. I know you and this Committee in the past  
24 have voiced your concerns about the high vacancy  
25 rate. I watched previous hearings from before I was a

2 Commissioner, and I know that was important. This is  
3 not how we envisioned reducing those numbers. In the  
4 November plan, we took down close to 10 million  
5 dollars, 117 positions, 47 inspector positions, 28  
6 technical staff, 30 administrative, and 12 clerical.  
7 In January, it was a 9.4-million-dollar PEG, 90  
8 positions, 28 inspectorial, 13 technical, 27  
9 administrative, and 12 clerical. To your question  
10 about why those. Again, it was the pathway that was  
11 least harmful for the agency. Those were vacancies  
12 that we had not filled. As you know and the Committee  
13 knows, this agency has a difficult time, despite its  
14 best efforts, retaining and attracting, and meeting  
15 that PEG via those vacancies put us in the best  
16 position to continue to deliver the services we need.  
17 Those cuts notwithstanding, again, if you look at our  
18 service levels across the board, they're still  
19 excellent relative certainly to the last five years,  
20 even the ones that have regressed, and we have seen  
21 some regression in the first four months of this  
22 Fiscal Year. We monitor it very closely, but the  
23 reductions, as painful as they were, were the least  
24 impactful. To your question about seeking help from  
25 OMB. Absolutely, those conversations with OMB are

2 ongoing. I will say that, as you know, I worked for  
3 Deputy Mayor Joshi for 16 months as her Chief-of-  
4 Staff. She is now my deputy Mayor. She's a wonderful  
5 ally as well, and she is intimately familiar with  
6 this agency, where we are, what we want to do, where  
7 we need to go, and she's been a strong ally for all  
8 of our agencies.

9 CHAIRPERSON SANCHEZ: I'm going to ask  
10 you, could you just repeat the numbers for the 10  
11 million PEG and the 9.4 million PEG?

12 COMMISSIONER ODDO: Yeah, so 9.5 million  
13 in the November Plan was 117 positions. Those 117  
14 positions were broken down 47 inspectors, 28  
15 technical staff, 30 administrative, 12 clerical. The  
16 January Plan was 9.4 million, 90 positions, broken  
17 down again, 28 inspectorial, 13 technical, 27  
18 administrative, and 12 clerical.

19 ASSISTANT COMMISSIONER UGARTE: Hi, Madam  
20 Chair. I would just like to add that again, while the  
21 inspectors were exempt from the hiring freeze, the  
22 agency was unable to achieve its PEG reduction  
23 targets without including those inspectorial  
24 vacancies.

2 CHAIRPERSON SANCHEZ: Thank you. Thank you  
3 so much. That's helpful clarification. So 47 plus 20,  
4 I shouldn't try to do math at the dais, that's a bad  
5 idea, but close to 80 inspectors we're talking about,  
6 and then roughly 40-some-odd technical staff. When  
7 you say technical staff, Commissioner, can you  
8 describe what those titles are?

9 ASSISTANT COMMISSIONER UGARTE: The  
10 technical staff would be our plan examiners. If you'd  
11 like, I can give you the combined reductions for both  
12 plans...

13 CHAIRPERSON SANCHEZ: Yes.

14 ASSISTANT COMMISSIONER UGARTE: That you  
15 were referencing that. For inspectorial titles were  
16 75 positions, the technical titles 41, administrative  
17 titles 67, and clerical titles 25 for a total of 207.

18 CHAIRPERSON SANCHEZ: Yes, I can do math  
19 at the dais. Thank you. Thank you so much.

20 I'm going to hold my questions, but so  
21 that you know it's coming and you can prepare. I'm  
22 going to ask specific questions about plan examiners,  
23 inspectors of different kinds. My constituent staff  
24 and your community staff have worked together, and  
25 we've heard reports of shortages in certain areas so



2 going to be asking about those just so that you know  
3 it's coming, but I want to turn it over to Council  
4 Member Brewer.

5 COUNCIL MEMBER BREWER: Everybody knows, I  
6 think this is the best public servant, this  
7 Commissioner in the whole city. I just want to make  
8 that clear. He's pretty special, but so is Guillermo  
9 Patino, so is Laura Popa, and everybody else. I just  
10 happen to know those two extremely well.

11 One question I had, when I was the  
12 Borough President, I had a whole task force on  
13 construction safety because I'm so concerned about  
14 people dying on the job. I know you mentioned it. I  
15 just would like a little bit more clarification about  
16 what you're doing to prevent people dying or even  
17 getting injured on the job and how many people  
18 allocated to it. It's hard. I know, and I think I  
19 know that most of the sites where people die are not  
20 union. I know that shouldn't be the only criteria,  
21 but it is a fact. So that's my question. How many  
22 people? What do you think you can do to prevent it in  
23 the future?

24 COMMISSIONER ODDO: Yeah. If I can, Madam  
25 Chair, we look at fatalities via Calendar Year, and I

2 know you referenced the OSHA 22 number. We see the  
3 number of fatalities in Calendar Year 2023 as 7,  
4 which is a decrease off the high. I know this, again  
5 in watching some old, I feel like a quarterback and  
6 watching some old film, I know you had a question and  
7 an answer with First Deputy Commissioner Kaz  
8 Vilenchik on this, and he talked about the OSHA  
9 numbers sort of encapsulating a broader than the five  
10 boroughs. The fatalities we think we've seen  
11 improvement on, right? We know that in part because  
12 of the SST program, in part because of Local Law 149  
13 and reducing the number of jobs, construction  
14 superintendents from 10 to 5, and eventually to more.

15 COUNCIL MEMBER BREWER: And more site  
16 safety people.

17 COMMISSIONER ODDO: Yeah. What's troubling  
18 us today is the number of injuries is going up.  
19 What's particularly troubling, for a while, it was  
20 the number of falls off ladders of three to four  
21 feet. What's beyond particularly troubling is that  
22 when we go out and inspect, we don't see a trip  
23 hazard. It's also shifted from falls to trip hazards.  
24 If you look at the number of injuries we have  
25 historically and you look at the sort of delta today

2 and you identify the universe as we have of injuries  
3 where we've gone out and found no condition, that  
4 number is the delta, right? So if I could say that  
5 maybe a little more precisely, the number of injuries  
6 that we think are curious is the reason why injuries  
7 are going up so we are looking into that because it  
8 seems a little bit more than coincidence. To answer  
9 your question specifically Council Member, we have  
10 134 positions allocated to construction safety. We  
11 have two units that now report to the same Assistant  
12 Commissioner. I don't know if Commissioner Arias is  
13 here. He's probably signing autographs in the back  
14 somewhere. He's doing a great job, and he will tell  
15 you he's doing a great job. He has construction  
16 safety compliance that does inspections and safety  
17 enforcement that do inspections. They will go out and  
18 do unannounced inspections. I've actually gone on one  
19 with him and watched the team go to the site  
20 unannounced, pull the logbooks, go floor-by-floor,  
21 check SST cards. I referenced the SST cards because  
22 last week's press conference that I participated in  
23 with D.A. Bragg and the DOI Commissioner was really  
24 important. We have now 380,000 SST cards out there.  
25 That means that we have trained hundreds of thousands

2 of workers and hopefully have made it more likely  
3 that they return home. When one of your partners in  
4 that endeavor breaks that fidelity, it's really  
5 problematic and, yes, last week we announced Valor  
6 that has issued around 17,000 cards. The D.A.  
7 announced an indictment. We need to continue to be  
8 vigilant, not only of the inspections, but of the  
9 audits of those providers where we go into the field  
10 and we go into the classroom. The DOI Commissioner  
11 has recommended that our role go beyond and include  
12 the instructors, and that's going to take legislation  
13 and, also, Madam Chair, it's going to take a  
14 significant amount of resources because we're talking  
15 about building out an entire new unit.

16 COUNCIL MEMBER BREWER: Wow.

17 COMMISSIONER ODDO: Yeah. The SST card, if  
18 I can say one last thing, Council Member...

19 COUNCIL MEMBER BREWER: Gale is fine.

20 COMMISSIONER ODDO: The SST card needs to  
21 have an integrity because we can do so many things  
22 with it and we can build off of it. Deputy  
23 Commissioner Sirakis has an idea about specific types  
24 of training that we could then check on our SST cards  
25 above and beyond fall training. It's has to have a

2 foundation that has integrity so we can build out of  
3 the safety requirements on it, and it's troubling  
4 when you see theoretically 17,000 workers who may  
5 not, I don't know how many did, how many didn't  
6 receive the training that we all want them to have.

7 COUNCIL MEMBER BREWER: Okay. Thank you. A  
8 year or so ago, I asked IBO to do what is the in-  
9 dollar amount of uncollected. I don't know. They only  
10 did three agencies, but it was 2.1 billion.

11 COMMISSIONER ODDO: Oh.

12 COUNCIL MEMBER BREWER: So my question, of  
13 course, is, and then I didn't realize this so you're  
14 returnable to OATH but, if the money is not  
15 collected, they obviously get a judgment. It goes  
16 back to Finance, I think, to figure out how much is  
17 actually owed, but do you have any sense of what is  
18 unpaid revenue from your agency or is that just  
19 Finance?

20 COMMISSIONER ODDO: I most certainly do.  
21 One of the last meetings when I was with Deputy Mayor  
22 Joshi, the former Deputy Commissioner for  
23 Administration and Budget at DOB used a number in a  
24 meeting that knocked me out of my seat. The moment I  
25 got to DOB, I've been asking about that, and the

2 number is closer to a billion than it is to zero,  
3 Council Member.

4 COUNCIL MEMBER BREWER: And that's over  
5 one year, two years, five years?

6 COMMISSIONER ODDO: This is the total  
7 amount of out, total.

8 COUNCIL MEMBER BREWER: Out, total? Okay.

9 COMMISSIONER ODDO: Madam Chair, we are in  
10 the process of trying to draft a plan to address  
11 that. When that plan is more fully baked, we'd like  
12 to come to present it to you. It underscores a couple  
13 of things. That's money on the table that we as a  
14 City should not be using. It's money, frankly, that I  
15 envision as money that maybe could protect from a  
16 future PEG, but it also underscores for us one of the  
17 weak spots that this agency has and something that we  
18 need to work together, Madam Chair, and that is after  
19 we give out violations and they ignore our  
20 violations, what do we do then? We need some  
21 additional sticks. We need to expand lien power so  
22 that although putting a lien on a property is not a  
23 panacea, it's another tool. We need to consider, and  
24 I know it's been bandied about, and I'm sorry the  
25 Public Advocate, I know the Public Advocate was here

2 earlier, but we need to put on the table again, and I  
3 know it's not wildly popular in all circles, but it's  
4 a discussion we need to have, and that's the general  
5 contractor licensing again. I will ask Guillermo, we  
6 have seen, he may have the numbers offhand, we have  
7 seen in the last year Department of Finance take some  
8 of our violations and turn them into property liens  
9 and begin to collect that money, correct?

10 DEPUTY COMMISSIONER PATINO: Yeah.

11 COMMISSIONER ODDO: That's something that  
12 we need to expand to, but there comes a point in time  
13 when we have bad property owners like 1915 or  
14 Davidson in the Chair's District or 117-233 22nd  
15 Street or whatever it is in Council Member Williams'  
16 District that she just talked to me about in the last  
17 week where there's all these outstanding violations,  
18 and we are left unable to achieve compliance. I will  
19 end my little rant with a line that I heard our  
20 Climate Chief use in reference to Local Law 97, and  
21 the Assistant Commissioner for Revenue could hold her  
22 ears, I'm not interested in your revenue, I'm  
23 interested in your compliance. We are a compliance  
24 agency, and when we can't get compliance when we run  
25 out of sticks, we need bigger sticks, and that's why

2 when I heard the Chair's comments with respect to the  
3 HPD Commissioner and bad actors and what she wants to  
4 do in terms of holding more bad actors accountable,  
5 it's consistent with what we're trying to do and we  
6 need your help.

7 COUNCIL MEMBER BREWER: Thank you very  
8 much because I've been pushing on this issue for a  
9 long time so I appreciate what you have to say.

10 Finally, drones. Is that something that's  
11 going to be used in terms of maybe in place of  
12 scaffolding or previous to scaffolding, etc. We're  
13 using them at the monument in Riverside Park so  
14 they're not going to be putting up scaffolding. They  
15 actually, at least not to do the assessment.

16 COMMISSIONER ODDO: Yeah. If my answer is  
17 anything but yes, we are going to use drones, then  
18 there's probably going to be a new Commissioner next  
19 time, and these poor folks have whiplash with all  
20 that already. I say that because the Mayor is a huge  
21 proponent of drones and makes it very clear to us.  
22 Our façade inspections...

23 COUNCIL MEMBER BREWER: Need to touch  
24 them. I know...



2 COMMISSIONER ODDO: Yeah, they're tactile,  
3 but drones and, maybe as important if not more  
4 importantly, the AI that comes with drones is  
5 something that we need to embrace. We, what's the  
6 name of the company, Gus, D28...

7 DEPUTY COMMISSIONER SIRAKIS: T2D2.

8 COMMISSIONER ODDO: T2D2 gave us a  
9 presentation that shows what they do with drone  
10 footage, how they see infrared issues of leakage and  
11 in slight movements so, yes, this Department, I think  
12 Jill Hrubecky is back there, our Assistant  
13 Commissioner who did a really great report on drones  
14 in cooperation with this agency. I will say to you,  
15 it's not only drones. It's not only the AI with  
16 drones. We need to embrace technology of all kinds.  
17 If you look at Gus's title, it's a little different  
18 than what it once was. It includes strategic  
19 initiatives, and a huge part of that portfolio is Gus  
20 leading the charge on innovation, and so we have a  
21 few things cooking in terms of competitions. We're  
22 reconstituting our innovation board, which is the  
23 industry, entrepreneurs, and us, and I would welcome  
24 anyone from the Chair's realm to sit and talk about  
25 all kinds of technology to get us to be a better

2 agency. DOB Now, and I'm sure we'll discuss it, for  
3 all of the angst it's created lots of folks, is light  
4 years ahead of a paper system where when I was a  
5 Council Member on Staten Island, a young Council  
6 Member, the joke was part of the file or the full  
7 file misses depending on what they needed. We are  
8 light years away from that as an agency. We need to  
9 embrace technology across the board.

10 COUNCIL MEMBER BREWER: Okay, thank you.  
11 I'm sure you'll ask about Local Law 97 if not later  
12 on. Thank you.

13 CHAIRPERSON SANCHEZ: Thank you so much,  
14 Council Member Brewer

15 I just want to ask a few followups and  
16 then I'll turn it over to Council Member Restler.  
17 One, cool, didn't realize anybody watched the  
18 hearing, so that's great, after the fact, in  
19 hindsight so thank you Commissioner for your  
20 attention on these.

21 I just want to ask a few followup  
22 questions on site safety training. You mentioned that  
23 the places where there are curious injuries, we don't  
24 know the cause, there were no DOB-affiliated  
25 violations issued where there was a fall. Do we know

2 other facts about these sites? Was there higher or  
3 lower Site Safety Training card compliance? Do we  
4 know whether there were more likely to be union or  
5 non-union sites, etc.?

6 COMMISSIONER ODDO: That's 167. That's a  
7 little more than 25 percent of this uptick in falls  
8 is under these curious conditions and, again, the  
9 other pattern that the team has noticed is it was  
10 falls from relatively short feet of ladders. Now  
11 they're trip hazards. Just to give you some context.  
12 Total incidents, serious injury or fatality, it was  
13 502 in 2021, 540 in 2022, 649 in 2023. The percentage  
14 of these cases where we go out and we don't see a  
15 cause or reason, it's gone up from 9 percent in 2021  
16 to 15.8 percent in 2022, all the way up to 25.7  
17 percent in 2023. That's curious to us, and I will  
18 find out about other demographics that we have about  
19 the sites.

20 CHAIRPERSON SANCHEZ: Thank you. Do you  
21 think it might have anything to do with the load that  
22 the inspectors have? Because you mentioned in your  
23 testimony that service levels have not been impacted  
24 by the reductions in the inspectors that we have,

2 which is a good thing, but what about the quality of  
3 the inspections? Could there be a relationship here?

4 COMMISSIONER ODDO: Yeah, it's  
5 interesting. Our violations have ticked down, right?  
6 That's a data point, I'm not going to hide that, but  
7 the quality of our violations has gone up, meaning  
8 the ones that were upheld, the ratio of those that  
9 were upheld to those that were dismissed has  
10 improved, so we're writing better violations. On the  
11 enforcement side, and I think you had this  
12 conversation previously, the inspectors are asked to  
13 hit 6 to 10, 6 to 8 sites a day, depends on the  
14 complexity of sites. We have, I'll call it a pilot  
15 program, it's embryonic, I probably shouldn't talk  
16 about it, but DOB Now gives us a lot of data, and I  
17 think we're only skimming the surface, and it's  
18 something I want to talk about before I leave here.  
19 It's probably the most important thing I want to  
20 share with you, and I was going to lead off with it  
21 right after my testimony, but I was afraid somebody  
22 might have thrown something at me from behind, but  
23 the data point I was talking about before I made my  
24 joke, the DOB Now data points. Oh, I'm sorry, yes.  
25 The DOB data points was that we are with three

2 enforcement units, I love middle age but, boy,  
3 sometimes it reveals itself, in three enforcement  
4 units using the ability that DOB Now gives us in  
5 conjunction with another piece of technology, to  
6 instead of having a supervisor map out the route  
7 inspectors take, do it in an automated fashion. Now,  
8 again, this is very embryonic. It was a limited  
9 universe, but we saw improvements. We saw  
10 efficiencies and, oh, by the way, it also frees up  
11 supervisors to do additional work. This is my point  
12 about technology has to be our answer to being a  
13 better agency in many different ways.

14 CHAIRPERSON SANCHEZ: Thank you. That is  
15 exciting, and I look forward to hearing more about  
16 it. You are creating your own AI. I don't know if  
17 it's AI, but yeah. Okay. One more clarifying  
18 question. You mentioned that after the, was it  
19 arrest, or the indictment last week of Valor  
20 Security, you mentioned that the Department of  
21 Investigation said you should include instructors.  
22 What did you mean by that, include them in what?

23 COMMISSIONER ODDO: Yeah. The reviews that  
24 we do are on the course providers themselves. I think  
25 there are 155, Eric, 150 course providers. Those

2 providers hire instructors. It was some of those  
3 instructors who turned out to be complicit in what  
4 the D.A., DOI, and our agency uncovered, and  
5 Commissioner Strauber's suggestions, and they're  
6 valid, are that we need to get our arms around the  
7 universe of instructors. We publicly said at the  
8 press conference that we agree with that, but the  
9 fact is that comes with a price tag and we already  
10 have some really important safety needs and asks that  
11 we're pursuing.

12 CHAIRPERSON SANCHEZ: Thank you. It is  
13 troubling. I commend the agency and the D.A. for  
14 reaching this indictment, but 20,000 sham SST cards  
15 out of the universe of 380,000 is 5 percent so it's  
16 low, but it's not that low. It's pretty significant.

17 COMMISSIONER ODDO: No, it's troubling.  
18 Just in complete transparency, so we did an audit of  
19 Valor in 2022 and then an audit again in April of  
20 2023, and we didn't like what we saw. Right after  
21 that is when our colleagues in law enforcement said  
22 stand down and there was a bigger initiative underway  
23 so we suspended our process. We reinstated that  
24 process, and our rules are that Valor has an  
25 opportunity to answer out but, when they answer out,

2 if it's not to our satisfaction, that's when we will  
3 make the decision possibly to invalidate those cards,  
4 and that happens by a press of the button. If I can  
5 make one other point, because as troubling as this  
6 is, there's a really important data point that shows  
7 how important the work that the Council and the  
8 Administration did on this, and that is not so long  
9 ago, there were 2 million taps, a total of 2 million  
10 taps, so a person with a valid card comes on site and  
11 taps a phone that has software, and that software  
12 determines if that card is valid. That person has  
13 gone through the training. We've gone from a little  
14 more than a year ago to 2 million to 15 million taps.  
15 That means that people are using the cards, using  
16 valid cards, and doing it the right way. There are  
17 some sites that have incorporated gates at the  
18 entrance so that you can't get into the construction  
19 site without a valid SST card so there is hope, but  
20 we have to be really vigilant.

21 CHAIRPERSON SANCHEZ: Thank you. Thank you  
22 so much, Commissioner.

23 I'm going to turn it over to Council  
24 Member Restler.

2 COUNCIL MEMBER RESTLER: Thank you so  
3 much, Chair. You do a terrific job, truly.  
4 Commissioner, it's good to see you.

5 COMMISSIONER ODDO: I had a dream last  
6 night.

7 COUNCIL MEMBER RESTLER: Oh, gosh.

8 COMMISSIONER ODDO: It was the weirdest  
9 dream. The dream is so odd. I was an elected  
10 official. You were a member of the Administration  
11 and, even though I was really smart and on it, I  
12 treated you so nicely, so caringly, with empathy and  
13 compassion. It's the strangest dream, Council Member.

14 COUNCIL MEMBER RESTLER: You recall you're  
15 under oath. You're under oath. Okay, got it

16 . No, on that note, I'll tell you, I was  
17 having dinner with a few friends on Saturday night,  
18 and I won't give the context of the story, but I was  
19 asked three Republicans who I really like, and your  
20 name was on the list. You've always been...

21 COMMISSIONER ODDO: Competition has been  
22 watered down in recent years.

23 COUNCIL MEMBER RESTLER: That's fair. I  
24 wasn't asked for five, but I came up with three and,  
25 for good reason, you were on that list because you



2 have always been a tremendous public servant who  
3 really cares and works as hard as you can and I  
4 really appreciate it and, since you've come in at  
5 DOB, whenever there's an issue of concern in the  
6 District, you, Jay, the whole team are on it, you're  
7 communicative, you give us the information that me  
8 and my team need to be able to communicate with our  
9 neighbors to keep them apprised of what's happening,  
10 and I deeply appreciate it.

11 COMMISSIONER ODDO: Council Member, can I  
12 say one thing to that? I'm not in a competition to be  
13 the most popular Commissioner, but given the fact  
14 that I've walked a lot of miles in your shoes, if I'm  
15 not and we're not the most responsive, I will be  
16 disappointed because ideological differences or  
17 position differences or Administration, even more so  
18 in my mind when they're ups and downs with the  
19 Administration and the Council, even more of a reason  
20 for me, our team to lean in to building relationships  
21 with the Council and elected officials so I  
22 appreciate that and I look forward to continuing our  
23 relationship.

24 COUNCIL MEMBER RESTLER: I really  
25 appreciate it. When a building collapses, when

2 there's a stop work order, when we're working  
3 together on what's an appropriate AHV, there's  
4 nothing ideological about it, right? This is about  
5 public safety and it's about making sure that we're  
6 communicating and collaborating effectively to keep  
7 our community safe. I have to say the Chair's opening  
8 statement was jarring for me. The fact that we've  
9 experienced a 26 percent reduction in headcount since  
10 the beginning of this Administration at DOB is  
11 indefensible. It's impressive what you've been able  
12 to do considering the reduction in headcount, but DOB  
13 should have been exempted from the most recent hiring  
14 freeze. DOB should not have seen additional cuts to  
15 your headcount in the recent PEG, and I asked Jacques  
16 about this at our budget hearing last week, and we  
17 will do everything we can to restore the headcount of  
18 the agency because we see the impacts it has. The  
19 PMMR showed on priority B complaints that we were  
20 fully two days slower to respond, which is a direct  
21 result of headcount, and you got to pick your spots  
22 and do the best you can when you don't have enough  
23 people and bodies, but I don't even have a question  
24 there unless there's something you want to add. I  
25 just want to say I trust your leadership but, if you

2 don't have the people to do the job, you're put in an  
3 impossible situation and we need more inspectors and  
4 we need more people at DOB right now.

5 COMMISSIONER ODDO: Council Member, thank  
6 you for that, and I will answer it this way. I think  
7 if I said I didn't want more, then anytime I go back  
8 to 280 Broadway and look at the team and ask them for  
9 something, they should tell me to take a walk, but I  
10 think we need to be different too, and this is the  
11 point I wanted to say to the Chair in the opening. We  
12 are doing a really good job providing the services  
13 that we do, service levels bear that out, but we are  
14 a complaint-driven agency for the most part, right?  
15 Even though there have been high-profile incidents  
16 and people are painting a narrative, I can push back  
17 against that respectfully and say, human error,  
18 egregious human error, that doesn't negate the fact  
19 that we have an aging housing stock and maintenance,  
20 as we all know, is an issue so we need smarter.  
21 Smarter to me is we have to get this agency to a  
22 point where we have a team that is on offense, that  
23 we go and act proactively, that we get into the  
24 predictive analytics game, that we take advantage of  
25 all the data that DOB Now has created, that we use

2 the reports like Jumaane's reports and all other  
3 data, where we proactively go after the bad actors,  
4 and that we have the ability to routinely look at  
5 open Class 1 violations.

6 COUNCIL MEMBER RESTLER: I think that's  
7 all totally right. I think the other point that you  
8 testified to is really important, and I know that the  
9 Chair has been sympathetic on these fronts. We need  
10 to give DOB more tools so that when bad actors choose  
11 not to cooperate with you or ignore the violations  
12 that are issued, you actually have the ability,  
13 whether via liens or other things, to hold them  
14 accountable. I know that there are crappy people in  
15 my District who refuse entry to DOB when you come and  
16 what are you going to do? You go back again, and I  
17 don't know what there is that you should be doing or  
18 what options you have, but it puts us in a terrible  
19 position, I think, as a City. I have one open-ended  
20 thing that I'm just interested in your take on, and  
21 I'd like to ask some Local Law 97 questions if the  
22 Chair will, it looks like she'll let me, so why don't  
23 I start with the open-ended thing and then we'll  
24 bother Laura for a second. Thanks Laura.

2 I'm getting, and I would imagine Council  
3 Member Brewer is as well, increasing complaints about  
4 access agreements, and I think it's tenant protection  
5 plan stuff, I think it's Local Law 11 stuff where  
6 neighbors are making it impossible to do the work  
7 that's necessary, and they've got their neighbor over  
8 a barrel who's trying to do basic upkeep construction  
9 necessary work in their home, and I think those were  
10 all well-intentioned laws and I don't know if the  
11 Chair has started to think about this yet, but I'm  
12 very interested in exploring some legislation here  
13 because I don't think we have reached the right  
14 balance, and I'll tell you about a site in my, in  
15 fact, it was just redistricted out of my area, but  
16 we've got an empty lot for 15 years. I banged my head  
17 against the wall with Kaz, he's amazing, we're trying  
18 to get it activated. They determined that the  
19 construction at this empty lot was so messed up, they  
20 need a demolition, they need to demolish the adjacent  
21 brownstone. The brownstone owner understands this is  
22 the reality. We can't get the brownstone next to her  
23 to agree to the access agreement to demolish it, and  
24 I could give 1,000 different examples of this, but is

2 this on your radar, and what are you thinking we  
3 should be doing.

4                   COMMISSIONER ODDO: Very much so. When we  
5 talked about the Get Sheds Down or when it was  
6 announced, and Borough President Levine has the great  
7 idea about a fund because there are some property  
8 owners who legitimately don't have the money and the  
9 shed is cheaper than doing the underlying work. What  
10 we've discovered, and Assistant Commissioner Yegal  
11 Shamash could give you in detail, what we've  
12 discovered, and then enhanced or underscored by  
13 conversations with the industry, is that what is now  
14 eclipsing in terms of time the lack of resources,  
15 what is now probably a bigger variable in it is this  
16 issue. Back in the day when I was elected, we called  
17 them neighbor-on-neighbor issues. They were the  
18 worst, they were the hardest cases, right? So we  
19 raised this issue at one of our quarterly meetings  
20 with the industry, it happened to be with folks from  
21 REBNY, and the folks from REBNY said there's a piece  
22 of legislation and then there's a bill that we're  
23 working on with the city of Albany that we're  
24 championing for access. It's a Rajkumar bill with

2 Council Member Comrie. Do you want to talk about any  
3 aspect of it, Guillermo?

4 DEPUTY COMMISSIONER PATINO: Yes, as the  
5 Commissioner mentioned, there's a state legislation  
6 that we're supportive of. We're currently working on  
7 a memo in support of that legislation, and it seeks  
8 to clarify and inject more transparency into the  
9 court process regarding gaining access but, as you  
10 mentioned, this is also a question that we're  
11 actively thinking about internally at DOB so we'd  
12 love to discuss it further to see if there's anything  
13 we can work on together.

14 COUNCIL MEMBER RESTLER: I would love to  
15 chat with you further. My initial thinking was if we  
16 can't get neighbors to agree, then to force some sort  
17 of mediated process that they are mandated to  
18 cooperate and comply with and whether that, so I'd  
19 like to just, I don't need to share my legislative  
20 thoughts at the hearing today any further than I  
21 already have, but I just wanted to say I'm very  
22 concerned about this as a growing issue. It sounds  
23 like you are too. Thank you as always, Commissioner.

24

25

2           Lastly, just on Local Law 97. I won't be  
3 too tough today, but I would love to just ask a  
4 couple questions if that's all right.

5           COMMISSIONER ODDO: Thank you, Gus.

6           COUNCIL MEMBER RESTLER: Sorry, Gus. I  
7 agree with everything that the Commissioner and my  
8 Colleague said about you so it's good to see you,  
9 Deputy Commissioner. Just firstly, in previous  
10 hearings, we've asked questions about how many staff  
11 at DOB are focused on Local Law 97. If you could give  
12 us an update on that.

13           COMMITTEE COUNSEL: Oh, before you answer,  
14 let me just swear you in. Please raise your right  
15 hand.

16           Do you affirm to tell the truth, the  
17 whole truth, and nothing but the truth before this  
18 Committee and to respond honestly to Council Member  
19 questions?

20           DEPUTY COMMISSIONER POPA: Yes.

21           COMMITTEE COUNSEL: Thank you.

22           DEPUTY COMMISSIONER POPA: Council Member,  
23 we have a new Bureau as of a year and a half when I  
24 came in, and the total staff at the Bureau is 66



2 budgeted positions, and the Local Law 97 staff is  
3 around 21.

4 COUNCIL MEMBER RESTLER: How many of those  
5 positions are filled?

6 DEPUTY COMMISSIONER POPA: All of them.

7 COUNCIL MEMBER RESTLER: Great.

8 DEPUTY COMMISSIONER POPA: Yeah, all of  
9 them.

10 COUNCIL MEMBER RESTLER: That's progress.

11 DEPUTY COMMISSIONER POPA: We have a four-  
12 person vacancy. We are down four people.

13 COUNCIL MEMBER RESTLER: Congratulations.

14 DEPUTY COMMISSIONER POPA: Yeah, and we  
15 are working towards expansion and also, it's a reorg  
16 too, right? We have these old laws that we passed in  
17 '09, and we're aligning them with 97, like  
18 benchmarking and auditing and retro-commissioning,  
19 and so staff working on that, we're transitioning a  
20 bit to 97 because we're trying to figure out how to  
21 make it streamlined and the least onerous on building  
22 owners and on our administrative staff. It's a work  
23 in progress, but we do have a fair amount of people  
24 working on this.

2 COUNCIL MEMBER RESTLER: I'm happy to hear  
3 about the progress. Last time, I think there was, it  
4 was like we were talking about 7 or 11 staff members.

5 DEPUTY COMMISSIONER POPA: Yeah.

6 COUNCIL MEMBER RESTLER: So substantial  
7 progress from what I can recall. I apologize. I do to  
8 not have the number in front of me.

9 I just next wanted to ask, and then I  
10 promise, Chair, I'll shut up, is it's expected, I  
11 don't know, 90 percent of the buildings that are  
12 going to be in compliance with the '24 to '29 limits.

13 DEPUTY COMMISSIONER POPA: Those are 320  
14 buildings, so it's expected that for the ones that  
15 have to reduce their emissions, the non-affordable  
16 housing buildings, that there's about an 89 percent  
17 compliance rate.

18 COUNCIL MEMBER RESTLER: Okay, I was  
19 close.

20 DEPUTY COMMISSIONER POPA: And then we  
21 also have 10,000 321 buildings to comply on top of  
22 that. It's very difficult to judge their compliance,  
23 but we do know that maybe close to 3,000 or mid-2,000  
24 already meet the 2030 emissions limits so they comply  
25 out of the 10,000. To know how the others are going

2 to comply, we cannot know in advance. There's no way  
3 to judge because they don't have to reduce their  
4 emissions. They can do the prescriptive energy  
5 conservation measures.

6 COUNCIL MEMBER RESTLER: Do we have any  
7 indications at this point of how many buildings are  
8 taking advantage of the new rules that allow them to  
9 apply for extensions? Have those extensions been  
10 submitted to you all as of yet?

11 DEPUTY COMMISSIONER POPA: Maybe you're  
12 talking about good faith efforts and those?

13 COUNCIL MEMBER RESTLER: Yes.

14 DEPUTY COMMISSIONER POPA: You do not  
15 apply for that until you submit your May 1, 2025,  
16 report.

17 COUNCIL MEMBER RESTLER: Okay.

18 DEPUTY COMMISSIONER POPA: So we have no  
19 idea how many buildings are going to use that pathway  
20 as an option as opposed to doing any of the other  
21 options.

22 COUNCIL MEMBER RESTLER: So it's after the  
23 May 1, 2025, reports that we'll have a better sense  
24 of where this is going, it's the good faith effort,  
25 it's the report submitted after that? What's the

2 timeline where we're going to have a better  
3 indication of how these folks are coming into  
4 compliance?

5 DEPUTY COMMISSIONER POPA: Let me just say  
6 that we are following, when an owner submits an  
7 application for work, we do have a question that says  
8 is any of the square footage in this work involved in  
9 97, and we've seen a substantial uptick in those so  
10 we are watching, and this is just like a claim you're  
11 making. It's nothing to enforce, right? Who's doing  
12 what in order to comply with 97, so we're pretty  
13 happy with that but, in the end, we're not going to  
14 know if someone is meeting their emissions limits or  
15 deciding on a different option until they submit  
16 their report.

17 COUNCIL MEMBER RESTLER: And it's not  
18 until those reports are submitted that we'll have any  
19 indication that buildings are planning or hoping to  
20 take advantage of RECs as well?

21 DEPUTY COMMISSIONER POPA: That's right  
22 and, as you know, if they have the DCAR (phonetic)  
23 plan, they can't take advantage of RECs. Yes. But we  
24 are focusing a significant amount of our time on  
25 outreach so part of the reorg involved creating a new

2 Outreach and Assistance Unit, but the big player here  
3 is the New York City Accelerator, which is the City's  
4 free service to help building owners comply with  
5 Local Law 97.

6 COUNCIL MEMBER RESTLER: Absolutely. And  
7 do you see Accelerator ticking up in their outreach  
8 and engagement? Are you seeing...

9 DEPUTY COMMISSIONER POPA: Yes,  
10 substantially. We have spent a lot of time working  
11 with Accelerator and with Con Ed and NYSERDA in order  
12 to get the word out and then really the bottom line  
13 is they need to know they have to comply and what  
14 their responsibilities are, and then they need to be  
15 hooked up with financing and the people to do the  
16 work, and that's where the Accelerator, Con Ed, and  
17 NYSERDA come in.

18 COUNCIL MEMBER RESTLER: Are we starting  
19 to see actual indications of financing being  
20 dispersed?

21 DEPUTY COMMISSIONER POPA: Yep.

22 COUNCIL MEMBER RESTLER: Do we have  
23 updates on that? I know that's not your  
24 responsibility.

2 DEPUTY COMMISSIONER POPA: We can get this  
3 is how much Con Ed has allocated towards particular  
4 programs. I don't have it.

5 COUNCIL MEMBER RESTLER: Yeah, I'm just  
6 interested to see the actual dollars get out the door  
7 and reach buildings and see how many projects are  
8 happening as a result of it so it's felt very slow to  
9 see that move, but we're excited to hear that you  
10 think that it's starting to move in a positive  
11 direction. I will I'll let it go with that but, thank  
12 you, Chair Sanchez, for being so gracious and giving  
13 me a few extra minutes. Thank you.

14 CHAIRPERSON SANCHEZ: I love when my  
15 Colleagues ask lots of questions because then I don't  
16 have to. Thank you, Council Member Restler. Before  
17 you go, Deputy Commissioner, I just wanted to follow  
18 up on the Accelerator question. Do you have numbers  
19 on a number of buildings that have sought advice,  
20 etc.?

21 DEPUTY COMMISSIONER POPA: I have that  
22 they have helped 16,000 buildings, and a substantial  
23 amount of those are affordable housing buildings,  
24 9,568 affordable housing buildings as of when I got  
25 this statistic, 16,691 buildings.

2 CHAIRPERSON SANCHEZ: How many affordable,  
3 you said? 9,000?

4 DEPUTY COMMISSIONER POPA: 9,000-  
5 something.

6 CHAIRPERSON SANCHEZ: Great. Thank you.  
7 Also another clarifying question. The number of  
8 active headcount that is going to be involved in  
9 reviewing the compliance of buildings come 2025 when  
10 those submissions come, how are we doing on numbers  
11 for that?

12 DEPUTY COMMISSIONER POPA: We are  
13 continuously working with OMB in order to expand the  
14 number of staff we have to implement 97 and, as I  
15 indicated earlier and as you know, Madam Chair, it's  
16 May 1, 2025, so part of the gap is getting on people  
17 to review the reports. We do have core staff in  
18 place. We have the Executive Director of OBEEP and a  
19 couple of other important people in that unit, and  
20 then it needs to be filled out with some other people  
21 so that's what we work with OMB on.

22 CHAIRPERSON SANCHEZ: Thank you. I want to  
23 work at a place called OBEEP one day. Okay. Thank  
24 you. Thank you so much, Deputy Commissioner.

2 I want to now turn back, unless my  
3 Colleagues have other questions, I want to turn back  
4 to the inspector headcount reductions and then  
5 responding to your reporting that the combined number  
6 of inspector reductions that has been 75 inspectors.  
7 First, the numbers look great when we look at the  
8 vacancy rate, right? There are 21 of 21 budgeted  
9 boiler inspector positions are filled. Yet there are  
10 84,049 residential boilers in the City per followup  
11 information that the Department has provided to our  
12 Committee, thank you for that, which means a ratio of  
13 4,000 boilers to one and, recognizing that the boiler  
14 inspections are done by the owner and they're  
15 reported to DOB, is there concern that DOB does not  
16 have the available headcount in this discipline to  
17 review all boiler inspection reports?

18 COMMISSIONER ODDO: It's a large number,  
19 but I guess you go by the service levels and they've  
20 been consistently good. What I will tell you, Madam  
21 Chair, is that part of the PEG process for us was  
22 those headcounts that were taken would create or, in  
23 the past, created accruals that funded overtime.  
24 Those lines weren't there, those accruals weren't  
25 there, that OT had to be shut off quickly. What we've



2 tried to do is to manage that and treat it as a  
3 valve, forgive the pun, and where we saw the need or  
4 an uptick, turn that OT back on. Recently with  
5 situation with elevator inspectors, we had a  
6 situation with a Manhattan Borough Commissioner so  
7 we're trying to do it smartly so there will be in  
8 some data points, and you see it, some regression  
9 but, for the most part, our service levels continue  
10 to be well within our mandates.

11 CHAIRPERSON SANCHEZ: Thank you,  
12 Commissioner. Following up on that, I have... Do you  
13 want to add something?

14 ASSISTANT COMMISSIONER UGARTE: I would  
15 just like to add one point with respect to boiler  
16 inspector headcount. We currently have 21 budgeted  
17 headcount and 21 active so all the positions in that  
18 discipline are filled and, to the Commissioner's  
19 point, anytime there is a need for overtime based on  
20 constant reassessment of service levels, we will  
21 we'll act in that accord.

22 CHAIRPERSON SANCHEZ: Let me ask my  
23 inspector questions, and then I'm going to ask you if  
24 you in which titles there have been an increased  
25 demand for overtime. On February 23rd, Adriana

2 Cabrera from your Community Engagement Unit told my  
3 office that the Elevator Unit is short-staffed and  
4 that they couldn't tell us exactly when certain  
5 buildings that have not had elevator service for a  
6 long time would be seeing inspectors so, with respect  
7 to elevator inspectors, can you share the number of  
8 vacancies and vacancy reductions since 2022?

9 COMMISSIONER ODDO: Right now, we're  
10 budgeted for 33, we're actual at 31. We have two  
11 vacancies. I can tell you that there has been an  
12 issue, Madam Chair, for what the industry likes to  
13 call expedited inspections, where they pay fee and  
14 they believe because they pay that fee, they should  
15 have elevator inspections on demand. The problem with  
16 that is the fee that they pay is not commiserate with  
17 the work involved, so it's not like they have, and so  
18 there are some facilities, some locations, some  
19 elevator inspections, nursing homes let's say, where  
20 they don't want to take those elevators offline  
21 during the day and rightly so, that needs to be done  
22 at a different time. We are working as an agency and  
23 with various parts of the industry to identify those  
24 critical locations to be able to provide that service  
25 at a time they want and, again, we've turned the

2 valve to the right to try to begin to address the  
3 overall backlog. This is an ongoing process, and we  
4 will turn it on and turn it off as needed, and we are  
5 undertaking a user fee analysis because if there's a  
6 fee that is warranted that folks want to pay that can  
7 help underwrite things, that would be helpful.

8 ASSISTANT COMMISSIONER UGARTE: I'd just  
9 like to add that, yes, we are actually doing a two-  
10 pronged approach as the Commissioner had mentioned.  
11 One, we're working with the unit to update the user  
12 costs because typically if there is a backlog that  
13 implies that the universe or historically what we  
14 were expecting has now changed. We've also been  
15 reviewing and approving overtime with respect to  
16 discrete projects. I've been working very closely  
17 with the units so they are getting overtime to be  
18 able to do things like these expedited inspections,  
19 and we are being responsive but, again, just to  
20 reiterate, we have to maintain our budgeted overtime  
21 amounts and so we have to be mindful of that.

22 COMMISSIONER ODDO: Madam Chair, let me  
23 answer your other question, because I just remembered  
24 it. You asked about what units are getting OT. We've  
25 had lots of storms this weekend, for example, the

2 high winds, so we will put out our Construction  
3 Safety Unit out and we'll do sweeps to make sure  
4 everybody's buttoned down. We put out notices to the  
5 industry email, it's a huge number, to the industry,  
6 to those who cover us, journalists, to get the word  
7 out, this weekend, high winds. We will do sweeps of  
8 different locations. Storm, we will put on an extra  
9 emergency response team. There's a tick up at  
10 Manhattan Borough Commissioner office on issues and,  
11 again, trying to manage what is a very difficult  
12 fiscal situation but do it intelligently, and I think  
13 so far we've done that. It didn't make me popular  
14 early on, but I think everyone adjusted and we're  
15 meeting our service levels where we see regression.  
16 We're aware of it, and we're figuring out how to  
17 address it.

18 CHAIRPERSON SANCHEZ: Thank you. That's  
19 helpful. So emergency response teams. Just one final  
20 one on inspectors, it's taking longer to get  
21 electrical inspectors. According to the PMMR, in the  
22 first four months of Fiscal '24, the wait rose by  
23 four days, but in Fiscal 2019 and 2020, the wait was  
24 lower at 2.6 and 2.3 days respectively. In the same

2 period, DOB's headcount has decreased by 54 positions  
3 to 1,553. It's kind of a repeat question.

4 COMMISSIONER ODDO: Yeah, it's under the  
5 umbrella of the development inspections and overall  
6 combined in development, even though there's like a 9  
7 percent uptick in requests for submissions, and  
8 that's customer-driven, they reach out to us.  
9 Overall, we're still around three days. Within that  
10 development umbrella, as you said, there are  
11 individual upticks in part, again, because of the  
12 number of submissions, in part because of the  
13 restriction on overtime, but I just think it's not  
14 the direction I want to be going ever, but I just ask  
15 that you keep it in the context of the length of  
16 development timelines can be measured in years so  
17 this uptick is still a fraction of that time. It's  
18 not where we want to go, we're aware of it but,  
19 overall, given these circumstances, I understand why  
20 the numbers are what they are.

21 CHAIRPERSON SANCHEZ: Thank you. Okay.  
22 Moving back to construction site safety and, in  
23 particular, delving into some of what you said about  
24 DOB's teeth, right? Your ability to follow up on  
25 sites or owners that are not following stop work

2 orders, that are not paying violations, etc. Just to  
3 restate it, what is the protocol for ensuring  
4 hazardous violations are corrected after a violation  
5 has been written? Is there a legal action?

6 COMMISSIONER ODDO: They're going to have  
7 to swear you in, Yegal. Not swear at you.

8 COMMITTEE COUNSEL: Please raise your  
9 right hand.

10 Do you affirm to tell the truth, the  
11 whole truth, and nothing but the truth before this  
12 Committee and to respond honestly to Committee Member  
13 questions?

14 ASSISTANT COMMISSIONER SHAMASH: I do.

15 COMMITTEE COUNSEL: Thank you.

16 ASSISTANT COMMISSIONER SHAMASH: In terms  
17 of re-inspection on Class 1 violations, specifically  
18 on permitted sites, we're obligated by law to re-  
19 inspect those sites within 60 days, and our  
20 Construction Safety Team has a very good program to  
21 ensure that if the customer hasn't already called us,  
22 which most of the time they've already called us to  
23 re-inspect the site because of different situations,  
24 that we go out to that site and inspect that Class 1  
25 violation on a permanent site within 60 days.

2 COMMISSIONER ODDO: Madam Chair, can I?

3 CHAIRPERSON SANCHEZ: Sure.

4 COMMISSIONER ODDO: Related to this  
5 question, I believe, is the sort of certificate of  
6 correction process so this certificate, don't go too  
7 far, Yegal, the certificate of correction is an  
8 affirmation saying the underlying condition is done,  
9 right, and we have a tremendous number of these that  
10 are outstanding. We are a compliance agency. We need  
11 to get our own books in order so we rely on the owner  
12 to submit this affirmation and, until they do, it is  
13 considered an open violation so when you look at the  
14 numbers, it's startling. You have folk go to OATH,  
15 pay their summons and think that the process is done  
16 and aren't aware they still have to come to DOB, and  
17 I have to tell you, thank you, Preston Niblack,  
18 Commissioner, thank you, Jeff Shear. We're trying to  
19 work with Department of Finance to put in attention  
20 point to remind them, hey, you have to go to DOB. One  
21 of our talented new Assistant Commissioners, Jamel  
22 Isadora (phonetic) under Guillermo's shop, we have  
23 now begun to engage in a very aggressive program. We  
24 like in this Administration to have taglines with the  
25 word get, Get Summonses Corrected, to go out and

2 aggressively proactively try to resolve these, and  
3 we're going to be rolling it out in the next couple  
4 of months, going out to elected officials, going out  
5 to community boards, reaching out to the agency,  
6 reaching out to those whose certificate of correction  
7 was disqualified and reaching out to them to help  
8 them get it across the finish line, creating videos,  
9 being aggressive on social media so that we can take  
10 down that universe, discern what is a failure to  
11 submit this correction from what is an instance where  
12 there is the underlying condition still open so that  
13 we can then take 530-some-odd inspectors and target  
14 it in that fashion.

15 CHAIRPERSON SANCHEZ: That's helpful. With  
16 2201-2205 Davidson and 1915 Billingsley and so many  
17 buildings, we have open violations, in the case of  
18 Davidson from 1989, which is what do members of the  
19 public do with that?

20 COMMISSIONER ODDO: And including in-  
21 default judgments on a bunch of violations, not even  
22 showing up to court, and that's why your comments  
23 with the previous Commissioner were, I heard you.

24 CHAIRPERSON SANCHEZ: Lock them up. No,  
25 I'm kidding. I'm kidding. I'm very interested in



2 working with the agency to just make sure you have  
3 the tools that you need to make sure these are  
4 resolved.

5           A general question, are there metrics  
6 that the Department is using at this time to measure  
7 if you're taking action on the most critical  
8 buildings? Of course, 1915 Billingsley comes to mind,  
9 the St. Ann's Garage. Similar to the risk-based  
10 inspection system that the Fire Department uses, does  
11 DOB use your data in any particular way?

12           COMMISSIONER ODDO: We do the proactive  
13 sweeps on construction sites that we talked about,  
14 but too often we're doing sweeps of buildings owned  
15 by owners like 1915 after the fact. What you are  
16 talking about is precisely what I referenced when I  
17 use the phrase predictive analytics. We need to go  
18 out and build a team that taps into all the available  
19 data to essentially discern a universe of high risk  
20 and take the steps to mitigate it. Again, a lot of  
21 these incidents that have received a lot of  
22 attention, I would respectfully point to the human  
23 error. That doesn't negate the fact that we have an  
24 aging housing stock and we have bad actors. We, as an  
25 agency, need to free up resources to not be

2 complaint-driven, to have a team that plays on our  
3 terms, that uses data analysts, engineers,  
4 inspectors, creates a universe of buildings and a  
5 universe of bad actors and takes our resources,  
6 whatever they are, if they are X plus whatever and  
7 target those preemptively and proactively. We are not  
8 there yet. I would love to work with you to get this  
9 agency moving in that direction.

10 CHAIRPERSON SANCHEZ: Thank you,  
11 Commissioner. A followup..

12 COMMISSIONER ODDO: Say that, please.

13 DEPUTY COMMISSIONER SIRAKIS: And the  
14 sticks to enforce it, right? So just having the  
15 proactive inspections is not enough. We really need  
16 the followup enforcement and the real sticks to get  
17 owners to comply to those violations.

18 CHAIRPERSON SANCHEZ: Yeah, let me know  
19 what you need, I'll (INAUDIBLE) it.

20 You mentioned that things are improving  
21 with the Department of Finance. Folks pay off their  
22 oath violations. That information hasn't historically  
23 gone to DOB. That's what I just understood you to  
24 say. How much of outstanding DOB violations do you  
25 think will be accounted for by a sweep of that

2 information from the Department of Finance or from  
3 OATH?

4 DEPUTY COMMISSIONER PATINO: So just  
5 touching on something the Commissioner mentioned  
6 earlier, which is DOF's conversion of DOB summonses  
7 to property liens so that's work that the Department  
8 of Finance has started in recent years. I believe  
9 they're in their third or fourth Fiscal Year of doing  
10 that and so far it's been effective so they're doing  
11 more and more of it each Fiscal Year. Last Fiscal  
12 Year, they converted 1,481 DOB-issued summonses into  
13 property liens, and that was a total of 10.6 million  
14 dollars but even them starting that process and  
15 initiating that process has resulted in owners paying  
16 down their debt so we're working with the Department  
17 of Finance to pursue similar strategies. As far as  
18 our lien authority can currently take us, our lien  
19 authority is limited currently primarily to  
20 residential buildings of a certain size and with a  
21 certain amount of debt. As the Commissioner mentioned  
22 earlier, that's something that we're looking at to  
23 see if there's an expansion there that we can take  
24 advantage of in order to have a stronger enforcement  
25 tool and something we're also working with the

2 Department of Finance on so while they're responsible  
3 for collections, we are taking a hard look at our  
4 data. We're trying to see which other property owners  
5 that owe the most amount of money with respect to our  
6 summonses, that have the most open summonses, and  
7 we're populating that list, sharing with the  
8 Department of Finance and asking them to prioritize  
9 collection against those owners and debtors.

10 COMMISSIONER ODDO: Madam Chair, if I  
11 might say one other thing, and I have to try to word  
12 this where I don't sound like I'm contradicting  
13 myself saying all we could do is hand out summonses,  
14 and then I said to you we need some legislative help  
15 to hand out more summonses, but I think it speaks to  
16 different universes, right? There's some folks who  
17 regardless of how many summonses are not going to  
18 act, we need stronger sticks, but there are folks who  
19 do react to summonses, and one of the things I think  
20 we would like to have a conversation with you is  
21 again, going back to the certificate of corrections,  
22 if we don't get one on something that's immediately  
23 hazardous, the idea would be to give us the ability  
24 to have a one-time penalty or a recurring penalty and  
25 then tailoring it specifically for certificate of

2 corrections, giving out a violations for something  
3 that's immediately hazardous. I think that might get  
4 some folks' attention again, not the bad, bad actors  
5 that needs other sticks but another universe of folks  
6 out there.

7 CHAIRPERSON SANCHEZ: If the penalties  
8 become lienable, as was mentioned, it helps as well.  
9 Thank you.

10 Next question, IBO suggests that issuing  
11 greater financial penalties against property owners  
12 who fail to give access for building inspections  
13 could generate upwards of 13 million annually. This  
14 rationale is underscored by the death of the  
15 construction worker that we have been talking about  
16 from Borough Park. How much are fines for failure to  
17 provide access and how do they stack up against the  
18 real cost of doing illegal business?

19 COMMISSIONER ODDO: I'm sorry, can you  
20 repeat the last one?

21 CHAIRPERSON SANCHEZ: The question?

22 COMMISSIONER ODDO: Yeah.

23 CHAIRPERSON SANCHEZ: Yep. How much are  
24 the fines for failure to provide access so how much  
25 does DOB fine a building, right, and how in your

2 estimation does that stack up against the cost of  
3 doing illegal business?

4 ASSISTANT COMMISSIONER SHAMASH:

5 Specifically, as it relates to permitted construction  
6 sites, if they do not provide us access and we see  
7 workers on site, right, it's not just a closed site  
8 with nobody there but, if we see people on site and  
9 they do not provide us access, it is a full stop work  
10 order, is an immediate full stop work order.

11 CHAIRPERSON SANCHEZ: Got it and what  
12 about at reactive inspection sites?

13 ASSISTANT COMMISSIONER SHAMASH: Say it  
14 again.

15 CHAIRPERSON SANCHEZ: On reactive so the  
16 other part of that where you can't observe the  
17 workers.

18 ASSISTANT COMMISSIONER SHAMASH: So if  
19 it's just a closed site, we will re-inspect that site  
20 a minimum of two times to see if it's an active site.  
21 If we go back two more times and we don't see work  
22 during that time, we'll consider that a closed site  
23 or inactive site.

24

25

2 CHAIRPERSON SANCHEZ: Okay. Thank you.

3 We're nearing the end of my questions. I hope that  
4 makes people excited.

5 Moving to the case of 1915, first the  
6 owners there call me too many times per week  
7 explaining that they have resolved all open  
8 violations, all open DOB issues, all open HPD issues.  
9 That is not reflected on the website. Can you share  
10 an update just on that particular site?

11 COMMISSIONER ODDO: Just so you know, I'm  
12 sure your inbox is filled, but I sent you the  
13 response that Yegal is going to give voice to right  
14 now.

15 CHAIRPERSON SANCHEZ: Okay. Thank you.

16 ASSISTANT COMMISSIONER SHAMASH: As you  
17 know, we've been working very closely with the owner  
18 of 1915 Billingsley. For the first few months, I  
19 would say for the first month, we met with them  
20 almost daily. Since that time, we've been meeting  
21 with them weekly and reviewing all the open  
22 violations, all the open issues that they had. We've  
23 been at the building numerous times. At this point,  
24 we've lifted the vacate on all but eight apartments,  
25 six that were impacted during the collapse. At this

1 point, the owner has resolved the majority of the  
2 violations, and I specifically say the owner. There  
3 are two violations that are related to the sidewalk  
4 shed company. They need to resolve those violations,  
5 but the violations directed towards the owner,  
6 they've resolved the majority of those violations  
7 but, as the Commissioner mentioned earlier, the  
8 certificate of corrections process is what they  
9 haven't completed at this point, so they've submitted  
10 two certificate of corrections. One was accepted. One  
11 is in process and being reviewed. The rest of the  
12 violations, they have not submitted the paperwork  
13 yet, and that's something that we've discussed with  
14 them, and they said they are working on that so  
15 that's the disparity about what we're seeing in the  
16 field and what you're seeing in terms of data on our  
17 Building Information System.

18  
19 CHAIRPERSON SANCHEZ: Thank you, that's  
20 helpful to understand, and more so even as an example  
21 of this problem of the certifications. Okay. So 1915  
22 is an example of an error by a professional, right? A  
23 structural column, structural brick was misclassified  
24 as decorative so this, to me, raises the question of  
25 DOB's current practices and also capacity to audit



2 such submissions. You mentioned, Commissioner Oddo,  
3 that in subsequent conversations, you mentioned that  
4 DOB looked back at the plans and caught the error of  
5 a plan that was submitted months prior to the partial  
6 collapse so what share of professionally certified  
7 jobs does DOB audit each year?

8 COMMISSIONER ODDO: Let me have Yegal try  
9 to explain it to you.

10 ASSISTANT COMMISSIONER SHAMASH: Let me  
11 just take a step back in terms of the actual filing  
12 for 1915 Billingsley. That was a filing that was  
13 completed by the owner's engineer. He submitted that  
14 application to the Department of Buildings as a pro  
15 cert application, which indicates that it doesn't go  
16 through full plan exam. If he had submitted that as a  
17 full plan examination in terms of the façade  
18 restoration work, the Department looks at zoning,  
19 life safety, egress as the primary elements during a  
20 plan examination. Whether or not that column was  
21 structural or not is not something that we typically  
22 look at in terms of a full plan exam review. This  
23 goes back to the 1970s when the city was in  
24 financial, what's a good word for that?

25 COMMISSIONER ODDO: Financial distress.

2 ASSISTANT COMMISSIONER SHAMASH: Distress  
3 where the Building Department didn't want to hold up  
4 applications for work. At this point, we consistently  
5 review plan exam for those three items so in terms of  
6 reviewing a plan for full structural stability is not  
7 something that we consistently do on a full plan  
8 examination.

9 COMMISSIONER ODDO: We would not, Madam  
10 Chair, we would not catch it. We would not see it on  
11 the drawings. We would have to go to the site  
12 standing there with the drawings looking at the site.

13 CHAIRPERSON SANCHEZ: Got it, so even a  
14 full plan examination if one had been triggered would  
15 not have looked at this issue. Okay, so that said for  
16 pro cert applications, is there a number of them that  
17 are audited each year and, if so, for what? What  
18 would the Department be looking?

19 COMMISSIONER ODDO: I don't know who would  
20 be here. Gus, you want it? And can we talk about the  
21 auditing function coming on DOB now at some point in  
22 the future?

23 DEPUTY COMMISSIONER SIRAKIS: So the  
24 Department currently does review of all  
25 professionally certified applications that have a

2 zoning implication. We audit those for zoning prior  
3 to the approval for a permit. This is something that  
4 has changed since I want to say the implementation of  
5 DOB now where we, and probably a little bit earlier,  
6 so basically 100 percent of zoning is checked on new  
7 buildings and alterations that change the certificate  
8 of occupancy so those plans are not permitted to go  
9 to permit until a DOB staff member does a zoning  
10 review. We then proceed through the traditional plan  
11 examination process where we will issue objections  
12 and go back and forth with the applicant until we get  
13 corrections and then we also still have our zoning  
14 challenge process as well for any other public  
15 concerns on zoning. As it relates to other  
16 professionally certified applications, we are taking  
17 a look at implementing a risk-based program for  
18 auditing of those applications. We do other audits as  
19 well. We currently are reviewing supportive  
20 excavation filings and other types of filings as well  
21 when the need arises. Some of them are programmatic  
22 based on just whether it be an act of the  
23 professional that is calling our attention to that  
24 person, fee reviews, or the type of work that is  
25 being performed. As we continue to roll out DOB Now

1 and the audit component there, we will be able to get  
2 better granularity and connect many of the dots that  
3 will, for instance, put together smarter audit  
4 program. One of the things that we'd like to look at  
5 would be, for instance, the 2022 New York City  
6 Building Code recently enacted added much more  
7 information for assessing the joining buildings when  
8 doing work such as underpinning or supportive  
9 excavation that would prevent things such as  
10 hopefully the scenario that Council Member Restler  
11 was discussing where the adjoining property  
12 construction caused damage and a vacate to the  
13 adjoining property. We're collecting more information  
14 in our data as to what is going on next door to the  
15 building that's being developed, not just the zoning  
16 characteristics of the building that's being built  
17 so, even if professionally certified, we can then  
18 combine that with the property data of the adjoining  
19 property to understand does it have a history of  
20 violations, structural issues, what are the types of  
21 construction that were used to build that building  
22 when it was originally constructed to build out a  
23 risk profile for where we can better expend our  
24 resources on those types of reviews, and we're  
25

2 looking at doing that throughout our entire audit  
3 program, so looking at it from what is the greatest  
4 risk to public both from a safety perspective of the  
5 finished construction as well as to the general  
6 public during construction and during installation,  
7 what are the hazards that are present there?

8 CHAIRPERSON SANCHEZ: Thank you for  
9 answering my followup questions regarding what you  
10 look at in terms of the risk. Thank you for that and  
11 just want to underscore that this is certainly the  
12 direction that I want to support the agency in going  
13 to make sure that you use the information you have  
14 available to you. In formulating this new way of  
15 implementing risk-based audits, are you looking at  
16 violation data and debts owed?

17 DEPUTY COMMISSIONER SIRAKIS: That is  
18 definitely something that we would be taking into  
19 account potentially from whether it's a particular  
20 contractor, architect or engineer, filing rep,  
21 property history in general.

22 COMMITTEE COUNSEL: Got it.

23 DEPUTY COMMISSIONER SIRAKIS: And seeing  
24 what combination leads to the best results for  
25 compliance and heading off problems down the path.

2 CHAIRPERSON SANCHEZ: Thank you so much.

3 How many self-certified plans does DOB receive in a  
4 year?

5 COMMISSIONER ODDO: I'll get that number.  
6 I don't know.

7 DEPUTY COMMISSIONER SIRAKIS: It generally  
8 tends to 50 to 60 percent of our total filings for  
9 the...

10 CHAIRPERSON SANCHEZ: I'm sorry.

11 DEPUTY COMMISSIONER SIRAKIS: 50 to 60  
12 percent of our total filings for the year is  
13 generally where we are.

14 CHAIRPERSON SANCHEZ: Got it. You all  
15 should see my notes. They get much spicier as I get  
16 more tired. Okay. Thank you for that.

17 I guess I want to end I want to conclude  
18 this section and I actually think we've run through a  
19 lot of the questions that I had, but I want to  
20 conclude this section on the relationship to 1915 by  
21 saying thank you to the agency for your swift action  
22 against this particular engineer, and I know  
23 Commissioner and I talked about what this meant for  
24 the tenants to see the swift action. They weren't  
25 upset to see the guy give up his license for several

2 years, but we are talking about families who lost it  
3 all. They lost their very personal items that you  
4 can't put a value on and so just want to share that  
5 in this forum to just underscore the importance of  
6 the work that you do as an agency, these are people's  
7 lives, people's memories, people's culture that are  
8 at risk when there are bad actors or careless actors  
9 in the City of New York.

10 COMMISSIONER ODDO: Madam Chair, the day  
11 of the collapse, my Chief-of-Staff and I were  
12 standing next to each other and we were looking up at  
13 the corner of the building and in the top apartment,  
14 of course, of all things, I noticed is that a bench,  
15 is that a guy's barbell, and the guy behind me says,  
16 yeah, and I turn around and it was the tenant in that  
17 apartment, that was his, and so I shared with the  
18 team your perspective about to the tenants whose  
19 lives were turned upside down, two years, maybe not  
20 enough for them when relative to what they  
21 experienced. We also have the state board, by the  
22 way, that can turn those two years into a more  
23 strenuous penalty, but for two years this individual  
24 will cool his jets and not ply his trade, and I  
25 understood your sentiment when we spoke, I understand

2 the tenant sentiment, and that's why we are so  
3 determined to bring this agency to the point where  
4 we're on offense trying to intercept before these  
5 events happen.

6 CHAIRPERSON SANCHEZ: Thank you,  
7 Commissioner. Not my last question, but final comment  
8 on this section is on the violations that are  
9 outstanding and the certifications of corrections  
10 that don't happen. Just want to reiterate my  
11 excitement to work with you to make that better and  
12 to just provide better information to the public. I  
13 think it's very nerve-racking to live in a building  
14 that has hundreds of one agencies violations and  
15 dozens of DOB violations, it's so nerve-racking  
16 because you don't know whether or not you're safe,  
17 right, and just want to make sure to say that, want  
18 to work with you on that, want to get the  
19 information.

20 COMMISSIONER ODDO: Yeah, tenants should  
21 know if it's because the underlying condition still  
22 exists, and they should be aware of that, or it's  
23 because somebody refuses, for whatever reason, to  
24 submit I'll call it a piece of paper, but you know  
25 what so I'm with you on that and, hopefully, we'll be



2 in a different position in a few months, and we've  
3 made some progress. I will say, Madam Chair, a little  
4 canary in the coal mine, and we did a mailing to 1 to  
5 4 property owners, and the response was, (INAUDIBLE)  
6 the response was forceful. The response maybe almost  
7 too good because it created a little bit of a backlog  
8 that we're working through, but it's a good thing.  
9 We're correcting our books. We're a compliance  
10 agency. Our books should be as up to speed as  
11 possible.

12 CHAIRPERSON SANCHEZ: I got calls about  
13 that so yes, I agree.

14 COMMISSIONER ODDO: A couple of community  
15 boards didn't like it, but we've learned a lesson  
16 from it and the outreach that needs to happen ahead  
17 of time, but people noticed that little postcard and  
18 we've made progress on eliminating some of those  
19 outstanding CFCs.

20 CHAIRPERSON SANCHEZ: Thank you so much.  
21 Sheds. I know the Administration cares a lot about  
22 sheds. Are there any aspects of the Get Sheds Down  
23 initiative as proposed by the Mayor that includes  
24 increased penalties? Taking into account the

2 Manhattan Borough President's financial support, but  
3 are there carrots and sticks?

4 COMMISSIONER ODDO: Yeah, so it's Council  
5 legislation. My understanding is some of the bills,  
6 if not all of them, have been introduced. Council  
7 Member Powers, Council Member Botcher. Do you want to  
8 go through it, Guillermo.

9 DEPUTY COMMISSIONER PATINO: There's two  
10 components of the plan that involve increased  
11 penalties. The first component focuses on Local Law  
12 11 buildings so those are our taller buildings.  
13 There's a universe of about 15,000 buildings that  
14 fall into our Local Law 11 universe. For those  
15 buildings, we want to monitor closely the progress  
16 that they make towards beginning and completing the  
17 façade repairs so what we're proposing is introducing  
18 new penalties and we're calling them milestone  
19 penalties. The first one would kick in if you fail to  
20 file repair plans by a certain date, the next  
21 milestone would be pulling a permit to conduct those  
22 repairs, and then the final milestone would be  
23 actually completing the façade repairs. So those are  
24 milestones we would expect Local Law 11 buildings to  
25 adhere to where they file the report with DOB and

2 repairs to the building are required. Then the next  
3 set of penalties we're considering are penalties that  
4 would apply in certain areas of the city. We're  
5 looking at commercial districts specifically. Once a  
6 sidewalk shed that has been installed for a certain  
7 period of time, right now we're considering 90 days,  
8 the building owner would start accruing penalties  
9 that would increase over time so the first increase  
10 would be once the sidewalk shed has been there for  
11 three years, and then the penalty would go up again  
12 once the sidewalk shed has been there for four years  
13 so we're really targeting with this proposal long-  
14 standing sidewalk sheds, so those that have truly  
15 been in place for an extended period of time. On  
16 average, our sheds are up about a year. When we talk  
17 about the three-plus universe of sheds, we're talking  
18 about a universe of about 1,000 buildings.

19 CHAIRPERSON SANCHEZ: Got it. Thank you.

20 Any other zones aside from commercial zones that  
21 would be targeted for the increased penalties?

22 DEPUTY COMMISSIONER PATINO: It would be  
23 Local Law 11 buildings throughout the city and then  
24 certain buildings in commercial districts and still  
25

2 working through what those are going to be so we'd  
3 love to have that conversation with you as well.

4 CHAIRPERSON SANCHEZ: Great. Thank you so  
5 much, and my last question before Council Member  
6 Brewer asks her last question.

7 Looking back at the PEGs and the number  
8 of vacancies that have been reduced within the  
9 agency, do you have any thoughts right now about your  
10 priorities in your conversations with OMB about PEG  
11 reductions and, particular, I want to highlight that  
12 there were 18 construction safety division inspectors  
13 that were eliminated in the last two PEG rounds. Are  
14 those going to be prioritized?

15 COMMISSIONER ODDO: Yeah. Try to get back  
16 some of what we lost. Try to get some of these  
17 resources for some of these new goals again to get us  
18 on offense. Don't want to mention specific  
19 enforcement units that need a little help more than  
20 others but, yeah, the conversations with OMB  
21 continue. I listen to every word Jacque says for  
22 clues, but I want to see what we can get back and we  
23 know as a team where we want to go, what we need, and  
24 we're going to get what we need.

2 CHAIRPERSON SANCHEZ: Excellent. Okay.  
3 Thank you, Commissioner. Council Member Brewer.

4 COUNCIL MEMBER BREWER: Quickly, I was  
5 wondering how many TPP, tenant protection plans, you  
6 get involved in if any. We got a situation at 353  
7 West 58th Street. It's the Hudson Hotel. 37  
8 residents, construction, elevators, a piece of  
9 plywood, I could go on, and it's a complaint that the  
10 building doesn't have good oversight over TPP so I  
11 just didn't know that's something that, is there a  
12 division for it, or how?

13 COMMISSIONER ODDO: We actually  
14 reorganized the Enforcement Bureau so now we have the  
15 Office of Tenant Advocate, Sarah Desmond, who does a  
16 great job the Real-Time.

17 COUNCIL MEMBER BREWER: She's terrific.  
18 Yes.

19 COMMISSIONER ODDO: Thank you for that.  
20 And the Real-Time Enforcement Unit have been merged,  
21 and they're the ones that are tasked with responding  
22 to some of these work without permit issues in these  
23 multiple dwellings. We try to respond to those  
24 complaints within 24 hours. Where we find that a TPP  
25 was required but hasn't been filed, we issue a stop

2 work order. I think it comes with a 5,000-dollar- or  
3 a 6,000-dollar fine.

4 COUNCIL MEMBER BREWER: Okay.

5 COMMISSIONER ODDO: In 2023, the Office of  
6 Tenant Advocate received 2,472 inquiries. Of those  
7 inquiries we received, around 1,200 inspections were  
8 conducted by our Multiple Dwelling Inspection Unit  
9 and there were around 1,200 referrals made to other  
10 city agencies. That number is slightly down from  
11 2022. The number of violations in 2023 of our Office  
12 of Tenant Protection, 15,593 complaints. We did  
13 18,000 inspections, lots of numbers here, and we have  
14 around 2,000 OATH and 1,500 DOB violations, around  
15 613 stop work orders.

16 COUNCIL MEMBER BREWER: How many stop work  
17 orders?

18 COMMISSIONER ODDO: 613.

19 COUNCIL MEMBER BREWER: And that's in '23?

20 COMMISSIONER ODDO: Yeah.

21 COUNCIL MEMBER BREWER: Okay. All right.

22 That's helpful. All right. I appreciate it. I think

23 that the TPPs are hard because they are often in-

24 place tenants, obviously that's what a TPP is, plus

25 construction, dust, probably a complicated inspection

2 would be my guess so I appreciate this information so  
3 I'll follow up on the building.

4 COMMISSIONER ODDO: Council Member, just a  
5 little bit more.

6 COUNCIL MEMBER BREWER: Sure.

7 DEPUTY COMMISSIONER SIRAKIS: One  
8 additional item is the 2022 Building Code enacted the  
9 requirement for a special inspection to confirm  
10 compliance with the Tenant Protection Plan. This  
11 requires the owner to retain the services of an  
12 independent architect or engineer to check for  
13 periodic compliance between our visits. For the  
14 contractor to comply with the Tenant Protection Plan,  
15 they're not supposed to have a direct relationship  
16 with the contractor so this is an independent set of  
17 eyes in addition to DOB's that can check to make sure  
18 the contractor is living up to what's on the TPP and  
19 call us if needed or just take direct action with the  
20 owner about getting the site into compliance.

21 COUNCIL MEMBER BREWER: Okay. That's very  
22 helpful. Thank you, Madam Chair.

23 CHAIRPERSON SANCHEZ: Thank you, Council  
24 Member Brewer.

2           With that, I want to thank the agency  
3 Commissioner. This is really a mind warp to have you  
4 on that side and all the rest, but thank you for your  
5 testimony and I really do just want to emphasize that  
6 there's so much that this Committee and this Council  
7 wants to work on with the agency and the future is  
8 bright. Thank you.

9           COMMITTEE COUNSEL: We will be moving to  
10 public testimony.

11           Just as a reminder, if you are here and  
12 would like to testify in person, please fill out a  
13 slip with the Sergeant so that we can call you up.

14           CHAIRPERSON SANCHEZ: We will be taking a  
15 five-minute recess, and do you want to call up the  
16 first panel?

17           COMMITTEE COUNSEL: Let's wait and see if  
18 other people do the slips.

19           CHAIRPERSON SANCHEZ: Okay, so we're going  
20 to take a five-minute recess. Please fill out slips  
21 if you would like to testify, and we will get started  
22 again.

23           [GAVEL] Okay, we're going to call the  
24 session back to order and call up our first public  
25 panel. Thank you so much for being here, everybody.



2 COMMITTEE COUNSEL: We're going to start  
3 with Pascalle Leone, Gabriela Sandoval Requena, and  
4 Barika Williams. Please come up to the table.

5 You can start when you're ready.

6 GABRIELA SANDOVAL REQUENA: Good  
7 afternoon. Thank you for holding this meeting.  
8 Committee Chair Sanchez, Members of the Council and  
9 Council Staff, thank you for taking the time to  
10 listen to us and the opportunity to testify. I'm  
11 testifying on behalf of New Destiny Housing. My name  
12 is Gabriela Sandoval Requena. I am the Director of  
13 Policy and Communications. New Destiny's mission is  
14 to end the double trauma of abuse and homelessness  
15 among domestic violence survivors. We do this by  
16 developing supportive housing for survivors and  
17 shelter like our two sites in Council District 14,  
18 assisting those who are fleeing abuse to obtain  
19 subsidies and find safe new homes, and advocating for  
20 more housing resources. New Destiny is also a co-  
21 convener of the Family Homelessness Coalition and a  
22 member of the Supportive Housing Network of New York  
23 and also ANHD. Why do we do this work? Because  
24 despite the fact that only 50 percent of domestic  
25 violence cases are reported, in 2022 the NYPD filed

2 one domestic violence incident report every two  
3 minutes. In other words, since this hearing started  
4 more than 120 survivors called the police for abuse  
5 and countless others suffered in silence. Domestic  
6 violence continues to be a main cause of homelessness  
7 in New York City and access to safe and affordable  
8 permanent housing will determine whether survivors  
9 leave their abuser, survive, and rebuild their lives.  
10 We are submitting extended written testimony, so I'm  
11 going to use this time to summarize our four key  
12 points. First, we're deeply concerned with the  
13 alarming low 1.4 percent vacancy rate for rentals in  
14 2023, especially with the net rental vacancy rates  
15 for homes under 2,400 falling below 1 percent. The  
16 lack of housing makes it extremely difficult for  
17 survivors and all New Yorkers with rental assistance  
18 to find housing. The Administration must ensure that  
19 both HPD and DOB have enough resources to clear the  
20 backlog of affordable housing projects and develop  
21 and train new staff. Additionally, we also want to  
22 call attention to two administrative solutions that  
23 will improve timely access to affordable housing and  
24 would not cost the City anything. One, allow  
25 survivors of domestic violence access to HPD homeless

2 set-aside units as the Mayor promised in the Housing  
3 Our Neighbors Blueprint back in 2022 and, second,  
4 open city funds for...

5 CHAIRPERSON SANCHEZ: I'm sorry. I'm  
6 supposed to interrupt you and ask if you would like  
7 to complete your testimony.

8 GABRIELA SANDOVAL REQUENA: Yes.

9 CHAIRPERSON SANCHEZ: Yes. Go ahead.

10 GABRIELA SANDOVAL REQUENA: Sorry about  
11 that. As I was saying, open up City-funded supportive  
12 housing to domestic violence survivors and their  
13 children who are not currently eligible for NYC 15/15  
14 and, last but not least, New Destiny also supports  
15 the Network's recommendations to improve NYC 15/15.  
16 Given the extremely low housing vacancy rate, the  
17 City must develop additional congregate units above  
18 the original commitment of 7,500 homes. Thank you for  
19 your time.

20 CHAIRPERSON SANCHEZ: Thank you.

21 PASCALLE LEONE: Thank you. Good evening,  
22 Madam Chair Sanchez and Members of the Committee as  
23 well as Staff. My name is Pascalle Leone. I'm the  
24 Executive Director of the Supportive Housing Network  
25 of New York, and I want to thank you for the

2 opportunity to testify this evening. I have three  
3 quick points. I won't read through all my testimony.  
4 You have it here written. My first one will be  
5 focused, as Gabriela had mentioned, on improving the  
6 New York City 15/15 Supportive Housing Initiative,  
7 the second one being Just Pay and ensuring that our  
8 human service workforce gets a COLA and, lastly,  
9 fully staffing critical City agencies that are  
10 associated with developing and operating supportive  
11 housing in New York City.

12           With regard to New York City 15/15, this  
13 is the City's primary mechanism for supportive  
14 housing development, but sadly it's falling short of  
15 its goal of meeting 15,000 units by 2030. The program  
16 relies on scattered site model, where non-profits  
17 rent units off of the private market and bring  
18 services to tenants but, as Gabriela mentioned with  
19 the housing vacancies, finding accessible,  
20 affordable, and quality units is very different,  
21 functionally zero in New York City and, as a result,  
22 we see in this model, particularly on the scattered  
23 site that only 17 percent of scattered site units  
24 under their New York City 15/15 were awarded after  
25 eight years where they should be around 50 percent.

2 Just by comparison for the congregate, the new  
3 construction, they're about 80 percent that are  
4 awarded open or in construction, and so we developed  
5 a very comprehensive plan that talks about the  
6 reallocation, quickly expanding the supply. Secondly,  
7 we're not trying to get away from the scattered site  
8 model, but we want to reduce how many more awards  
9 there will be and fix some of the structural issues.  
10 Also to develop a dedicated supportive housing  
11 preservation program.

12 CHAIRPERSON SANCHEZ: Would you like to  
13 complete your testimony?

14 PASCALLE LEONE: Yes, please. To develop a  
15 supportive housing preservation program in HPD and  
16 then, lastly, to investigate this affordable housing  
17 overlay model looking at pairing scattered site and  
18 HPD-financed buildings like SARA and like ELLA. We  
19 really want to align the rates with New York City  
20 15/15 scattered sites so there's parity amongst the  
21 models and ensure that, as Gabriela had mentioned,  
22 that we could extend the program for folks  
23 experiencing survivors of domestic violence as well  
24 as folks who are exiting prisons and jails. Just  
25 quickly, the success of supportive housing is really

2 predicated on the investment in our workforce so we  
3 need a COLA, asking that 150 million for this Fiscal  
4 Year with an additional 3 percent in Fiscal Year '26  
5 and '27, totaling 16 percent over five years, keeping  
6 pace with union workers. Lastly, fully funding staff  
7 at City agencies. As was discussed this morning, just  
8 the impact in those, the Comptroller's report on the  
9 understaffing in City agencies that's causing delays  
10 in the development of affordable housing. Thank you  
11 for your time.

12 CHAIRPERSON SANCHEZ: Thank you. Just one  
13 quick clarification question on point three, using  
14 15/15 service and operating develop a dedicated  
15 supportive housing preservation program. Is this a  
16 proposal to create a unit within the Development  
17 Team?

18 PASCALLE LEONE: Correct.

19 CHAIRPERSON SANCHEZ: Thank you.

20 BARIKA WILLIAMS: Good evening. My name is  
21 Barika Williams. I'm the Executive Director of the  
22 Association for Neighborhood and Housing Development,  
23 or ANHD. Thank you, Chair Sanchez, for having us here  
24 today and thank you to the Committee Members and to  
25 the Staff for I know what is a very long day. We also

2 have extended written testimony that's spans between  
3 housing and general welfare that will be submitted in  
4 writing because our housing issues span across the  
5 two to come. I'm going to hit the highlights as well.  
6 So one ask and request is for the Council to continue  
7 to support the Community Housing Preservation  
8 Strategies Initiative, CHPSI as we all call it, and  
9 requesting funding at 4.95 million in the FY25  
10 budget. This gets spread across 45 CBOs selected by  
11 their local Council Members to do local on the ground  
12 work with tenants, homeowners, counseling, direct  
13 services, and tenants associations. This is really  
14 how we get to a lot of our direct services with CBOs  
15 to tenants through community-based organizations.  
16 Also included in that, I would just want to lift this  
17 up, is ANHD's Displacement Alert Project. The DOB  
18 Commissioner mentioned wanting data specifically on,  
19 he said I would love to have the analytics on this,  
20 and I was like we have it, we could already do that  
21 for you, and so I think especially with a little bit  
22 of additional support could maybe provide them some  
23 customized analytics of what they're looking for from  
24 a program that the City Council has historically  
25 supported. Also requesting that we address HPD

2 staffing which has become a significant issue. It's  
3 causing a delay in production by about 42 percent in  
4 this upcoming Fiscal Year so it's becoming a huge  
5 issue for our pipeline of projects. We support Homes  
6 Now, Homes For Generation campaign for 2 billion over  
7 the next four years, specifically 1 billion to  
8 Neighborhood Pillars Program, as well as we ask the  
9 City Council to contribute to NYCHA capital in order  
10 to preserve 15,000 homes. If I could continue and  
11 just finish. And then just two additional things that  
12 haven't come up. We urge the City to consider  
13 including and matching what we're hoping will come  
14 through at the State as 250 million dollars in  
15 emergency preservation funds, recognizing that  
16 affordable and supportive housing were at the back of  
17 the line for rent arrears and continue to have a  
18 backlog in their ability to operate their buildings  
19 and units. I also just want to lift up that one of  
20 the things that DOB mentioned is people paying for  
21 accelerated permitting, and this is something that  
22 actually we feel like very strongly should be an  
23 accelerated process that is for our public good  
24 projects, not for our pay-to-play projects, and would  
25 like to see the accelerated priority lists really be



2 prioritized for affordable, supportive housing, and  
3 community facilities and needs. Thank you.

4 CHAIRPERSON SANCHEZ: Thank you so much. A  
5 clarifying question. You mentioned that HPD staffing  
6 issues are still causing a delay in production of 42  
7 percent in this upcoming Fiscal Year, but HPD did  
8 tout their hiring in Code Enforcement, but what is  
9 the lay of the land on the development side?

10 BARIKA WILLIAMS: Yeah, and we do want to  
11 recognize they've been hiring about, they've made big  
12 efforts. They've, according to what we know, hired  
13 about 860 full-time employees in the past six Fiscal  
14 quarters so do you want to acknowledge the progress  
15 that they've made, but they would need to increase  
16 its production by about 42 percent in the upcoming  
17 Fiscal Years to meet its pre-existing goals based on  
18 where it's staffing levels are so the deficit is now  
19 impacted our ability to even execute on the  
20 previously existing housing plans, goals, and  
21 pipeline.

22 CHAIRPERSON SANCHEZ: Got it. Thank you.  
23 Is there a related increase in staffing or particular  
24 titles that you think we should focus on?

2 BARIKA WILLIAMS: I can look into that and  
3 provide that later. I know that one of the  
4 Departments that we had previously still seen  
5 staffing shortages were specifically around  
6 preservation and legal being two places that were  
7 causing significant and substantial slowdowns in the  
8 pipeline and projects.

9 CHAIRPERSON SANCHEZ: Thank you. Council  
10 Member Brewer?

11 COUNCIL MEMBER BREWER: Yeah, thank you  
12 for your comment about the fee for the Accelerators.  
13 I was a little surprised, too, one, was the  
14 Commissioner stated that it doesn't pay for the whole  
15 project and then, second, all I could think of is,  
16 you pay, you get priority, but all the other folks  
17 don't, so to me just get rid of the fee and everybody  
18 should be fairly treated because I doubt they'll  
19 ever, to be honest with you, prioritize affordable  
20 housing, which is what we care about, so can you give  
21 me a little bit more information of what your  
22 experience is with that? I like to pretend I know  
23 everything, I don't, so I didn't know about this fee.

24 BARIKA WILLIAMS: I would say this is a  
25 good question to go back and ask DOB and HPD. The way

2 they have presented the fast tracking is that certain  
3 projects can be requested to fast track and that, in  
4 theory, affordable housing projects are being fast  
5 tracked.

6 COUNCIL MEMBER BREWER: He didn't say that  
7 today. That's why I was asking.

8 BARIKA WILLIAMS: That is correct, and I'm  
9 not sure that our members would say that their  
10 experience is that they are being fast tracked so  
11 there's what is written in the program or what has  
12 been presented in the program publicly, and I would  
13 say what many of our ANHD, our SHNNY members, New  
14 Destiny being one, experience which is that they're  
15 not on a fast track, and we have obviously all seen  
16 some recent reports of projects that like paid to go  
17 to the front of the line. I think our concern is if  
18 who gets to go to the front of the line is who can  
19 pay for it, A, to your point Council Member, then  
20 what you're paying should pay for everything and  
21 then, B, that means that our affordable housing  
22 projects are going to always stay at the back of the  
23 line because there is no way that they could build in  
24 covering a fast-tracking cost into their projects.  
25 It's just their terms sheets won't even allow them to

2 do that so it just means we're slowing down this  
3 pipeline even more.

4 COUNCIL MEMBER BREWER: That explains why  
5 we get so many calls from affordable housing  
6 builders, just is one more example of why they're so  
7 frustrated on the timeframe. I think if I may say  
8 this little small nuanced topic needs a little bit  
9 more investigation.

10 BARIKA WILLIAMS: And I will note that the  
11 slowing down is costing our affordable housing  
12 projects more. The longer that takes, the more they  
13 are carrying the cost of the land, the  
14 predevelopment, right, that whole process gets  
15 stretched out, that cost money during that time so  
16 the longer it takes before they can actually do a C  
17 of O and open their doors, the more ultimately the  
18 project costs for them as our affordable housing non-  
19 profit developers and owners and us as a City.

20 CHAIRPERSON SANCHEZ: Just to say it  
21 plainly, we're not at this moment talking about the  
22 delays in receiving financing. We're talking about  
23 after construction, just the inspections that are  
24 required from Department of Buildings to open.

25 BARIKA WILLIAMS: Correct.

2 CHAIRPERSON SANCHEZ: Thank you so much to  
3 this panel. Appreciate you.

4 COMMITTEE COUNSEL: The next panel can  
5 come up to the table, Adriene Holder, Ami Shah, Runa  
6 Rajagopal, and Viviana Gordon.

7 CHAIRPERSON SANCHEZ: Hello. Thank you for  
8 still being here.

9 ADRIENE HOLDER: I know we're all timed.  
10 Hello. Good evening and thank you to the City  
11 Council's Housing and Building Committee for the  
12 opportunity to testify about the crucial need to  
13 improve the City's Right-to-Counsel and Anti-  
14 Harassment Tenant Protection programs to better serve  
15 our communities by preventing evictions and  
16 preserving safe, affordable.

17 CHAIRPERSON SANCHEZ: I'm sorry. Is your  
18 microphone on?

19 ADRIENE HOLDER: Oh, I thought it is. I  
20 need it closer. Okay. So sitting through this hearing  
21 this afternoon and into the evening, I remain  
22 extremely impressed with how committed, there's a lot  
23 of heroes here of mine, new and former or older or  
24 seasoned, but I am so impressed with your commitment

2 and engagement that you all have on these very  
3 important issues.

4 I'm Adrienne Holder from the Legal Aid  
5 Society, and I'm joined by Runa Rajagopal from the  
6 Bronx Defenders and Ami Shah from Legal Services NYC  
7 and, together, we represent a coalition of 17 legal  
8 service providers in New York City. We'll be  
9 submitting more detailed written testimony later.

10 As a legal services provider community,  
11 we are committed to ensuring that the Right-to-  
12 Counsel realizes its full potential for preventing  
13 homelessness and displacement of low-income and  
14 vulnerable New Yorkers, building tenant power, and  
15 balancing the scales of justice by making housing  
16 court a place where tenants can achieve real outcomes  
17 in their housing cases. In that spirit and drawing on  
18 lessons learned from six years of Right-to-Counsel  
19 implementation, we offer this testimony to provide  
20 feedback and recommendations about this historic  
21 program. It is critical for low-income people to have  
22 legal representation and housing proceedings. Tenants  
23 who have an attorney in eviction proceeding are less  
24 likely to get evicted. However, housing eviction  
25 prevention work encompasses more than the essential

2 halting of evictions. It also involves identifying  
3 income supports for the entire household, securing  
4 eligible housing subsidies and addressing hazardous  
5 housing conditions to safeguard both tenants and the  
6 housing stock. May I finish?

7 CHAIRPERSON SANCHEZ: Would you like to  
8 finish your testimony?

9 ADRIENE HOLDER: Yes. Thank you. I  
10 appreciate it. Any other understanding of housing law  
11 practice disregards the holistic staffing needed to  
12 provide quality representation to resolve these  
13 complex eviction cases to obtain favorable results  
14 that meet client goals, address poverty, and  
15 stabilize households and also stabilize entire  
16 communities. Fully funding the Right-to-Counsel  
17 program is part of the solution to the housing  
18 affordability crisis that is plaguing the city.  
19 Keeping low-income people in their homes is essential  
20 not only for their well-being, but also as a bulwark  
21 against the loss of affordable rents in the housing  
22 market. The new housing vacancy survey published by  
23 HPD among many things reveals that when a low-income  
24 tenant is evicted, their apartment will not be rented  
25 again to another low-income tenant. Instead, the rent

1 will likely be raised and that unit will become  
2 unaffordable. The funding needed to fully implement  
3 Right-to-Counsel is significantly less than the  
4 nearly 2 billion spent on sheltering the unhoused.  
5 Money spent on Right-to-Counsel significantly offsets  
6 the need to spend money on shelters. In response to  
7 questions we received about the cost to fully  
8 implement Right-to-Counsel last year, providers  
9 estimated that an additional 351 million dollars in  
10 funding per year was needed. That amount assumed a  
11 much lower number of filed in-calendar cases that  
12 were eligible for Right-to-Counsel with an average  
13 case rate that the legal services providers have  
14 calculated last year at about 7,500. dollars. Updated  
15 data reveals that approximately 79,000 cases and not  
16 the 44,444 that the City proposes to fund going into  
17 new Fiscal Years are estimated to be eligible for the  
18 program. Therefore, the providers believe the need  
19 for funding is significantly higher than even one  
20 year ago. We are extremely grateful for the Council's  
21 advocacy to have the City allocate an additional 20  
22 million to the program last year. We thank you all  
23 for pushing the City to make that initial investment.  
24 However, the estimated costs associated with the  
25



2 additional eligibility of all seniors, regardless of  
3 income who are now eligible under laws that you all  
4 passed and the general increase in cost of living  
5 exceed that additional funding this year. Even if the  
6 Right-to-Counsel program were to receive the influx  
7 in funding that it needs to cover the full universe  
8 of eligible cases, legal services providers need more  
9 time to build pipelines to aid in the recruitment of  
10 staff as well as to develop staff and supervisors to  
11 be able to achieve the staffing levels needed to  
12 handle the volume of cases. I'm now going to hand it  
13 over to Runa who's going to talk to you about other  
14 aspects of our...

15                   RUNA RAJAGOPAL: Good evening. My name is  
16 Runa Rajagopal. I'm with the Bronx Defenders. I'm  
17 also on the steering committee for the LEAP  
18 Coalition. I'm very grateful to be here before the  
19 Council today. Picking up where my colleague left  
20 off, I wanted to focus on the two important points  
21 where we want to continue to partner with the  
22 Council. One is to talk about the Anti-Harassment  
23 Tenant Protection Program, that was recently RFP'd in  
24 August and, two, is to talk about funding fairness  
25 and pay parity, which I know you all have been

2 supporters and partners in talking about. Just like  
3 my colleague talked about the importance of Right-to-  
4 Counsel, the Anti-Harassment Tenant Protection  
5 Program is unique and distinct and supplements what  
6 the Right-to-Counsel does. As you all know, it  
7 developed in 2015, and the purpose is to fight  
8 against gentrification, tenant harassment, housing  
9 displacement, mostly of black and brown communities  
10 in the city, and legal services organizations, we  
11 partner with community organizers across the city to  
12 fight forces that displace tenants and their  
13 families, to improve and preserve the quality and  
14 safety of affordable housing, and to stabilize  
15 communities, and we know that there's both the short-  
16 term and long-term harm of housing displacement and  
17 there are all sorts of other harms and consequences  
18 that come from homelessness and losing one's home,  
19 legal system, entanglement, family separation,  
20 incarceration, and just the perpetuation of harmful  
21 poverty throughout generations in fact. In the last  
22 year in partnership with organizers and other  
23 partners, we were able to collectively help tenants  
24 in no less than 22,000 matters just last year and  
25 almost 7,000 complaints, may I finish?

2 CHAIRPERSON SANCHEZ: Yes.

3 RUNA RAJAGOPAL: Thank you. Filed almost  
4 7,000 complaints to challenge rent hikes, fight  
5 discrimination, and demand essential services that  
6 tenants and their families deserve. Some of those  
7 complaints you discussed earlier to the DOB and other  
8 agencies. Through this program, again, which is value  
9 added to Right-to-Counsel, it allows us to address  
10 repairs and conditions, to provide group  
11 representation, building-wide representation, and to  
12 help people before cases are filed which, again, is  
13 an important aspect of this program, and so we don't  
14 even know how far this program has reached tenants  
15 and families in terms of the benefits because there's  
16 so much unquantifiable benefit to it. So similar to  
17 what my colleague talked about, we need investment in  
18 this program in terms of funding the program fully.  
19 In terms of a case, I want to uplift the 7,500-case  
20 rate and want to account for the full costs of the  
21 program to provide the level of services that our  
22 clients and tenants and community members deserve,  
23 which takes me to funding fairness and pay parity. We  
24 can't talk about this enough. When we talk about our  
25 work, it's so important for us to center the need and

2 how hard things are for the people we serve and are  
3 accountable to. They are struggling, they are  
4 marginalized, they need more help than ever, but it  
5 may or may not surprise you to know that in our  
6 programs, our staff who are doing the day-in and day-  
7 out of this work, and that's attorneys, but not just  
8 attorneys, we need social workers, justice workers  
9 paralegals, benefit advocates, the administrative  
10 staff, and the like, may not be that far away from  
11 our clients in doing this work and to provide, again,  
12 the quality, zealous level of services that our  
13 clients deserve and to make the work sustainable and  
14 equitable, we need to fight to invest and pay our  
15 staff at competitive levels. I know that the Council  
16 has been a partner in this.

17 CHAIRPERSON SANCHEZ: I do need to ask you  
18 to wrap up.

19 RUNA RAJAGOPAL: Okay, I'm going to wrap  
20 up right now. Which is just to say, there is a wage  
21 gap here. We are not competitive. We are losing  
22 people to government sector and, whereas, the Office  
23 of the Attorney General makes starting 90,000, we're  
24 not there. Some of our programs are at, 20, 30, 40,  
25 50 percent or at least paying less than 10,000 to

2 20,000 at the City level, and so we can't compete and  
3 we can't keep people and we know that recruiting the  
4 best, keeping the best is going to allow us to  
5 provide the services that our clients deserve. So now  
6 I'm going to pass it over to my colleague, Ami Shah.

7 AMI SHAH: Thank you. Hi. My name is Ami  
8 Shah. I am at Legal Services NYC testifying along  
9 with my colleagues here. Thank you for the  
10 opportunity to speak to the Council.

11 While my colleagues talked about some of  
12 the substantive issues around proper funding for our  
13 housing programs, one of the biggest issues that's  
14 affecting us right now is that we are 3.5 months  
15 short of our contracts expiring for over 173 million  
16 dollars, that represent both our AHTP funding and our  
17 Right-to-Counsel funding for the legal services  
18 providers citywide. To date that we have not received  
19 any awards on the request for proposals that the City  
20 requested for this funding. Those were submitted on  
21 December 1st and, in the meantime, while we await for  
22 those awards, we need time to implement whatever  
23 contract provisions we receive so we're requesting  
24 that the Council partner with us in requesting  
25 contract extensions now so that in the three months

2 when our contracts are up and we're still  
3 implementing, we have the time to create programs  
4 that continue services for our clients. In addition  
5 to our extensions, there are also overall contract  
6 process challenges that our organizations have faced.  
7 The process itself of contracting with the City is  
8 rife with delays and administrative burdens on our  
9 agencies. For example, from issuance to registering  
10 to invoicing these contracts, when we start with  
11 issuance, the RFP, though the City has time to  
12 prepare for the RFP before a contract is set to  
13 expire, often years of notice, they fail to do so  
14 timely, requiring our organizations to often have  
15 difficulty planning because we do not know what our  
16 funding will be, when it will be confirmed, and what  
17 services will be funded to provide. Once contracts  
18 are issued, we also have difficulty registering those  
19 contracts. They're awarded, but it can take months  
20 for new contracts to be issued and registered,  
21 creating a gap. May I finish?

22 CHAIRPERSON SANCHEZ: Please.

23 AMI SHAH: Thank you. Creating a gap in  
24 our funding that our organizations are forced to try  
25 to fill. While is common in the RFP and baseline

2 contracting process, it's endemic when it comes to  
3 contract amendments because the delay in contracting  
4 and the lack of flexibility within the reimbursement  
5 contract structure, each of our core contracts is  
6 funded by a series of amendments that must be  
7 separately registered and invoiced, causing further  
8 delay in payment to our organizations. These are  
9 coupled with technical challenges such as the  
10 migration to PASSPort that delay payments on our  
11 contracts causing cashflow issues for many of our  
12 organizations. Lastly, the process of invoicing is  
13 also extremely onerous requiring recordkeeping and  
14 reporting from our finance teams that are stretched  
15 incredibly thin. To alleviate some of these concerns,  
16 we as a provider committee have some suggestions. The  
17 City should incorporate timeframes for each step of  
18 the contracting and procurement process, giving  
19 providers sufficient time to implement new contracts.  
20 They should provide bridge loans for providers from  
21 the renewable grant without contract registration  
22 requirements to fill the gap in between contracts.  
23 They should cover interest incurred on a loan or line  
24 of credit used by our organizations to bridge the gap  
25 between City contracts, should reduce the annual

2 contract registration document requirements in  
3 PASSPort for renewals, and should provide advances of  
4 50 percent instead of 25 percent to help adjust  
5 delays in the invoicing process. Our organizations  
6 have been at the front lines of defending New York  
7 City tenants for decades. We are passionate about  
8 this work and about our client communities and,  
9 together, we represent all the contractors under the  
10 RTC and HTP contracts. We thank you for the  
11 opportunity to work with you and continue building  
12 effective, accessible programs that defend New York  
13 City tenants.

14 CHAIRPERSON SANCHEZ: Thank you so much.

15 VIVIANA GORDON: Good afternoon, Chair  
16 Sanchez and Members of the Housing and Buildings  
17 Committee. My name is Viviana Gordon. I'm the  
18 Director of Planning and Implementation at the Center  
19 for Justice Innovation, and today I'm here to share  
20 the toll that housing instability and inequity are  
21 taking on our clients and the communities we work in.  
22 Our programs collectively serve tens of thousands of  
23 New Yorkers across all five boroughs each year,  
24 including people involved with criminal, family, and  
25 housing court systems, young people, individuals who



2 are most at risk of being victims or perpetrators of  
3 violent crime, and public housing residents. Across  
4 all of our projects, we see every day how the lack of  
5 safe, stable housing is inherently traumatic and  
6 causes real crisis and despair. I work most directly  
7 with our Housing Justice Projects, including the  
8 Eviction Diversion Initiative in Brooklyn Housing  
9 Court, the Red Hook and Harlem Community Justice  
10 Centers, which are the city's only community-based  
11 landlord tenant courts that also have on-site  
12 helpdesks and a network of neighborhood housing  
13 navigators across the city, including Far Rockaway,  
14 the South Bronx, East Harlem and Red Hook. Our focus  
15 is preventing eviction and displacement, responding  
16 to hazardous repair conditions, improving access to  
17 justice, and connecting people to public benefits and  
18 legal services. We often find ourselves bridging the  
19 gap between the court system, City agencies and  
20 communities. It's not lost on us every day that the  
21 disparity and disinvestment we see are deeply rooted  
22 in historic racial injustice and disproportionately  
23 impact already marginalized communities, particularly  
24 residents of public housing. Every day we work with  
25 NYCHA tenants experiencing egregious home conditions,

2 including chronic (INAUDIBLE) leaks, electrical  
3 fires, infestations, gas outages lasting months,  
4 mold, and crumbling walls. These conditions  
5 contribute to chronic health problems and are  
6 devastating for mental health, something that is not  
7 acknowledged enough. May I continue?

8 CHAIRPERSON SANCHEZ: Yes.

9 VIVIANA GORDON: Thank you. Unlike  
10 residents of private housing, who can call 3-1-1 and  
11 receive a city inspection from HPD, NYCHA residents  
12 must go to Housing Court and file an HP action, a  
13 burdensome process that can take months to resolve.  
14 This experience of working with tenants who have to  
15 go through this process has reinforced our call to  
16 City Council for NYCHA to be fully under HPD  
17 oversight so public housing tenants have the same  
18 protections under the City Housing Maintenance Code  
19 as private tenants. We also ask the Council to urge  
20 HPD to begin implementing State law S72A/A9387, which  
21 requires HPD maintain public record of code  
22 violations in the same manner as privately owned  
23 housing. Finally, we ask for the Council to urge HPD  
24 to communicate cited code violations directly to  
25 NYCHA, which is causing needless delays in addressing

2 conditions. We know these measures will take  
3 additional resources, and we urge the Council to  
4 ensure that non-profits like all of ours and City  
5 agencies receive adequate support to tackle this  
6 crisis effectively. Equitable access to safe, quality  
7 housing and code enforcement are essential to the  
8 health, safety and vitality of our communities. Thank  
9 you very much for the opportunity to testify.

10 CHAIRPERSON SANCHEZ: Thank you so much  
11 and thank you all for your testimony, for still being  
12 here at 6:08.

13 I did want to ask one clarifying question  
14 is the work that you, I don't know if you all, each  
15 of your organizations do it or not, but is the work  
16 that some of your organizations do on HP actions,  
17 filing proactive HP actions on behalf of certain  
18 buildings, is that covered under your Right-to-  
19 Counsel contracts or is that, how is that funded?

20 ADRIENE HOLDER: It is covered under the  
21 Anti-Harassment Tenant Protection So it's under those  
22 contracts. To be clear, all of our housing contracts  
23 right now are in the RFP or RFX as it's called by the  
24 City this cycle, is in that process right now. We  
25 have not heard anything. The City is telling us that

2 we'll be notified of awards soon, but we don't know  
3 what that means, and they were all submitted on  
4 December 1st. It's the intent of the Anti-Harassment  
5 Tenant Protection Program that it will cover that  
6 kind of work, and I'd like to thank you and others on  
7 this Committee for your leadership and helping all of  
8 our groups address some of the horrendous things that  
9 have been going on with buildings throughout the city  
10 and what's going on with the housing stock. Thank  
11 you.

12 CHAIRPERSON SANCHEZ: No, I want to thank  
13 you from the bottom of my heart, the way that tenants  
14 react when they see a legal service provider with  
15 them, when there's someone around to answer their  
16 questions and there's someone around to sue a  
17 landlord who is being really horrible, it's just  
18 really heartening to see them realize they have  
19 power, even if that power is through you and through  
20 the work that we can do together so you can certainly  
21 count on my support. I do want to encourage you all  
22 to, I'm not sure if General Welfare, when their  
23 hearing is, oh, it was this morning, okay, to submit  
24 to them as well as they have oversight over HRA, DSS,  
25 and also submit to the Public Housing Committee for

2 their oversight as well, but thank you so much for  
3 your testimony today and for the work that you do for  
4 New Yorkers.

5 COMMITTEE COUNSEL: Next in-person panel  
6 will be Shakima Gillings, Mia Valez Valerio  
7 (phonetic), Selly (phonetic) Albert Scott.

8 CHAIRPERSON SANCHEZ: Thank you. You may  
9 begin when ready.

10 SHAKIMA GILLINGS: Hi. Good afternoon. My  
11 name is Shakima Gillings. I'm a resident of HDFC  
12 located in the South Bronx, and we've been facing a  
13 housing crisis and we're experiencing inhabitable  
14 conditions. It says the building needs funding for  
15 capital improvements, repairs that continuously  
16 recur, preventative measures, and building-wide  
17 improvements, operating expenses, and for  
18 implementing new systems to improve the management of  
19 the building. We're financially unstable. We're  
20 struggling to pay operating expenses, especially  
21 mortgage. Some residents were advised that we have  
22 estimated six months before going into foreclosure.  
23 There has been issues and current, existing issues  
24 with maintenance and rental arrears. Gas, there has  
25 been no gas since March 2022. That's officially two

2 years as of today. That's been caused by a gas leak  
3 that we had and being out of compliance with New York  
4 laws. February 2023, the Board was advised 136,000  
5 dollars was needed to fix gas. We were given hot  
6 plates due to no gas. The boiler has continuous  
7 issues over the years, including two out of service  
8 notices in February and March 2024. The roof needs to  
9 be repaired. There are leaks that lead to below floor  
10 in resident apartments. The chimney has a bit of  
11 damage that needs to be repair. Then building-wide  
12 repairs, there's a lack of proper repair systems,  
13 preventative measures, and continuous leaks. Within  
14 the past two or three years, there was a sewage leak  
15 that spilled over into some residents' apartments.  
16 Building wide intercom, there's continuous  
17 malfunction issues and some haven't been resolved. A  
18 little bit of my quick story. From 2018. Can I  
19 continue?

20 CHAIRPERSON SANCHEZ: Please tell me about  
21 your story.

22 SHAKIMA GILLINGS: Okay. This is just very  
23 small, just a insight. So 2018 to 2024, that's seven  
24 years. I've had apartment leaks six of the seven  
25 years. There has become a quality of life, health,

2 and safety concern for me. My intercom for my  
3 apartment hasn't worked in over 10 years. I've  
4 contacted the regular channels, 3-1-1, HPD to  
5 basically advise them of my issues. We don't want to  
6 be fined, penalized, receive violations, or lien, be  
7 bought out by a new owner, or be converted to a  
8 private landlord. That would add to the existing  
9 building issues, and we don't have the funds. What I  
10 would like to request is immediate attention and  
11 governance, seeking guidance, resources, including  
12 grants and funding and a (INAUDIBLE) would provide  
13 support to reinstate building back to healthy  
14 operations. We'd like to save the building, people  
15 investments, they earned it. The building residents  
16 are loving, hard-working, generations of family that  
17 reside in this building since the 1970s. Please help  
18 us. Thanks for your time and attention to this  
19 matter.

20 CHAIRPERSON SANCHEZ: Thank you so much,  
21 Ms. Gillings. Can you clarify whether your HDFC is a  
22 single owner or is a cooperative?

23 SHAKIMA GILLINGS: It's a cooperative.

24 CHAIRPERSON SANCHEZ: A cooperative.

2 SHAKIMA GILLINGS: Sorry, I didn't put  
3 that part in.

4 CHAIRPERSON SANCHEZ: Great, and you don't  
5 have to say it on the record since this is public,  
6 but please approach one of our Staff Members and  
7 share your address so that we can follow up with you  
8 individually after we close the hearing, okay, which  
9 is soon, I think, okay, but thank you for your  
10 testimony. These are very troubling conditions, and  
11 we look forward to helping you in your building  
12 figure this out.

13 SHAKIMA GILLINGS: Thank you.

14 CHAIRPERSON SANCHEZ: Thank you.

15 COMMITTEE COUNSEL: Thank you. We will now  
16 be moving to folks who are on Zoom.

17 When it's your turn to testify, you will  
18 be prompted to unmute. Please accept this prompt and  
19 begin your testimony.

20 We will start with James Dill followed by  
21 Paula Segal, then Colin Kent-Daggett.

22 CHAIRPERSON SANCHEZ: Thank you and, for  
23 Zoom panelists, please note we do have to cut off at  
24 two minutes. Thank you.

25 SERGEANT-AT-ARMS: Starting time.



2 JAMES DILL: Good evening. I'm Jim Dill,  
3 Executive Director of Housing and Services, Inc. We  
4 are a permanent supportive housing provider with 625  
5 congregate units and 100 scattered site units.  
6 (INAUDIBLE) supportive housing, as you probably well  
7 know, is the most time-tested, well (INAUDIBLE) most  
8 cost-effective and humane way of ending chronic  
9 homelessness. We are members of the Supportive  
10 Housing Network in New York, and we support all of  
11 the network's advocacy points for this hearing. I  
12 urge the Committee to support the proposed  
13 reallocation of NY 15/15 housing units and resources.  
14 (INAUDIBLE) 15/15 initiative to create 15,000  
15 supportive housing units within 15 years is both a  
16 bold and necessary step to end homelessness. However,  
17 it's 50/50 allocation to congregate and scattered  
18 site housing is not sustainable as the current rental  
19 market does not provide enough acceptable housing  
20 stock to support the 7,500 units. We continually  
21 struggle with our current scattered site program to  
22 find and maintain acceptable housing units. We  
23 constantly fear that market conditions will  
24 ultimately make us a provider of substandard housing.  
25 In that event, we would become part of the problem

2 and not part of the solution. We have no intention at  
3 this time for applying for 15/15 scattered site  
4 units. We applaud the 15/15 congregate program, which  
5 was fundamental to the development of our newest 107-  
6 unit project. We are seeking to apply again with the  
7 new congregate project. The 15/15 program is crucial  
8 and should not fail (INAUDIBLE) a flawed 50/50  
9 allocation. We urge the Committee to support the  
10 reallocation of 15/15 scattered site resources to new  
11 congregate units and to the preservation of our  
12 first-generation housing which desperately needs  
13 additional funding to comply with Local Law 97. I  
14 thank you for your time this evening and...

15 SERGEANT-AT-ARMS: Time is expired.

16 JAMES DILL: Written testimony.

17 CHAIRPERSON SANCHEZ: Thank you so much.

18 COMMITTEE COUNSEL: Next, Paula Segal  
19 followed by Colin Kent-Daggett.

20 SERGEANT-AT-ARMS: Starting time.

21 PAULA SEGAL: Thank you so much. Thank you  
22 so much for this hearing. I feel like I've learned a  
23 lot today, and I am really pleased to be in community  
24 with you, Committee Chair Sanchez and other Members  
25 of the Committee.

2 My name is Paula Segal. I'm speaking  
3 today as Staff Attorney in the Equitable  
4 Neighborhoods Practice of TakeRoot Justice. My  
5 testimony today will be focused on the Community Land  
6 Trust Initiative, support for public housing, and the  
7 redesign of our municipal debt collection system to  
8 support neighborhood and housing stability. My  
9 colleague, Colin Kent-Daggett, is also providing  
10 testimony to this Committee today with a focus on the  
11 Stabilizing NYC initiative and TakeRoots' work in  
12 support of tenants in privately owned housing.  
13 TakeRoot is a member of the New York City Community  
14 Land Initiative, an alliance of grassroots affordable  
15 housing, environmental, and economic justice  
16 organizations working to promote Community Land  
17 Trusts and neighborhood-led development. TakeRoot has  
18 received City Council discretionary funding through  
19 the Citywide Community Land Trusts Initiative since  
20 it launched in Fiscal Year '20. We, at TakeRoot,  
21 support the growing CLT movement for affordable  
22 community-controlled housing, commercial, and  
23 community spaces through direct legal services to CLT  
24 members of the initiative and to other groups in  
25 exploring the Community Land Trust model. We provide

2 everything from education on governance and  
3 incorporation to transactional legal services in  
4 support of negotiating ground leases and joint  
5 venture agreements. We also counsel on transactions.  
6 We want to thank the City Council for its vital  
7 support and urge you to increase funding for the  
8 citywide CLT initiative to 3 million in the Fiscal  
9 2020 budget. With this enhancement, the CLT  
10 initiative will be able to support 21 organizations,  
11 including new CLTs in Ravenswood and (INAUDIBLE),  
12 Queens, and Flatbush Brooklyn, and expand citywide  
13 education, organizing, and technical assistance to  
14 meet the growing and urgent demand for Community Land  
15 Trusts.

16 SERGEANT-AT-ARMS: Time's expired. Thank  
17 you.

18 PAULA SEGAL: May I finish?

19 CHAIRPERSON SANCHEZ: Thank you. Go ahead.

20 PAULA SEGAL: Thanks so much. So in  
21 addition to supporting the CLT initiative, we urge  
22 the City Council to ensure robust capital funding for  
23 the acquisition, rehabilitation, and preservation of  
24 community-controlled affordable housing. We're really  
25 excited for the Homes Now, Homes for Generations

2 platform and just support that in whatever way we  
3 can. We also really want to echo what I heard  
4 colleagues say earlier about the need for both  
5 capital and expense funding to support public housing  
6 and equitable access to humane living conditions and  
7 planning for the future of the housing that residents  
8 live in. Finally, I just want to remind the  
9 Committee, and particularly the Chair, that we're all  
10 committed to working together to creating an  
11 enforcement system for municipal debt that is not  
12 replication of Giuliani's lien sale, which the  
13 majority of this Council has pledged not to bring  
14 back, and we're really excited for your leadership,  
15 Council Member Sanchez, and also for the diligence of  
16 the Finance Committee Staff who we're meeting with  
17 later this week to talk details. Be happy to answer  
18 any questions.

19 CHAIRPERSON SANCHEZ: Thank you so much,  
20 and I look forward to working with you on the related  
21 program of (INAUDIBLE) reform. Thank you, Paula. All  
22 right.

23 PAULA SEGAL: Thank you.

24 COMMITTEE COUNSEL: Next, Colin Kent-  
25 Daggett followed by Wendell Walters.

2 COLIN KENT-DAGGETT: Thank you. I  
3 accidentally muted myself after you unmuted me.  
4 Hello, and thank you to Chairperson Sanchez and the  
5 Committee for your leadership. My name is Colin Kent-  
6 Daggett, and I'm an Advocacy Coordinator and  
7 Paralegal with the Housing Rights Team at TakeRoot  
8 and, as my colleague, Paula, mentioned, TakeRoot  
9 works side by side with community organizations,  
10 tenants, and community leaders as they fight against  
11 gentrification, to demand better living conditions,  
12 affordable rents, and a voice in the policies that  
13 shape their neighborhoods. TakeRoot is a founder and  
14 coordinator of the Stabilizing New York City  
15 Coalition, which is a group of grassroots  
16 organizations that combines tenant organizing with  
17 legal representation to combat tenant harassment and  
18 preserve affordable housing for the New Yorkers who  
19 need it most. The City Council has funded Stabilizing  
20 NYC every year since 2014, and Take Root Justice and  
21 the 19 grassroots groups that are part of it form and  
22 strengthen hundreds of tenant associations across the  
23 city to fight against predatory equity tactics. My  
24 submitted testimony includes more detail about the  
25 challenges facing TakeRoot and other members of the

2 coalition, but we are requesting 4 million dollars to  
3 allow for a modest COLA increase to each of the 20  
4 coalition members, helping to ensure that we can  
5 continue to do the same amount of work as business  
6 and living costs have risen sharply and encourage  
7 staff retention in these very important roles.  
8 Further, our work would not be possible without  
9 funding from the Community Housing Preservation  
10 Strategies Initiative and the Community Land Trust  
11 Initiative, and we asked for your continued and  
12 enhanced support for these important initiatives. My  
13 colleague, Paula, testified about the CLT Initiative,  
14 but through CHSPI, we fight alongside more than 45  
15 community benefit organizations to prevent evictions,  
16 win repairs, empower tenants, and protect homes.  
17 Additionally, with that funding, we run a warm line  
18 on tenant rights for Council District 4, hold NYCHA  
19 accountable for repairs of tenant leaders in CD5, and  
20 conduct monthly tenant clinics and workshops with the  
21 Goddard Riverside SRO project in CD6.

22 SERGEANT-AT-ARMS: Time's expired. Thank  
23 you.

24 COLIN KENT-DAGGETT: May I finish my  
25 remarks? They're very brief.

2 CHAIRPERSON SANCHEZ: Go ahead.

3 COLIN KENT-DAGGETT: Thank you. Despite  
4 all these efforts, tenants and communities in New  
5 York still find themselves under attack. Safe,  
6 affordable housing continues to be threatened as we  
7 emerge from the pandemic, and there was mention  
8 throughout today's hearing of a post-pandemic economy  
9 and recovery, but for New Yorkers who lost jobs,  
10 wages, family members, and more throughout the  
11 pandemic, the effects are still very much ongoing.  
12 Courts continue to be overwhelmed with eviction cases  
13 following the lifting of the moratorium, and tenants  
14 still continue to struggle to continue to pay rent. I  
15 hope we can continue to work together to ensure that  
16 all New Yorkers have access to safe, affordable, and  
17 healthy housing and public spaces. Thank you for your  
18 attention and your commitment to our communities.

19 CHAIRPERSON SANCHEZ: Thank you so much  
20 for your testimony.

21 COMMITTEE COUNSEL: Next, we'll hear from  
22 Wendell Walters followed by Memo Salazar.

23 SERGEANT-AT-ARMS: Starting time.

24 WENDELL WALTERS: Thank you, Chair Sanchez  
25 and Members of the Housing and Buildings Committee,



2 for the opportunity to provide testimony today. My  
3 name is Wendell Walters. I'm the Manager of Policy  
4 and Advocacy at the Osborne Association. Osborne is  
5 one of the largest and oldest criminal justice  
6 service organizations in the state. Each year, we  
7 serve 10,000 participants from arrest to re-entry.  
8 Why, you may ask, is Osborne giving testimony in the  
9 Housing and Buildings Committee? It's a fair  
10 question. As previously stated, we are primarily a  
11 criminal justice service provider, and you wouldn't  
12 think of us as having an interest in housing policy  
13 and advocacy. Well, lack of stable housing or being  
14 unhoused is often part of the story preceding  
15 incarceration, and housing is often the most  
16 difficult re-entry issue for the thousands of  
17 individuals who return to New York City from  
18 incarceration. The newly reported vacancy rate of 1.  
19 4 percent consider how difficult it must be for those  
20 who are returning to New York City after years of  
21 incarceration. With the newly report vacancy rate of  
22 1.4 percent, consider how difficult it must be for  
23 those who are returning to New York City after years  
24 of incarceration. According to the Coalition for the  
25 Homeless, every year since 2015, between 45 and 55

2 percent of those leaving state prison were discharged  
3 to the, as we all know, overwhelmed New York City  
4 shelter system. We cannot forget about these  
5 individuals, and Osborne is doing what we can with  
6 the soon-to-be-open Fulton Community Re-Entry Center  
7 in the Bronx, this transitional housing development  
8 has 140 beds for older men returning from prison and  
9 offers an array of re-entry services. We are grateful  
10 for past Council funding with Fulton, and we are,  
11 again, requesting Council support in the amount of  
12 250,000 dollars for program services. We also have  
13 development partnership with an affordable housing  
14 developer (INAUDIBLE) supportive housing project in  
15 Brownsville that dedicated 52 units of permanent  
16 supportive housing for the previously incarcerated  
17 older adult. We have other similar permanent  
18 supportive housing projects in our modest pipeline.  
19 As one does the work, we are dedicated to the mission  
20 of supporting those who are inside and those who come  
21 home. People are most vulnerable, of course, after  
22 release, and that is when they most need the  
23 stability of proper housing.

24 SERGEANT-AT-ARMS: Time is expired. Thank  
25 you.

2 WENDELL WALTERS: Quickly, they face a  
3 host of issues as they integrate into society and  
4 (INAUDIBLE) housing the top of the list, urge the  
5 Council to invest in (INAUDIBLE) housing and support  
6 community-based organizations that are addressing  
7 this need. Thank you. We'll submit our full statement  
8 today. Thank you.

9 CHAIRPERSON SANCHEZ: Thank you so much.  
10 Thank you for joining us.

11 COMMITTEE COUNSEL: Next Memo Salazar  
12 followed by Elana Wood (phonetic).

13 SERGEANT-AT-ARMS: Starting time. Starting  
14 time.

15 COMMITTEE COUNSEL: Hold on. You're not  
16 unmuted. Can we please unmute? There we go. Please  
17 begin.

18 MEMO SALAZAR: Hi, my name is Memo  
19 Salazar. I'm the Co-Chair of the Western Queens  
20 Community Land Trust. We're one of the recipients of  
21 City Council funding through the Community Land Trust  
22 Initiative and, thanks to you, we've been able to  
23 hire Pamela Herrera as our official Coordinator,  
24 first as a part-time employee, but this past year on  
25 a full-time basis, and everyone else on the CLT is a

2 volunteer, including myself. We all have to manage  
3 full-time jobs and families to do our CLT work so  
4 having someone like Pam to devote herself full-time  
5 on this has allowed us to carry out community events,  
6 do more outreach, meet with elected officials,  
7 further our work, and so on. I realize our Mayor is  
8 demanding that we tighten our belts and make cuts  
9 while also promising that the solution to our housing  
10 crisis lies in rezoning through the City of Yes  
11 proposal, but the data on that is incredibly clear  
12 that just building more market rate housing with only  
13 the most minimal affordability level is going to  
14 create more of that high price market rate units that  
15 has gotten us into this mess, and the only way to  
16 combat that (INAUDIBLE) some serious funding on  
17 federal, state, and city levels, which is why I'm  
18 urging you to increase funding today for the CLT  
19 initiative this year to 3 million dollars. That's  
20 money that we need if CLTs are going to be able to  
21 succeed in providing truly affordable housing that  
22 the developers have failed to create. Here in Queens,  
23 we now have CLTs in Ravenswood and Edgemere but,  
24 without funding, none of us have a chance to succeed.  
25 We have relationships to our communities that no

2 consulting firm can compete with. We are better  
3 poised than anyone at bringing affordable housing  
4 projects to the people that need it the most. We also  
5 urge you to dedicate 3.22 billion dollars in this  
6 year's budget to NYCHA for critical repairs and  
7 upgrades because NYCHA apartments should be no  
8 different than luxury apartments that are standing  
9 just down the street. They should have heat, they  
10 should have working elevators, they should be just as  
11 safe and secure as the fanciest buildings that we  
12 have in New York City. Both the UN and our own State  
13 Constitution have made it clear that housing is a  
14 human right, so we look to you as our representatives  
15 to back that philosophy up with funding. Some real  
16 funding that will help us in New York.

17 SERGEANT-AT-ARMS: Time is expired. Thank  
18 you.

19 MEMO SALAZAR: Thank you.

20 CHAIRPERSON SANCHEZ: Thank you so much,  
21 and thank you for the proof-of-concept work that you  
22 are all doing at Western Queens CLT. Thank you.

23 MEMO SALAZAR: Thanks.

24 COMMITTEE COUNSEL: Next, Elana Wood.

25 SERGEANT-AT-ARMS: Starting time.

2 ELANA WOOD: Hello. Thank you, Chairperson  
3 Sanchez, Members of the Committee. My name is Elana  
4 Wood, and I'm the Housing Director at Housing Works.  
5 I want to discuss a few main points with you today  
6 about the budget and how it affects our clients. The  
7 first is about staffing. The cuts in hiring freezes  
8 over the past year have done tremendous damage with  
9 critical agencies left without the staff and  
10 resources needed to meet the most basic needs of New  
11 Yorkers. DOHMH, HPD, HRA, DHS are not functioning  
12 effectively, causing delays in affordable housing and  
13 development, supportive housing placements, and  
14 processing applications for rental assistance. My  
15 experience with working with clients who need access  
16 to HASA and HRA is woefully understaffed, making it  
17 difficult or impossible for housing providers to meet  
18 the needs of our clients. The next is that we call  
19 for the City to invest in human services workforce.  
20 Housing and homeless service providers, made up  
21 predominantly of women of color, are grossly  
22 underpaid. I, myself, oversee 16 staff who often  
23 experience the same types of issues as our clients,  
24 housing instability, food instability, and it's a  
25 shame that those who are put in place to help New

2 Yorkers are also experiencing the same things because  
3 of low wages so we're calling for a 5.4 percent on  
4 all human service contracts for a COLA adjustment.  
5 The third point I wanted to talk about is the  
6 CityFHEPS program. We're very grateful for the  
7 improvements that have been made, but access is still  
8 an issue for a lot of people, particularly clients  
9 who I serve who are in transitional housing and don't  
10 qualify for the CityFHEPS. We'd like an expansion of  
11 the CityFHEPS eligibility. Lastly, making critical  
12 investments and taking action to facilitate  
13 affordable housing and supportive housing  
14 development. The budget doesn't include sufficient  
15 enough funding to adequately expand the City's  
16 affordable supportive housing stock, one of the most  
17 critical issues facing New Yorkers. Housing Works is  
18 calling for 2.5 billion in additional new  
19 construction financing each year for the next five  
20 years for apartments...

21 SERGEANT-AT-ARMS: Time is expired. Thank  
22 you.

23 ELANA WOOD: Specifically built for  
24 homeless and low-income New Yorkers. Thank you so

2 much for your time, and I appreciate the time to  
3 bring these points to your attention.

4 CHAIRPERSON SANCHEZ: Thank you. I hope  
5 you are driving safe.

6 ELANA WOOD: I pulled over. I had to go  
7 get my kids so I was like I have to go, of course I  
8 would get called on.

9 CHAIRPERSON SANCHEZ: I feel you. I'm  
10 rushing back to pick up my baby after this.

11 ELANA WOOD: All right, have a safe night.

12 COMMITTEE COUNSEL: Thank you. Pamela  
13 Herrera, Danielle Manley, Linda Ortiz, Chavante  
14 Kennecall (phonetic), Shannon Lupkin, Martha Sickles,  
15 Matthew Dunbar.

16 This concludes public testimony. If we  
17 have inadvertently forgotten to call on someone to  
18 testify, please raise your hand using the Zoom hand  
19 raise function, and we'll try to hear from you.

20 Seeing nothing on Zoom, we are done.

21 CHAIRPERSON SANCHEZ: All right, this is  
22 where I give my 20-minute conclusion. Just kidding.

23 Thank you all so much to the members of  
24 the public, to the advocacy organizations, to the  
25 Administration for your testimony and, of course, to



2 the fearless Staff in the Council Finance Division  
3 and Legislative Division who prepared all of the  
4 materials for today's hearing. Thank you and, with  
5 that, this hearing is concluded. [GAVEL]

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C E R T I F I C A T E

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



Date March 28, 2024