

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 23, 2017
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HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: JUMAANE D. WILLIAMS
Chairperson

COUNCIL MEMBERS: Rosie Mendez
Ydanis A. Rodriguez
Robert E. Cornegy, Jr.
Rafael L. Espinal, Jr.
Mark Levine
Helen K. Rosenthal
Ritchie J. Torres
Barry S. Grodenchik
Rafael Salamanca, Jr.
Eric A. Ulrich

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

Alexandra Fisher, Deputy Commissioner
Legal Affairs
NYC Department of Buildings

Patrick Whaley, Assistant Commissioner
External Affairs
NYC Department of Buildings

Jeffrey Shear, Deputy Commissioner
Treasury and Payment Services
NYC Department of Finance

Henry Berger
Special Counsel for the Mayor

Frank Richie

2 [sound check, pause]

3 CHAIRPERSON WILLIAMS: Good morning
4 everyone. I am Council Member Jumaane Williams,
5 Chair of the Committee on Housing and Buildings.
6 Thank you everybody for your patience. We are here
7 today to conduct a hearing on two pieces of
8 legislation. The first bill proposed Intro No. 750-A
9 [coughs] sponsored by Member-Council Member Kallos,
10 will require apartment owners to provide a voter
11 registration form to each tenant signing an apartment
12 lease. The second bill Intro No. 1133 sponsored by
13 Council Member Vacca would forbid the issuance of a
14 building permit for property with \$25,000 more of
15 unpaid charges are owed to city. The bill provides
16 certain exception in this prohibition such as where
17 the permit will be required to correct a dangerous
18 [coughs] condition. At this point, I normally allow
19 the sponsors of the bills to make brief statements on
20 their bills. Council Member Kallos who sponsored
21 proposed Intro No. 750-A is unable to join us this
22 morning and has asked me to read a brief statement on
23 his behalf. [coughs] Voting is necessary for a
24 functioning democracy enforcement. Instead of
25 seeking ways to streamline the voting process the

2 government has created many barriers, barriers which
3 disproportionately affect youth, low-income and
4 voters more of color. The first barrier is
5 registration. Roughly 70,000 eligible—700,000
6 eligible voters in New York City are not registered
7 and many more have outdated registrations. As a
8 city—as a city of renters with high intercity
9 mobility, it's very easy during the stress of moving
10 to forget to register to vote or update your existing
11 registration. Many don't even know they need to do
12 this. [coughs] Proposed Intro No. 750-A requires
13 that a voter registration form be included among the
14 other required forms when signing a residential
15 lease. This is an easy low-cost step, which will
16 increase the number of registered voters. Landlords
17 can request these forms to be mailed to them for free
18 by the Board of Elections or download from the
19 Internet. One additional sheet of paper be included
20 among the other documents can have a substantial
21 impact on our democracy. Government should be
22 looking at sensible ways to reduce barriers to civic
23 participation. Proposed Intro No. 750-A does just
24 that. I want to thank Council Member Kallos [coughs]
25 for this bill. I believe New York—New York State is

2 the second or third worst participation in—in voter
3 turnout, and anything that we can do to increase we
4 should. I believe the state can do a whole lot more.
5 The City is very limited in what it can do to
6 increase it. We do what we can, but I think that
7 being able to find—fine tune places where we can
8 object is—is great, and we applaud Council Member
9 Kallos for this, and now I will let Council Member
10 [coughs] make s a statement on his bill. [coughs]

11 COUNCIL MEMBER VACCA: Thank you. Thank
12 you Chair Williams for this hearing today. 1133
13 remedies an issue I've sworn to address since my
14 first term in the Council. It remains an issue I'm
15 passionate about seeing corrected. The proposal,
16 which I call the bad actors law is something I came
17 up with when I discovered a controversial building in
18 my district was being developed by a notorious
19 landlord who owed more that \$250,000 in ECB fines,
20 \$60,000 in taxes and over \$15,000 in emergency
21 housing repairs. All the properties they already
22 owned. Yet, DOB went ahead and green lined it their
23 next project, and under the law, they had no choice
24 but to do so. I said to myself, how could this
25 happen. You already owe the city so much money on

2 previous projects. You've defaulted on faulted on
3 payments. Yet, you can go ahead and build more
4 because I recognized the likelihood that if you—if
5 you owed money on what you already did, of course,
6 the likelihood is going to be that when you build
7 more, you will only owe more and the City will be
8 further and further in the hole financially. So I
9 then found out that New York City is owed a
10 tremendous amount of money in ECB fines. All
11 Building Department violations basically go through
12 the Environmental Control Board court, and it's a—
13 it's a quasi court. It hears cases, and it assesses
14 fines in Building Department violation cases. Well,
15 the City of New York is owed \$400 million in ECB
16 fines that we've been unable to collect. We're owed
17 in the city \$1.5 billion in fines we cannot collect,
18 and everyone talks about what's coming down from
19 Washington, and the extreme cuts that we may have to
20 endure and here we have money that people owe the
21 city that for now eleven years I've been talking
22 about, and we are still unable to collect. But we
23 can give them further permits to build more and to
24 incur more and more debt at our expense, at the
25 taxpayer's expense. Over the past several years

2 we've seen an incredible amount of development in
3 this city, and this legislation will not limit that
4 growth. Rather it allows the City to address the
5 fact that there are some good developers and
6 contractors and that there are also some absolutely
7 terrible developers and contractors. Right now the
8 City basically treats all permit seekers the same.
9 Previous abuses and outstanding fines on separate job
10 sites no matter how numerous or how egregious are not
11 enough to stop DOB from issuing a contractor or
12 developer another permit to do more damage and rack
13 up more fines, and my legislation would change that.
14 It would ensure that DOB takes into account property
15 owners and developer's past actions, and that they
16 deny building permits to those without outstanding
17 debts in excess of \$25,000. And owners should not be
18 rewarded with a permit to build more when they
19 already have unpaid fines. The problem with giving
20 permits to owners with large uncollected fines is
21 twofold. Firstly, there's an issue of building
22 safety and compliance and secondly there's a issue of
23 revenue. My bad actors law will address both. With
24 regards to safety, it is DOB's mission to ensure a
25 safe home and work environment for all New Yorkers

2 and of late to improve safety for workers and
3 residents. The City has stepped up many DOB
4 violation fines, and its increased inspections. DOB
5 fines are meant to encourage compliance with zoning
6 and safety. Yet, without rigorous collection and no
7 consequences for unpaid fines, where is the
8 motivation to avoid getting a fine in the first
9 place? What does it mean to put something on paper
10 that cannot be collected? Violations and fines only
11 work when people have to pay them, and face penalties
12 for doing something illegal and wrong. The bad
13 actors law creates just these consequences, ensuring
14 that owners are more concerned with compliance in the
15 first place, and that the city even gets the money
16 it's owed or property owners don't get the permits
17 they want. In the face of permit denial, owners will
18 be more likely to pay their past debits, and these
19 increased payments will be a financial windfall to
20 the City. So at the end of the day, this legislation
21 is about justice, safety and it is about revenue, and
22 I thank the committee for hearing this bill today,
23 and I hope we can advance it in the next set of laws.
24 Thank you.

2 CHAIRPERSON WILLIAMS: Thank you. I
3 believe this is another excellent bill. For far too
4 long we've been trying to figure out how to encourage
5 property owners (1) to pay their debts, and (2) to be
6 punished for bad behavior. I think this bill does
7 both of those particularly in a day and age where
8 [coughs] those Washington Making America Great Again,
9 their version makes us incur many, many additional
10 costs, and anyway that we can deal with that without
11 taking away programs is what we want to do. So
12 correcting that is an excellent way to do that while
13 encouraging responsible behavior. So I want to thank
14 Council Member Vacca for his leadership and vision on
15 this. We've also been joined, of course, by Council
16 Member Grodenchik. I'd like to thank my staff for
17 the work they did to assemble this hearing including
18 Nick Smith [coughs] my Deputy Chief of Staff, who is
19 today- Is this your last hearing Nick? This is Nick
20 Smith's last hearing. Remember he's been taken by
21 the dark side across the hall. So I just want to say
22 thank you again for the work that you've done. We're
23 going to miss you here. Megan Chin and Guillermo
24 Patino, Counsels to the committee Jose Conde, Policy
25 Analyst to the committee and Sarah Gastelum the

2 committee's Finance Analyst. I want to ask the
3 Administration if they can please have someone stay
4 until the end of the hearing in case something comes
5 up in the latter part. We have representatives from
6 the Administration, the first panel who I understand
7 are enthusiastic about both bills, and we're looking
8 forward to hear that. We have Alexander Fisher,
9 Department of Buildings, Timothy Holder, Department
10 of Buildings, Jeffery Share, Deputy Commissioner
11 Department of Finance and the Hanna Barriera (sic)
12 from City Hall. I'd like to remind everyone who
13 would like to testify today to please fill out a card
14 with the sergeant-at-arm. [coughs] Can you please
15 raise your right hands. Do you affirm to tell the
16 truth, the whole truth, and nothing but the truth in
17 your testimony before the committee, and to respond
18 honestly to Council Member questions?

19 PANEL MEMBERS: [in union] I do.

20 CHAIRPERSON WILLIAMS: You can begin in
21 the order of your preference. [background comments]

22 DEPUTY COMMISSIONER FISHER: Good morning
23 Chair Williams, members of the Housing and Buildings
24 Committee and other members of the City Council. I
25 am Alexandra Fisher, Deputy Commissioner of Legal

2 Affairs at the New York City Department of Buildings.

3 I am joined Assistant Commissioner for External

4 Affairs, Patrick Whaley and Department of Finance,

5 and Department of Finance Deputy Commissioner for

6 Treasury and Payment Services, Jeffrey Shear. We are

7 pleased to be here to offer testimony on legislation

8 that prohibits the issuance of building permits when

9 certain outstanding debts is owed to the city. Intro

10 No. 1133 requires the department to withhold building

11 permits for any property with \$25,000 or more in

12 outstanding debt to the city associated with it or to

13 the owners of a property if they owe \$25,000 or more

14 in debt to the city. Permits can be issued only if

15 the department determines that binding agreements

16 regarding payments are being complied with as

17 certified by the property owner or if the work is

18 necessary to protect the public or to tenants within

19 a building who are not responsible for the debt. The

20 department takes seriously its mandate to enforce the

21 Construction Codes in an effort to protect the safety

22 of the public. Some of the many examples of this

23 include the 56,289 violations we issued last year, a

24 23% increase from 2013 along with over \$128 million

25 in penalties. In certain instances the department

2 does use tools at its disposal to help ensure
3 penalties are paid. For example, we will not renew a
4 construction professionals license until all
5 outstanding penalties are paid, not just penalties
6 resulting from violations issued by the department
7 but penalties issued by any city agency.

8 Additionally, we require penalties associated with
9 work being performed without a permit be paid before
10 issuing a permit for that work. The Administration
11 recognizes the importance of collecting outstanding
12 debt to the city and applauds the City Council for
13 exploring creative ways to increase collections.

14 From the department's perspective when penalties for
15 violating the construction codes are not paid, it
16 makes our enforcement less effective, which is
17 something we take quite seriously. Requiring payment
18 of debt to the city before permits are issued may
19 very well incentivize owners to pay the debts they
20 have incurred. However, what about the owners who
21 lack the means or the desire to pay the debt. Some
22 will choose not to do the work. Others, however, may
23 choose to do the work anyway without permits, and
24 absent the department's regulatory review and
25 enforcement, this work has the potential to

2 negatively impact the safety of the public.

3 Furthermore, should the department uncover this

4 unsafe and unpermitted construction, it will lead to

5 additional penalties that ironically may further

6 increase uncollected debt. Last year the department

7 issued a 1,006 violations for performing work without

8 a permit, a 20% increase from 2015. Unfortunately

9 there are many property owners throughout the City

10 who choose to perform illegal work without proper

11 safeguards and absent the department's scrutiny. And

12 these are the bad actors whose decision to disregard

13 the law is not encumbered by owing money to the city.

14 It is difficult to quantify the extent to which

15 unsafe and unpermitted work would increase should

16 this bill be enacted. Since our principal mandate is

17 to enforce the construction codes to safeguard the

18 public, any proposal however well intentioned gives

19 us pause if it has the potential to result in unsafe

20 work. This committee is quite familiar with the

21 recent increase in construction accidents across the

22 city, and we appreciate the opportunity to continue

23 to work with the Council to explore solutions to this

24 problem. As we continue our discussions of this

25 important legislation, it should be viewed not solely

2 through the prism of debt collection, but in this
3 context as well. Less important but still
4 significant is the bill's proposal to expand the
5 department's role in debt collection efforts, which
6 resides well outside our mandate. It is not the
7 department role nor do we have the means to keep
8 track of all the debts in this—excuse me—to keep
9 track of all debts to the city, any agreements to
10 resolve the debt or make a determination as to
11 whether the debts were paid. Furthermore, requiring
12 the department to check with a property owners who
13 have outstanding debt with other agencies would
14 significantly slow our permitting process overall
15 including for those applicants who have no
16 outstanding debt at all. In sum, while the
17 department is considering this legislation with an
18 open mind, we think it warrants further discussion to
19 determine the extent to which it may result in unsafe
20 construction, and how it may be tailored to
21 appropriately conform with the department's mission
22 and expertise. Thank you for your attention and the
23 opportunity to testify before you today. We welcome
24 any questions you may have.

2 CHAIRPERSON WILLIAMS: Would you like—you
3 can read your testimony for the second bills.

4 HENRY BERGER: [off mic] Well, I'll do
5 two if you'd like.

6 CHAIRPERSON WILLIAMS: Yeah. Sure, no we
7 can do both at the same time. Thank you.

8 HENRY BERGER: Thank you Chair Williams
9 and members of the Housing and Buildings Committee
10 for the opportunity to appear before you today. I am
11 Henry Berger, Special Counsel for the Mayor, and I'm
12 here to comment on Intro 750-A. The legislation
13 would require landlords of multiple dwellings to
14 provide English language voter registration forms to
15 prospective tenants signing a vacancy leases and to
16 provide the from in four other languages at the
17 request of the tenant. In addition, the legislation
18 would permit the owner to assist the tenant in
19 completing the form and to transmit the form to the
20 Board of Elections. The City Council and the
21 Administration have already adopted a number of
22 proposals to ease the burdens imposed by state law on
23 voter registration. The Council has enacted agency
24 based registration with provisions for voter—for
25 agency assistance, and the Administration has

2 emphasized the importance of this program by the
3 Mayor's very first directive requiring the
4 participation of 24 agencies. The Administration has
5 interpreted and made available voter registration
6 forms in 11 languages in addition to the five
7 required by the Voting Rights Act. The
8 Administration has required every agency to provide
9 a—a direct link on their websites to the voter
10 registration forms. The Administration is working
11 with city agencies to provide electronic voter
12 registration in conjunction with the services they
13 provide so that members of the public accessing a
14 city service may commence the registration process
15 upon completion of their city business by
16 transporting their personal information provided to
17 the city to a voter registration form completing the
18 form electronically and transmitting the information
19 electronically to the Board of Elections. Under
20 current law, the process is completed by submission
21 of a form by mail or in person. The Administration
22 is working with the Board of Elections to make this
23 electronic registration process—excuse me—available
24 as a public facing application on the Board of
25 Elections website. And members of the City Council

2 have worked with the high schools in their districts
3 to establish a student vote, a registration day, and
4 register thousands of our high school students. Each
5 of these programs calls on governmental entities to
6 assist in the voter registration process. This
7 legislation on the other hand would impose a burden
8 on the a private party—private property owners. We
9 believe it is inappropriate to do so. Most
10 importantly, we worry that permitting landlords to
11 intercede in their tenants' voter registration
12 process even if it is at the tenant's requests
13 creates opportunities for improper political pressure
14 even voter intimidation that are not necessary or
15 desirable give the other opportunities to register
16 that the city provides or is pursuing. The Election
17 Law prohibits employers and union representatives
18 even if a vote is a request from interceding in
19 voters' election activities. We believe the
20 landlord/tenant relationship, which is similarly
21 unequal and financial is analogous to these
22 circumstances where intercession in voter activity is
23 inherently inappropriate. Many landlords do not have
24 expertise in or familiarity with election laws or
25 registering people to vote, and not every tenant in

2 the city is eligible to register to vote in New York
3 State or eligible to vote at the address where they
4 have a lease. And tenants who receive a voter
5 registration form together with their lease may
6 mistakenly believe that the form must be returned to
7 the owner who may not wish to collect them. We are
8 also concerned about imposing additional burdens on
9 owners of smaller buildings, many of who manage the
10 buildings themselves. Finally, HPD is concerned
11 about the inclusion of this provision in the Housing
12 Maintenance Code, which establishes housing quality
13 standards for owners to maintain dwelling units for
14 the benefit of tenants. We do not believe it is
15 appropriate to add this requirement to a code that is
16 focused on ensuring health and safety of the tenants.
17 It is also not clear that the bill may be properly
18 enforced in the Housing Maintenance Code given that
19 its mandate is not related to housing standards,
20 quality or maintenance. For these reasons, we do not
21 support the—the legislation, and if you have any
22 questions, I'm pleased to answer them.

23 CHAIRPERSON WILLIAMS: Thank you very
24 much. I have a couple questions, and then I want to
25 move quickly to my colleague Council Member Vacca so

2 he can ask the abundance of questions on his bill. I
3 just have two questions on that for now. How many
4 building permits did DOB issue in 2016?

5 DEPUTY COMMISSIONER FISHER: We issued a
6 total of 165,085.

7 CHAIRPERSON WILLIAMS: Alright, and among
8 the building permits issued in 2015 and '16, does DOB
9 or DOF know how many building permits were issued
10 where outstanding charges are owed to the City?

11 DEPUTY COMMISSIONER FISHER: I don't have
12 that information. We—we'll work together with
13 Finance to get that to you.

14 CHAIRPERSON WILLIAMS: And can you get it
15 before end of the hearing or that's something you
16 have get after?

17 DEPUTY COMMISSIONER FISHER: It's going
18 to take some time.

19 CHAIRPERSON WILLIAMS: Okay. For the
20 750-A, when you were talking about the Housing
21 Maintenance Code, are you suggesting that it may be
22 illegal to put this in there or something that you
23 think is just not desirable?

24 HENRY BERGER: Well, I don't know if it's
25 illegal, but it just doesn't appropriately fit. The-

2 the Housing Maintenance Code is really for set-for
3 safety and for--

4 CHAIRPERSON WILLIAMS: [interposing]
5 Okay.

6 HENRY BERGER: --maintenance of the
7 building, and it just doesn't fit there, and the
8 enforceability provision [coughs] provision makes it
9 very, very difficult. I think it's in the Housing
10 Maintenance Code.

11 CHAIRPERSON WILLIAMS: Thank you. I have
12 some questions on both bill, but I want to move to
13 Council Member Vacca so he can ask questions on his
14 bill.

15 COUNCIL MEMBER VACCA: Thank you, Mr.
16 Chair. I wanted to limit my questions to 1133. When
17 we talk about uncollected fines, I used the \$300
18 million in ECB fines before as a conservative number,
19 but I wanted to say that upon looking at the open
20 data portal of the city of New York the fines now
21 that are uncollected through the Buildings Department
22 ECB violations looked to me to be more like \$500
23 million. Do you have a number or do you just--do you
24 dispute the \$500 million? Can you tell me the number
25 of uncollected fines that you estimate you're owed?

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2 DEPUTY COMMISSIONER SHEARS: Yes, so the
3 Department of Finance is required by the City Council
4 and Local Law to issue annually a report to the
5 Council on the status of the ECB judgment inventory,
6 and the report that we issued in this past November,
7 November of 2016 indicated that the amount owed
8 attributable to the Department of Buildings was over
9 \$900 million. Now, I do want to add that a
10 significant portion of that is due to penalties, \$448
11 million so about half of that is due to default
12 penalties that are assessed if a respondent fails to
13 appear for a hearing, but the total number is \$900
14 million.

15 COUNCIL MEMBER VACCA: So we're basically
16 talking about almost \$500 million plus \$448
17 basically, and we're talking maybe a little less,
18 \$450 million and \$448 in penalties?

19 DEPUTY COMMISSIONER SHEARS: It-it-it's
20 \$450 and \$450 and if you are going to drill down I
21 should also point out that of the \$900 million, \$228
22 million is interest. So the base fine amount is \$225
23 million plus about the same amount for interest
24 getting one to about \$450 and then another \$450 in
25 penalties bringing the total up to \$900 million.

2 COUNCIL MEMBER VACCA: So since I've been
3 exploring this issue, things have gotten worse not
4 better. We seem to be incurring more debt and we
5 seem to be digging ourselves further into a fiscal
6 hole. That's what it appears to me because these
7 numbers are the largest I-I have seen and as I said,
8 my bill is pending now almost nine years.

9 DEPUTY COMMISSIONER SHEARS: I-I don't
10 have the-the figures that you looked at previously.
11 When we looked at the figures from November of 2015
12 to November of 2016, we did not see significant
13 change. If-if you want us to explore the earlier
14 numbers, you have we're-we're happy to do that.

15 COUNCIL MEMBER VACCA: Well, some things
16 have-[sneezing]-bless you. God bless you, it's true.
17 I would like to say that would like you to explore
18 it, but more than that I'd like you-I'd like you to
19 collect it. Now, your agency is not a collection
20 agency. I agree with you, but knowing how much money
21 is owed and working with other agencies using
22 technology I hope is the way our city should be going
23 about this. Not just saying well this requires other
24 agencies to do this and that. I mean those days
25 should be gone. Your testimony indicates what-if

2 the—if the owners can't pay the debt, maybe they
3 won't do the work. Well, I say if they can't afford
4 to pay the debt why are they doing more work? Let
5 them pay their debt before they start the next
6 project. I'm not concerned about people who can't
7 start their next project because they haven't paid
8 the city money that they owe. Tough. [pause]

9 DEPUTY COMMISSIONER FISHER: I think the
10 concern is that potentially the work that they end up
11 wanting to do ends up being done without the
12 oversight of the department because they will forward
13 regardless. So they won't come forward to pay their
14 debt, but they also won't come forward to pull the
15 permits in the first place.

16 COUNCIL MEMBER VACCA: Then your
17 department has to issue stop work orders and you—you
18 have to issue orders that will tell these people that
19 without permits—I have instances right now in my
20 district where people did work without permits and
21 your department issued a stop work order, and that's
22 exactly what stop work orders are for. But I'll tell
23 you the truth, I have another person in my district
24 who is building six-story building right now, and he
25 has four site safety violations in progress while the

2 building is going up and he's defaulted on all four,
3 and your agency lets him go ahead and build, and no
4 stop work--work order issued. I mean I'll be damned
5 if this is going to continue in the city of New York.
6 Why are we not telling these individuals that they
7 have to pay what they owe? Maybe they'll be more
8 careful in requiring site safety mandates. Maybe
9 they will be more careful in planning future
10 development and financially prudent enough to
11 understand that I cannot further over extend myself
12 because for once what the city puts on paper they
13 mean business with. There is not view today at all
14 with the Buildings Department. These violations are
15 not worth the paper they're written on and all these
16 developers who are engaging in this stuff know that
17 they can pay those fines ten years down the line, 20
18 years down the line or basically not pay them at all,
19 and here we have instances where they're not paying
20 them--paying them at all, \$900 million worth in
21 Buildings Department alone.

22 ASSISTANCE COMMISSIONER WHALEY: So
23 Council Member I think we do agree with the goals of
24 the legislation and much of what you've said.
25 However, you know, you're going to have a situation

2 where some of these owners will choose to pay the
3 debt, and that's certainly the desirable outcome. We
4 all can agree with that. There will others who
5 choose to not do the work and we agree with there.
6 That's not our concern either. What our concern is
7 that there very well might be some number of owners
8 who will choose to do the work anyway, and that work
9 they will not pull permits for it, and our
10 enforcement is largely reactive. So we'll get out
11 there when receive a complaint or we see something,
12 and upon seeing illegal work we'll certainly stop
13 that work. But what happens if that work happens ad
14 the department hasn't gotten out there because we
15 haven't received a complaint? That work is being
16 performed unsafely, and there's a potential that the
17 public could be negatively affected by that.

18 COUNCIL MEMBER VACCA: Patrick, with all
19 due respect to you, I cannot accept that answer. I
20 cannot accept the answer that we're going to allow
21 people to get away with unlimited debt because if we
22 make them pay they're going to go ahead and do what
23 they want and do anyway, and we're not able to stop
24 them. This is not the wild, wild west of-of
25 development. This is the city of New York. We have

2 rules and regulations. We have the right to collect
3 fines that are legally assessed. I object to any
4 type of defeatism like that. It's not—it's not good
5 public policy to say that we are not going to collect
6 debt because we're afraid we're afraid you'll do
7 something wrong down the line. They something wrong,
8 they will be stopped. They will be hauled in. They
9 will defer the fines, and they won't do something
10 wrong when they see that the Buildings Department has
11 teeth behind collecting the fines. Now, I do see
12 your point when you say that you're not a collection
13 agency, and perhaps we should look at the
14 legislation, but we have a Department of Finance in
15 the city of New York. We have other agencies that
16 have to come to the table and we want to get this
17 legislation passed. I'm hearing from your agency
18 that you think it's good. I'm hearing from the
19 Chairman that we are facing a financial crisis the
20 likes of which the city may never have been faced in
21 the past because of federal disownership of our city.
22 So therefore rather than take away and face the
23 prospect of reducing programs that we feel are
24 important in this Council, it is a sin not to act on
25 this debt. It is a sin and I just don't think we're

2 capable of doing it at this point. I think that
3 we've not given it the priority it needs and we've
4 kind of thrown up our hands in the air. Now, I'm
5 leaving this Council December 31st but I want this
6 done before I leave. It's only been nine years and
7 the problem has gotten worse, and do we mean in nine
8 years we've totally been incapable of having agencies
9 sit down to say we've got to do this? In nine years
10 that does it take to get this done, to collect the
11 debt, and to stop more work from going on? What does
12 it take?

13 DEPUTY COMMISSIONER FISHER: So to answer
14 part of your question, if I may, the department has
15 worked with the Finance Department most recently and
16 also a few years ago on amnesty programs in order to
17 help collect some of this debt. We are also working
18 towards implementing lien provisions that exist in
19 the construction codes for certain tenancies. So that
20 would also help the city collect the debt, and
21 finally, the department does upon license renewal
22 collect the debt that the licensee owes us prior to
23 receiving their license back.

24 COUNCIL MEMBER VACCA: Well, that's—it's
25 not answering—it's—it's not—it's still—we are still

2 in the financial hole. So what happens with these
3 developers who get these violations? They default.
4 What does it mean? What does it mean? They default.
5 They don't go to court. They have \$8,000 in fines
6 because the scaffolding was not constructed properly,
7 which is, by the way, unlikely in that situation. God
8 forbid. Somebody walks under that scaffolding and
9 there's an \$8,000 violation. It could be a life and
10 death situation. So what happens to those fines?
11 They just sit there in the computer somewhere. I see
12 them. They're in the computer. They're in the—
13 they're in the Building Information System. So what
14 happens? [pause]

15 DEPUTY COMMISSIONER FISHER: So in some
16 instances we do work with the Law Department to have
17 debt collected. They bring additional actions to
18 have that collected. Again as I said, we are working
19 with Finance on various projects moving forward, and
20 we absolutely welcome the opportunity to talk further
21 about this legislation.

22 COUNCIL MEMBER VACCA: I want there to be
23 a sense of urgency. My God, nine years of this.
24 There's no sense of urgency. Talk to Finance. Talk
25 to this one. Look, I'm through with the talk. When

2 are we going to take action and get the money?
3 There's no answer to this. I think it's obvious that
4 there is no answer to this. I have an answer. I
5 have a bill. I am going to push this bill very
6 strongly. I don't even understand the arguments
7 against it, which your arguments are not against so
8 much, but even the explanation you give is—is weak,
9 and it's like we can't get our act together type of
10 explanation, and I'm—I'm not accepting this. And
11 you're now unable to deny a permit because somebody
12 has outstanding fines. You are unable, legally
13 unable to deny a permit. I could produce whatever
14 evidence, site safety, illegal occupancy, Fire
15 Department violations. I could produce whatever I
16 want, but that person who's done all that, is going
17 to go ahead and get the permit for the next
18 development and your agency has no authority to stop
19 that, and that to me say it all.

20 ASSISTANCE COMMISSIONER WHALEY: So
21 Council Member if I could add, just the example
22 you've cited previously. If there is unsafe work
23 occurring, we'll certainly stop the work and, you
24 know, work to ensure that it gets corrected.
25 Obviously, the payment of the penalties is a separate

2 matter, which is the subject of this hearing. But I
3 just wanted to state that for the record. And
4 furthermore, when there is unsafe work occurring, we
5 do have the authority to revoke permits and stop the
6 work from continuing, which again I understand is a
7 separate matter, but I just—

8 COUNCIL MEMBER VACCA: [interposing] A
9 separate matter.

10 ASSISTANCE COMMISSIONER WHALEY: --but I
11 just wanted to be clear on that.

12 COUNCIL MEMBER VACCA: I understand that.
13 I understand that. What I don't understand is that
14 no agency in this city has come—what I don't
15 understand is the agencies in the city have not come
16 together to collect all this debt and to say no more
17 permits unless we collect what you owe. A man and a
18 lady, a woman and a man, a couple who have—who want
19 to build a house, they want to build a two-family
20 house. If they don't have the resources, they don't
21 build the two-family house. If a developer does not
22 have the resources to build another high-rise because
23 he has violations on the last high-rise, he has to
24 complete his obligation to the high-rise he already
25 built before he goes ahead and builds the next one.

2 He has fines. He has to-t his is common sense. It's
3 common sense but, you know what, beyond common sense.
4 It's hitting us in the pocketbook now, and it's
5 hitting us for all too long. And as I said in my
6 statement, this is about justice, too. Why do we
7 have site safety regulations and why do we impose
8 fines if we can't collect, and we can't get our act
9 together to collect them. I have no further
10 questions.

11 CHAIRPERSON WILLIAMS: Thank you, Council
12 Member. [coughs] So apparently there isn't that
13 much enthusiasm for both the bills. But, I do want
14 to say there is a lot of frustration that is shared.
15 I'm going to start with Intro 1133. We've been
16 joined by Council Members Mendez and Salamanca. I'm
17 going ask some questions and then go to my colleagues
18 who have questions. One, how many violations total
19 more than \$25,000? How many of those are
20 individuals, separate property owners? Properties or
21 owners? [pause]

22 DEPUTY COMMISSIONER FISHER: Sorry, I'm
23 not sure I understand your question.

24 CHAIRPERSON WILLIAMS: [coughs] How many
25 violations total more than \$25,000 that will be

2 captured in this bill? How many of those are
3 individual separate properties or owners?

4 DEPUTY COMMISSIONER FISHER: I-I think
5 that's information we'd have to get back to you on.
6 [background comments]

7 DEPUTY COMMISSIONER SHEARS: Right, I-I--

8 CHAIRPERSON WILLIAMS: Can you state your
9 name?

10 DEPUTY COMMISSIONER SHEARS: Jeffrey
11 Shears, Department of Finance. So, my understanding
12 is the bill speaks to entities that have more than
13 \$25,000 worth of fines. So I'm just-I'm making that
14 distinction versus violations that are over \$25,000.

15 CHAIRPERSON WILLIAMS: Okay.

16 DEPUTY COMMISSIONER SHEARS: So, the
17 Department of Finance recently did a-a run and we
18 think that there are approximately 10,000 entities
19 that have more than \$25,000 worth of judgments.

20 CHAIRPERSON WILLIAMS: It seems to me
21 that [coughs] when it comes to these bills wouldn't
22 that start giving you a list of people who were most
23 likely to do improper repair, or if somebody request
24 for a permit and gets it denied, they, too, if
25 they're on this list are likely to be do improper

2 repairs. So wouldn't you be able to just focus to
3 make sure that any repairs aren't done improperly?

4 [background comments, pause]

5 DEPUTY COMMISSIONER FISHER: So I think
6 hat's a good point. I think it does give you an idea
7 of who the bad actors may be. I think it's a little
8 more nuanced than that because the entity itself may
9 owe the money, but there may be other properties that
10 that is attached to it. I-I guess I'm not being
11 entirely clear. A property may have violations
12 listed on it that are issued not just to the owner,
13 but also to contractors who pull permits.

14 CHAIRPERSON WILLIAMS: Okay. [coughs]
15 I'm going to come back to this. Does the city work
16 with the debt collection agency? If so, what is the
17 -what is the success rate?

18 DEPUTY COMMISSIONER SHEARS: Yes. So I
19 just wanted to step and give some context in terms of
20 how collections work for these violations. So the-
21 the first issue I want to address is that some of the
22 violations get paid before they are entered into
23 judgment. So before they're referred to the
24 Department of Finance. So the latest information
25 that we is that-and this is from a couple of years

2 ago—is that the violations that can be adjudicated by
3 OATH, Environmental Control Board, 60% of them are
4 resolved before they have to go into judgment. A
5 little over half are paid, and then another nine or
6 ten percent are dismissed at hearings. So after that
7 process, if people either fail to go to hearings of
8 if they lose at hearings and they do not pay
9 afterwards, that is when the referral comes to us.
10 We get approximately \$200 million a year in referrals
11 from all agencies, and at that point we do a number
12 of things, and—and we have been increasing our level
13 of enforcement. So, we send out letters to all
14 entities who receive these violations that are in
15 judgment. We also send out letters if there are
16 partial payments to remind people that they have to
17 pay the full amount, and we have an in-house unit
18 that responds to calls and questions, and sets up
19 payment plans if necessary to resolve these
20 violations. In some instances, we are now referring
21 a greater number of these violations to enforcement
22 agents. That would be either the city sheriff or the
23 city marshals where they can visit the owner's place
24 of business or house, and demand payment with

2 additional fees, and possibly seize their assets.

3 So, that enforcement is up sharply, and we--

4 CHAIRPERSON WILLIAMS: Well, I want to
5 pause there. The seizing of assets, what triggers
6 that and tell me more about this--this seizing action.
7 What triggers that? If we have that ability, why are
8 we not doing it more often?

9 DEPUTY COMMISSIONER SHEARS: [pause]
10 Well, we are making more referrals to--to the
11 enforcement agents. The seizure of assets doesn't
12 occur very often.

13 CHAIRPERSON WILLIAMS: Let's start with
14 what--what--what makes the referral? When do you
15 decide to me a referral? [coughs]

16 DEPUTY COMMISSIONER SHEARS: We make a
17 referral when we have an indication that--when we
18 have--I found the debtor, and I--I should point out
19 that a lot of the inventory we've classified as not
20 collectible because people have retired, they've
21 passed away, companies have gone out of business.
22 So when we identify that there is a--the debtor is
23 around, and we know where they are, and if the amount
24 is significant, then we make a referral to [coughs]
25 the Sheriff's Office or--

2 CHAIRPERSON WILLIAMS: [interposing]

3 [coughs] I just want to—I just want to make sure

4 we're clarify any—and so if—if Corp A owns a building

5 and that is resolved (sic) and Corp B purchases the

6 building, does that debt move to Corp B?

7 DEPUTY COMMISSIONER SHEARS: No, the—the

8 debt are money judgements. So, these are not tax

9 liens. The Department of Buildings earlier referred

10 there are provisions of law that we think require

11 enhancement that would allow us to convert these

12 money judgments to liens against the properties, but

13 these are money judgments against the owners, the

14 entities or the owners of the properties.

15 CHAIRPERSON WILLIAMS: [coughs]

16 [interposing] So let's just pause there for a second.

17 DEPUTY COMMISSIONER SHEARS: Uh-huh.

18 CHAIRPERSON WILLIAMS: How do we make the

19 deal? This is to Ms. Fisher.

20 DEPUTY COMMISSIONER FISHER: We need

21 State Legislature.

22 CHAIRPERSON WILLIAMS: This is all state.

23 There is nothing the city can do.

24 DEPUTY COMMISSIONER FISHER: Not that I'm

25 aware of. No.

2 CHAIRPERSON WILLIAMS: Okay. Okay, so
3 I'll continue. So now so they either passed away,
4 God forbid, or they otherwise not collecting them
5 because they're--because there's no one there. So the
6 ones that are collectible?

7 DEPUTY COMMISSIONER SHEARS: For the ones
8 that are collectible, if-if we identify that
9 companies there with significant debt, we will make a
10 referral to the--either the City Sheriff or the City
11 Marshals. The referral is known as an--

12 CHAIRPERSON WILLIAMS: [interposing] I'm
13 still not sure what triggers it. Is it a time
14 period? Is it an amount? What--what triggers the
15 referral to seize the assets?

16 DEPUTY COMMISSIONER SHEARS: It-it's-it's
17 based-it's both. It's basically it's an amount. We
18 don't have a strict cut-off but there are the larger
19 amounts that we see, and our ability to identify that
20 the debtor is--is around.

21 CHAIRPERSON WILLIAMS: So if we have
22 caught A that's around, and they owe \$26,000, and
23 we're saying you can't get this permit to do work
24 unless you pay it, and we're afraid that they're

2 going to do--do the work, can we refer them to take
3 their assets?

4 DEPUTY COMMISSIONER SHEARS: Well, we can
5 refer that case to--to the marshal or to the sheriff.
6 Now, they can only take assets to the extent that
7 they find those assets. So if the company doesn't
8 have other assets that can be seized, then--

9 CHAIRPERSON WILLIAMS: [interposing] Why
10 is the building not an asset that can be seized?

11 DEPUTY COMMISSIONER SHEARS: The building
12 it can be under certain circumstances can be seized.
13 There are a lot of protections in the law regarding
14 the seizure of houses and buildings.

15 CHAIRPERSON WILLIAMS: Help me--help me
16 understand that. I mean this is--my belief is what
17 Council Member Vacca mentioned. I think this isn't--
18 we say it's a priority, but I don't think we're
19 designed--

20 DEPUTY COMMISSIONER SHEARS: Uh-huh.

21 CHAIRPERSON WILLIAMS: --to make it a
22 priority, and at this time period we have to reorder
23 that because as mentioned, we're facing cuts that can
24 devastate 82% of HPD's budget, all this code
25 enforcement. We're facing another \$2 billion from

2 this government and wants to put it in 420-MA (sic)
3 program that doesn't work and it would take away
4 taxes. That's just in one are, and so we have to
5 reorder our priorities. So the—the stuff that hasn't
6 been working, we can't say it doesn't work. We now
7 have to be creative. So I need to understand where
8 the sticking point is, and why we're having problems
9 with this. It's \$900 million. That can plug a lot
10 of holes, and obviously we'll never collect 100%, but
11 I'm not even sure how hard we're trying at these
12 sticking points. I'm glad that some people pay, but
13 when they're not paying, I need to understand what is
14 preventing is them, and if there's something the city
15 can do. Because we hear a lot of times that we
16 really can't do things, and here we have a bill that
17 will make it legal to do something, and we're still
18 getting pushback. So I just need to understand where
19 the sticking point.

20 DEPUTY COMMISSIONER SHEARS: Right.

21 [coughing] So I can come back to you. There are a
22 host of federal and state laws that limit the extent
23 to which buildings can be seized. There are also
24 practical considerations that we have buildings with
25 renters in them, and the resources that it would it

2 take an enforcement agent to operate the building in
3 those instances, and—and the decision as to whether
4 to seize is left up to the enforcement agent. So we—
5 -

6 CHAIRPERSON WILLIAMS: [interposing] I
7 know that if I—if I don't pay my tickets, they come
8 and take my car.

9 MALE SPEAKER: Yeah, right.

10 CHAIRPERSON WILLIAMS: That's what's
11 happening. Well, I don't—I wish I had these
12 protections. I'm not saying this ever happened to me
13 a couple of times, but I wish the protections were
14 there, and it doesn't seem like it is. So, I need to
15 know what protections are there. I wish you had
16 that. It seems to me it is the conversation we were
17 going to have today. So it would have been to have
18 that information today so we could have it on the
19 record of what those problems are so we can through
20 them. So I'm—I'm disappointed that we don't have
21 that information because we need to know the city or
22 state or we're just being lackadaisical, and not
23 really pushing through. It doesn't like you had that
24 conversation.

2 DEPUTY COMMISSIONER SHEARS: I don't have
3 the details to-to go through it. We will provide
4 them forthwith.

5 DEPUTY COMMISSIONER FISHER: [off mic]
6 And get them. (sic)

7 CHAIRPERSON WILLIAMS: [coughs] I'm
8 sorry. I want to go back to this we're afraid that
9 they won't do work. You know, also is there an
10 emergency repair program for D-O- for the Department
11 of Buildings.

12 DEPUTY COMMISSIONER FISHER: We don't
13 have our own emergency repair program. Where there
14 are issues that require an emergency repair, and the
15 owners do not come forward to do them, then we work
16 with HPD and their contractors.

17 CHAIRPERSON WILLIAMS: Okay, we may have
18 to look at beefing that up because I agree that this
19 is not an excuse to say someone may do illegal work
20 but they always may do illegal work, and it seems to
21 me if we have a pool of bad actors, we should focus
22 on those bad actors. We have to have a mechanism to
23 collect additional money. We present something and
24 Council Member Vacca has provided a lot of leadership
25 here. If you have something else that you'd like to

2 present, I think that's good, but we can't do
3 nothing. That is not acceptable any more
4 particularly in the time that we have. Do you have
5 any evidence of when and where increased fines have
6 pushed people to do illegal work?

7 DEPUTY COMMISSIONER FISHER: No. I
8 think, as I testified, it's hard to quantify the what
9 is in my mind sort as an unknown.

10 CHAIRPERSON WILLIAMS: So it sounds
11 something that's plausible, but we don't even where
12 an inspection is or where we can plug it. So again
13 we're responding to something that we don't even know
14 much about.

15 DEPUTY COMMISSIONER FISHER: Agreed. I
16 would say that the issuance of over 8,000 violations
17 for work without a permit is somewhat telling.

18 CHAIRPERSON WILLIAMS: It's also telling
19 that we are not doing enough, and so we need to find
20 out where these plugs are, and-and deal with that
21 because 8,000 that's-that's a problem people not
22 paying it. While you probably would have paid the
23 fines, if nobody cares, you probably wouldn't have
24 done your homework if you mother wasn't-wasn't home,
25 right? That's probably what would have happened to

2 all of us, and so if there's 8,000 fines I think that
3 says a lot about us as well, and I think that DOB and
4 the Public Finance in this day and age has to reorder
5 its priorities because we are going to be looking for
6 a lot of money, and there's a lot of money out there.
7 And I haven't heard any real reasons except we don't
8 know or we don't do that as to why this bill doesn't
9 work, and I don't think that's a good enough reason.
10 So I'm going to come back to the other bill in a
11 minute. I know Council Member Vacca had some
12 additional questions, and then we'll go to Council
13 Member Grodenchik for five minutes.

14 COUNCIL MEMBER VACCA: Thank you, Mr.
15 Chair. Thank you for your comments. Years ago, DOB
16 focused on a lack of feasibility, and they said then
17 that there was no automated system to check other
18 agencies' databases for fines. Now, since that time,
19 our city has made tremendous strides in technology.
20 We've improved our data matching system. We have
21 open data. I understand—I don't hear from you that this
22 is a concern any more. I don't hear from your agency
23 that there is a concern that you could not get a data
24 system that would tell you who owes money, and who

2 does not. So that does not appear to be a concern
3 you're voicing today.

4 DEPUTY COMMISSIONER FISHER: The
5 department itself is undertaking a huge IT update to
6 those systems. So, we're working through our own
7 information shall we say, and it is still somewhat
8 difficult to get this information, but I agree with
9 you. Over time the IT challenges have lessened.

10 COUNCIL MEMBER VACCA: I wanted to stress
11 because I heard the word seized property, and federal
12 and state preemption. My legislation does not
13 advocate the seize property. Nothing in my
14 legislation would indicate that we are preempted by
15 the state of federal government. We have the right
16 do this. The city through a legislative process has
17 the right to say no more permits until you pay up
18 what you now owe us. We have the right to do that,
19 and lastly, I did want to make this argument. The
20 argument is really it's like-it's Swiss cheese, full
21 of holes. The argument that if we do this people
22 will go ahead and build illegally anyway. Well, that
23 speaks to a lot of problems we have in the city. It
24 speaks to enforcement. It speaks to being proactive,
25 but I'll tell you the truth, we would lose a lot of

2 live if the—if the Department of Transportation had
3 that same philosophy. Perhaps if the Department of
4 Transportation said you know, you guys ran a red
5 light here, and think the red light is merited, but
6 if we put a red light here people are going to ignore
7 it anyway. So put the red light? That argument
8 doesn't stand the test the time. It doesn't stand
9 any anal—any level of analysis, and by the same token
10 to tell people because we're going to make you pay
11 your debt we're not going to let—we're not going to
12 make you pay it because you may go ahead and build
13 anyway. So we'll let you get away with all the debt
14 you owe us. It's—it's like one and one doesn't make
15 three, and it's not acceptable to even conjecture
16 that that would be the case.

17 ASSISTANCE COMMISSIONER WHALEY:

18 Respectfully, Council Member, I think you're making a
19 bit of apples and oranges comparison. The Buildings
20 Department will never have the resources to be
21 everywhere at one point in time, nor do we have the
22 ability to predict the intentions of a bad actor. To
23 some degree our enforcement is going to be reactive,
24 and there is—

25 COUNCIL MEMBER VACCA: [interposing] Yes.

2 ASSISTANCE COMMISSIONER WHALEY: --a
3 change that some of these bad actors who might not be
4 able to get a permit because they have outstanding
5 debt may unfortunately choose to do the work anyway.
6 And, of course, we'll do everything we can to get out
7 there and to understand what's happening, and to
8 enforce appropriately. But there is a--is a chance
9 that that work is going to be performed unsafely
10 before the department has the ability to--

11 COUNCIL MEMBER VACCA: [interposing]

12 Then--

13 ASSISTANCE COMMISSIONER WHALEY: --
14 recognize it and enforce it.

15 COUNCIL MEMBER VACCA: Then you issue a
16 stop work order because if that person is going to do
17 the work unsafely because he owes fines, he's going
18 to do the work unsafely if he doesn't pay the fine or
19 whether he does pay the fine. That person is called
20 an outlaw, and either way that person is going to do
21 what he wants, and the Parks Department--it's not
22 apples and oranges because the Police Department does
23 not have the resources to ticket everyone who
24 disobeys that red light either. But what the Police
25 Department does is that they set a tone, meaning they

2 make some people an example. They go there at night
3 for three or four hours and they will see who passes
4 the red light, and when they—those people pass the
5 red light for those several hours, the Police
6 Department gives everybody a ticket that passes the
7 red light. And you what people in the community do
8 the next day, they stop ignoring the red light
9 because they know that they're going to be ticketed,
10 and that there's going to be a penalty, and if those
11 people have to pay a red light ticket, well, damn it,
12 these people who owe the city hundreds of thousands
13 of dollars in fines because of their illegal
14 activity, they should pay up, too. They're no better
15 me and the people that I represent.

16 CHAIRPERSON WILLIAMS: [coughs] Thank
17 you. I do admit that it's obviously hard to be ever
18 at the same place to everyone at the same time. I
19 mean it's a case of every agency as, the Council
20 Member pointed out, but it seems to me that we do
21 have some mechanisms that could be used, and it seems
22 that we have (1) a place that we can look at where we
23 think the bad actors may be performing and focus some
24 resources there, and (2) if someone applies for a
25 permit and gets denied because they didn't pay their

2 fine, and their fine isn't paid, that's another
3 indication that we may want to do some follow-up, to
4 see if they work they applied for is actually being
5 done. So I think there are some real things that can
6 be done if we reorder not just having a lot of
7 agencies, but this is the one that has over--this
8 committee has oversight over. If we reorder how the
9 agencies are looking at collecting this debt as a
10 serious part and function of the work that's being
11 done, and you, of course, said that it is not part of
12 your mandate. I think it has to be. I think
13 everybody has to be part of this now, and get
14 particularly of where were we are in working with the
15 Department of Finance. If any of the things that I
16 suggested that we can do as a place they're beginning
17 to look at where people might do this, if there's a
18 problem there I'd like to know it now because those
19 actual real suggestions I think can help us move this
20 bill forward. So I just wanted to give the
21 opportunity to respond to anything I suggested that
22 may be a problem and maybe, you know, you need more
23 time to think about, but I'd like to know of any--any
24 reactions.

2 ASSISTANCE COMMISSIONER WHALEY: I think
3 your—your points are very well taken, and I think we
4 need a little bit more time to think through how you
5 sort of, you know, cave out who the bad actor is.

6 CHAIRPERSON WILLIAMS: Okay. So I am
7 inclined very much to (1) I want to get on this bill.
8 I generally don't do that until I have a hearing, and
9 I want to work with Council Member Vacca to really
10 make it a priority to get it done and I'd love to
11 work with DOB and Finance to make sure it's done in a
12 way that works with what you can do. I do know it
13 has to be a rethinking of a lot of things, but I
14 don't know if we have a choice. One of the things
15 it's curious (sic) and, too, I think a lot of us are
16 saying that we're facing cuts. I'm not sure if we're
17 acting as if we might, and I don't want to wait until
18 it happens, and then everything is getting cut, and
19 we're fighting and battling. So, I really want to
20 focus on that. I have some additional questions for
21 the next bill, but I want to go to Council Member
22 Grodenchik for five minutes. We were joined briefly
23 by Council Member Levine. We're joined also by
24 Council Member Rodriguez who has a beautiful young
25 lady with him. [background comments, laughter]

2 COUNCIL MEMBER GRODENCHIK: I don't have
3 a beautiful young lady with me. You know, I was
4 sitting with a bunch of my constituents yesterday,
5 older women who had been living in Eastern Queens
6 since they opened the Deepdale Development in 1952,
7 654 years in the same apartment, and they were
8 complaining about their property taxes. These are
9 women well into their 80s very keen, very smart, and
10 it is hard for me to listen this morning. My
11 colleague, Jimmy Vacca and the Chair of this
12 committee have expounded eloquently on what's going
13 on here. When you say that there are 10,000 people
14 that owe the city of New York \$25,000, if I don't pay
15 a parking ticket--and I do get them from time to
16 time--the TVB comes after me and then they add \$10 and
17 they keep going. Then I turn to my wife and say
18 please pay this because it kills me to pay a parking
19 ticket because most of the time, it's from misreading
20 the sign. We are allowing people to get away with an
21 incredible amount of money. You're talking about
22 leaving a quarter of a billion dollars on the table
23 here and, you know, somebody I think it was Jimmy
24 brought up the analogy if--if you would stand with a
25 radar gun on the Van Wyck--well not on Van Wyck

2 because nobody speeds on that thing, but on the
3 Clearview or the Grand Central Parkway as they both
4 pass my home in Hollis Hills, I would bet that close
5 to 100% of the people are speeding. They may not be
6 doing 100 miles an hour, and the NYPD is very
7 efficient on those two highways, and they get a lot
8 of people for speeding, but most of the people get
9 away with it. But they do set the tone, as
10 Councilman Vacca said, and I really think we need to
11 be looking here. Just because some people are going
12 to do things, there's always people that do illegal
13 things. That's why we have about 36,000 members in
14 our Police Department because there's always going to
15 be people who exhibit criminal behavior, and while
16 this may not be criminal behavior although I guess it
17 could rise to that standard in some cases, we need to
18 crack down. We are leaving an inordinate amount of
19 money on the table, and we are rewarding people who
20 are complying with the laws of this city. So what
21 you're doing is that the people that are doing things
22 properly and do pay fines are being made fools.
23 While people—\$25,000 is a lot of money. I get
24 cracked out. If you didn't pay and I don't know if
25 any of you own property in this city, but if you

2 didn't pay your property taxes or you didn't pay your
3 water bill, you're going to hear from the city of New
4 York, and if you don't comply, they're going to take
5 your property. But yet, we're worried about people
6 who are violating our laws, and I think you really
7 need to come back to this committee, and let us know
8 how you can make this happen. I understand that the
9 Department of Buildings is not a collection agency.
10 We have the Department of Finance. They're very good
11 at what they do. Believe me, they're very good at
12 what they do, but we need to work with them. We—we
13 all have access to information, and I would hope that
14 you would take the Chair up, and Jimmy, if it doesn't
15 get passed, in four more years, we'll have a bar
16 mitzvah for the bill. But—but [laughter] in the
17 meantime—

18 COUNCIL MEMBER VACCA: [interposing]

19 Right.

20 COUNCIL MEMBER GRODENCHIK: In the
21 meantime, we should be able to make this happen for
22 the taxpayers and for the people that are doing the
23 right thing. Because I have to think that some, you
24 know, we work in my office. I don't have a lot of
25 development in my office. I have mostly single-

2 family homes, but we meet with architects. We meet
3 with land use attorneys from time to time, and
4 they're all trying to do the right thing, and what
5 we're doing here by leaving over, as said, a quarter
6 of a billion, maybe a lot more. By leaving a quarter
7 billion dollars on the table, we're rewarding bad
8 behavior, and just because we won't catch everybody,
9 we never catch everybody. It's just the nature of
10 human beings, but we shouldn't be rewarding that.
11 So, I hope that that—I don't have questions for you
12 because they've all been asked but I wanted to add my
13 voice to the Chair and to Councilman Vacca that I
14 hope that the DOB, and if we have to, maybe we need
15 to work with Finance, but if they can fine me for not
16 paying a parking ticket or I dare say the Chairman
17 for doing other things, they can—

18 CHAIRPERSON WILLIAMS: [interposing] I'm
19 committed working. (sic)

20 COUNCIL MEMBER GRODENCHIK: Ya vol.
21 [laughter] The Sergeant Schultz defense. They—they
22 can certainly find people that owe \$25,000, and maybe
23 it's done by—instead of by the XYZ Corporation, maybe
24 it's done by—for property, and that would be the way
25 to do it. Thank you very much, Mr. Chair.

2 CHAIRPERSON WILLIAMS: [coughs] Thank you
3 very much, and I—I would dare say it's probably more
4 than quarter billing because the question was how
5 many owed \$25,000 or more. [background comments] I
6 also, and I think, too, someone could lose their
7 home. I believe the threshold is \$2 or \$3,000 for
8 unpaid property or water taxes over two or three
9 years, and their home could be taken. It's a lot
10 smaller. So we should—go ahead.

11 DEPUTY COMMISSIONER SHEARS: Yeah, the—we
12 do not take homes. So I just—I understand the point,
13 but I—I want to be clear. We do sell tax liens for
14 amounts generally over \$1,000 and over that--

15 CHAIRPERSON WILLIAMS: [interposing] A
16 thousand is even less.

17 DEPUTY COMMISSIONER SHEARS: --and older
18 than three years, but we sell the liens to a third
19 party. We do not take the homes.

20 CHAIRPERSON WILLIAMS: Well, do you sell
21 the liens here for these—the liens that we're talking
22 about?

23 DEPUTY COMMISSIONER SHEARS: We do not
24 sell these liens, no.

2 CHAIRPERSON WILLIAMS: So we—would have—
3 my point is that we're not treating these things
4 equally.

5 DEPUTY COMMISSIONER SHEARS: I understand
6 you point, Council Member.

7 CHAIRPERSON WILLIAMS: Okay, Council
8 Member Rodriguez.

9 COUNCIL MEMBER RODRIGUEZ: Thank you,
10 Chair. First of all, I would like to put my name on
11 those bills. How much is the total bill? How much is
12 the total amount that does seem that be the all.
13 (sic)

14 HENRY BERGER: Well, I testified earlier
15 that there is an outstanding amount of \$900 million
16 associated with Department of Buildings violations
17 that are in judgment. About half of that \$450
18 million is composed of penalties, default penalties,
19 and about a quarter of that is interest on the base
20 fine. The base fine amount is \$225 million.

21 COUNCIL MEMBER RODRIGUEZ: Okay, and
22 that, sir, I know can relate. Who is responsible to—
23 the Department of Finance is the one who collects—so
24 possibly collecting the money?

2 HENRY BERGER: So the Department of
3 Finance is responsible for collecting when those
4 violations go into judgment. So beforehand, people
5 do pay off the initial violation, and then people
6 also can go to OATH to have hearings off of the
7 violations, and they can either—some—some of the
8 violations are dismissed or if they lose at the
9 hearing, or only get a partial reduction, they can
10 pay at that point. So, 60% of the violations are
11 resolved through the hearing process, and then if
12 after that process concludes and people still ignore
13 a couple more letters from OATH reminding them that
14 they have outstanding balances, at that point the
15 city will file a judgment and then it is referred to
16 the Department of Finance, and at that point yes it's
17 our job to collect.

18 COUNCIL MEMBER RODRIGUEZ: What—what is
19 then are the incentive for those individuals to say
20 we don't to, nothing will happen to us, and leave
21 with, you know, that we that where there's a mile,
22 there are no consequences. What are the incentives?

23 HENRY BERGER: I'm not sure I can answer
24 that, Council Member. All I can say is that we are
25 ratcheting up our enforcement efforts and our

2 collection efforts. We do collect more now. We
3 collected \$42 million in Fiscal Year 14, and this
4 year we are on pace to meet or exceed our projection-
5 projection of \$70 million, but I don't know what's in
6 the minds of the people who choose not to pay.

7 COUNCIL MEMBER RODRIGUEZ: But you are
8 the one who put the policy in place, and-and you are
9 the one that have to be working with your team on
10 understanding why that happened so that you can, you
11 know, bring a new level of enforcement to them. So
12 what if-when you look or work with your team and you
13 say what this is happening. You know I used to be a
14 teacher of 13 years so I-I got to look at how my
15 students are performing, and based on that as a
16 teacher and principal he-we work and we maintain or
17 we keep the plan. So what changes do you think
18 should take place besides all sign to the new
19 legislation in order go out and be able, one, to
20 collection and second for those individuals to know,
21 you know, we should know--

22 HENRY BERGER: Yes.

23 COUNCIL MEMBER RODRIGUEZ: --and you take
24 it.

2 HENRY BERGER: So-so we've taken a number
3 of steps in-in the last couple of years actually
4 working with the Council. So there have been other
5 committees that have held hearings on this issue. We
6 recently concluded, for example, an amnesty program
7 this year based on Local Law that passed by the
8 Council, and the Amnesty Program we think first and
9 foremost brought a lot of visibility to the issue
10 that and to the outstanding debt that wasn't there
11 before, and it brought—we expected it to bring \$20 to
12 \$30 million. It actually brought in \$45 million, and
13 we were able to abate over \$100 million penalties and
14 interest as a result of the Amnesty Program, and we
15 also have been increasing our referrals to
16 enforcement agents, and we now if one collection
17 agency is unable to collect the debt to make sure
18 that we've done our due diligence. We refer the debt
19 to a second collection agency. So we've been
20 increasing visibility and increasing enforcement, and
21 we have seen increase in collections as a result.

22 COUNCIL MEMBER RODRIGUEZ: Great, so
23 when--

24 HENRY BERGER: [interposing] But we
25 acknowledge that there's more to be done.

2 COUNCIL MEMBER RODRIGUEZ: Great, and how
3 much—you didn't refer to, you know, the amount that
4 is there that the Department--Department of Finance
5 that you guys are--should be able to collect. When
6 you look at the ratio, the ratio of individuals who
7 owe and pay what percentage pay and what percentage
8 doesn't--does not pay? On a year base, let's say that
9 20--any year that you choose, right, how many of those
10 because [bell] there are also good apples who pay.

11 HENRY BERGER: Yes. So again, our
12 figures only pertain to the judgments. I'm not able
13 to factor in the--the collection rate. Again, I want
14 to emphasize that on the ECB violations, that over
15 half pay even before it's referred to us. For the
16 ones that are referred to us, over the eight-year
17 length of the judgments because that's the Statute of
18 Limitations for the judgments, the--the collection
19 rate is 32%.

20 COUNCIL MEMBER RODRIGUEZ: Great. Thank
21 you.

22 CHAIRPERSON WILLIAMS: Thank you.

23 COUNCIL MEMBER VACCA: [off mic] One
24 more.

2 CHAIRPERSON WILLIAMS: I've been giving a
3 lot of latitude to Council Member Vacca.

4 COUNCIL MEMBER VACCA: [interposing]
5 You've been--

6 CHAIRPERSON WILLIAMS: One more
7 questions.

8 COUNCIL MEMBER VACCA: You've been great,
9 you've been great. One more question separate from
10 the bill. So I didn't get an answer to my question
11 before. If you have a building under construction
12 and there are site safety violations for hearings
13 held, the individual defaults and does not pay, does
14 not show up for any of the site safety hearings. ECB
15 assesses fines, \$7,000, \$8,000 each in some cases.
16 Is that person allowed to go and continue building or
17 do you stop construction and say wait a minute, in
18 the midst of this construction pay up these fines?
19 Make sure you're violations are cleared. What do you
20 do?

21 DEPUTY COMMISSIONER FISHER: So I don't
22 know the specific--you--you may have a specific
23 situation in mind.

24 COUNCIL MEMBER VACCA: I do.

2 DEPUTY COMMISSIONER FISHER: I'd like to
3 look into that for you, but as a general matter, if
4 the work that was ongoing was at the time those
5 violations were issued, the work would be stopped,
6 and if they don't come forward and fix the
7 conditions-- putting aside the penalty--if they don't
8 fix the conditions, their work will not resume.

9 COUNCIL MEMBER VACCA: No, no work was
10 stopped. The violations were \$7 to \$8,000 each at
11 ECB, which indicates to me a seriousness of that
12 level of fine, and I wanted to know--I--I'm know to
13 give--I've given that case then, but I will give it to
14 you today.

15 DEPUTY COMMISSIONER FISHER: I will take
16 a look into it for you.

17 COUNCIL MEMBER VACCA: Thank you.

18 CHAIRPERSON WILLIAMS: Thank you, Council
19 Member Vacca, and I just want to say on record I want
20 to work with you to--to get this--to get this done
21 before this summer is over (sic) actually. If we
22 could do that.

23 DEPUTY COMMISSIONER FISHER: Thank,
24 Council Member.

2 CHAIRPERSON WILLIAMS: I did want to talk
3 about Intro 750. Again, Council Member Kallos
4 [coughs] has the leadership on this. He apologized
5 profusely for not coming out being that you're here.
6 He had an earlier situation that he couldn't--well, he
7 couldn't change. I wanted to--so basically it seems
8 like the--the--most of the objections, and if I'm
9 correct is one that doesn't seem to neatly fit in the
10 Housing Use Code. It wasn't like legal, and it may
11 violate some privacy concerns. There are only two
12 primary--primary pushback (sic) on that one bill.

13 HENRY BERGER: Oh, I think there are in
14 addition to those, I think there's an issue about the
15 appropriateness of somebody in a dependent financial
16 relationship being involved in the whole voter
17 registration process, the whole electoral process,
18 and it's--it's a policy that's in I think 8306 of the
19 Election Law where specifically employers and union
20 reps cannot assist voters in their voting, but the
21 concept is broader. The people independent financial
22 relationships ought not to be involved in interfering
23 in the voting process. The other issues are that so
24 far as I know when we have done--when we have worked
25 on voter registration, we've always required

2 governmental entities to do it, not private entities,
3 and it, you know, it is a significant burden on
4 landlords. You know, I might also note that while
5 the—while the law provides that the tenant can ask
6 for a voter registration form in any of five
7 languages, they're available in 11 other languages,
8 and if you're a landlord in South Brooklyn and your
9 tenancy is entirely primarily Russian and Haitian
10 Creole speaking, having the forms available in
11 Spanish or—or Chinese or Korean doesn't really solve
12 any problem. You know, I, you know, imposing on a
13 landlord's the obligation to keep the forms available
14 in all these languages, and we go back again to the
15 relationship issue. The landlords aren't familiar
16 with this part of the law. Most people aren't and,
17 you know, imposing on them a duty to provide
18 assistance just imposes an obligation they shouldn't
19 have, and I think I'm not the only one who's going to
20 speak to that, today.

21 CHAIRPERSON WILLIAMS: Thank you very
22 much. I appreciate it. I was just—needling Frank a
23 little bit here. [laughter] I was telling him I
24 wasn't going to allow him to testify. So I
25 understand and I want to know a little bit about what

2 influenced these things an owner will have in this.

3 What--what is the--the issues you think would arise?

4 Is it more about that the owner has to mail it or the
5 owner has to provide it?

6 HENRY BERGER: Well, I think the most
7 significant--the most significant concern is that a
8 person in this relationship "assisting a voter" in
9 filling out the form including party enrollment, then
10 they exert an influence if it's, you know, not a
11 direct influence, over the tenant, you know. It's
12 just, yeah, look the landlord/tenant relationship in
13 New York is a fraught relationship.

14 CHAIRPERSON WILLIAMS: Really? I never
15 heard that.

16 HENRY BERGER: And I think you're adding
17 another element to it that has the potential for
18 leading to some significant problems, and that's why
19 the Election Law precludes for example employers and--
20 and union reps from participating in the process.
21 Specifically for that reason, and, you know--

22 CHAIRPERSON WILLIAMS: I think you
23 raised--I think you raised a good point, and I'm not
24 the sponsor of this bill. So I don't want to try to
25 negotiate on behalf of the sponsor. So I--I don't

2 want to confuse everybody. The questions I have just
3 for my own as the Chair. I'm not trying to
4 negotiate, but I did want to understand like what if
5 it was just providing the--the registration not
6 assisting with mailing it? Does that remove some of
7 the concern that you raised?

8 HENRY BERGER: Well, that removes one set
9 of concerns. You know the other concerns you've
10 expressed I think are still raw.

11 CHAIRPERSON WILLIAMS: Which ones.

12 DEPUTY COMMISSIONER SHEARS: Well, one is
13 imposing on a private party this kind of obligation,
14 which is something we've never done before.

15 CHAIRPERSON WILLIAMS: But we a lot of
16 things that have to go into that packet that people
17 get in their lease.

18 HENRY BERGER: But never in the voter
19 registration. You know like a--we've done a lot, as
20 I outlined and the Council has done a lot in this
21 area, and we advocate for a lot of issues also on the
22 State level, you know, you know, a lot of this would
23 not be an issue if the State Legislature would adopt
24 automatically registrations--

25 CHAIRPERSON WILLIAMS: Yes.

2 HENRY BERGER: --their registrations and
3 all of the other elements that I think all of us have
4 advocated for. This isn't--this just is not a good
5 way to do it, impose it on a private party, and once
6 again, you know, particularly as it applies to small
7 landlords, you know, having them maintain the forms
8 in whether it's five languages or 16 languages or
9 whatever.

10 CHAIRPERSON WILLIAMS: So, I--I wanted to
11 just for the purpose of me again because I'm not
12 negotiating the bill, but I want to take away some of
13 the stuff that you're saying that could--that the--the
14 burden of the five languages. Let's move that aside
15 for a second. The burden of having to mail it, let's
16 move that aside for a second. There seems to be a
17 disagreement for even providing it, and I want to
18 understand the distinction why we couldn't provide it
19 in a--in a packet of things that we do provide that we
20 think is general good information although most while
21 more housing is looking at it. But this is an avenue
22 that we have. So think it's good to explore in this
23 way because as you mentioned the state isn't acting
24 and I think the city does have to act. So I just

2 want to—I want to stay on that point alone, just
3 providing a tenant a voter registration form.

4 HENRY BERGER: If it were limited to
5 providing a form as an additional piece of paper, I
6 think the only issue remaining then would be where in
7 the law it belongs. The Housing Maintenance Codes
8 deals with housing standards, housing quality,
9 safety, health. It's not the issue and HPD probably
10 doesn't have the ability under these circumstances to
11 enforce. You know, it's—if it's not provided, it's
12 probably a non-curable violation, and I'm not sure
13 how that gets handled and maybe Frank can speak to
14 that.

15 CHAIRPERSON WILLIAMS: [interposing] So
16 if—so if I'm clear it sounds like there is not
17 necessarily pushback on providing a voter
18 registration form except we want to make sure it's
19 not overly onerous on the owner in terms of languages
20 I guess or other onerous things, and that the owner
21 is not overly involved in helping figure out possibly
22 delivering it. So in concept it seems like there may
23 be some agreement. How we move from the concept to
24 law is—is something else, and maybe it doesn't belong
25 in the Housing Maintenance Code, but it sounds like

2 at least there isn't pushback in concept of what
3 we're trying to do here. Is that correct?

4 HENRY BERGER: We'll have to pursue this
5 with you or with the--the Council Member Kallos, yes.

6 CHAIRPERSON WILLIAMS: Thank you. I'd
7 like to add my name to this bill as well, and I'll
8 give it to Council Member Mendez for five minutes.

9 COUNCIL MEMBER MENDEZ: Thank you. Mr.
10 Berger, do you think it would present some type of
11 conflict under the election law as you're reading it
12 now?

13 HENRY BERGER: I--I do. I think as a
14 policy matter it's strong. I think that policy has
15 been expressed to the State Election Law, and I think
16 as a practical matter it's going to present problems.

17 COUNCIL MEMBER MENDEZ: Thank you very
18 much. Mr. Chair, I have real issues with this bill.
19 Why--while I, you know, want to applaud Council Member
20 Kallos trying to figure out ways of increasing voter
21 participation, I do not think this is the way to do
22 it. I think landlords already have enough things to
23 give tenants with leases, and I don't want a voter
24 registration form, that may not be in their language,
25 confusing someone while they have to provide

2 information on window gates and lead and Lord knows
3 what else. If this comes for a vote, I will voting
4 against this bill. Just wanted you to know.

5 CHAIRPERSON WILLIAMS: Thank you. I
6 still want to add my name to it. I think my priority
7 is Council Member Vacca's bill, and I appreciate your
8 concerns. For me it's more I want to actually pursue
9 this conversation and see where it goes. We do put a
10 lot of things in that packet, but I think it was a
11 good vehicle, and I don't know if we use it fully,
12 and there is a lot there that has to be provided. So
13 I know I'm going to hear from Mr. Frank Richie in a
14 little bit. I-I don't know how effective it will be,
15 but I think it's an issue to have this conversation
16 about how we can use that vehicle a little bit
17 better, and I agree it's a lot of pieces of paper,
18 and I wouldn't want to make it overly onerous for a
19 property owner and particularly the language and
20 things of that nature, but I do want to be supportive
21 of having this conversation. So, but thank you for
22 that. Thank you for your testimony. I greatly
23 appreciate. We only have one person signed up for
24 public testimony who is going to provide his
25 enthusiastic support I am sure. That is Frank Richie

2 from West Village Association. (sic) [pause] Since he
3 is the only person registered to testify, we'll put
4 three minutes on the clock for you, which even (sic)
5 things, but can you please raise your right hand. Do
6 you affirm to tell the truth, the whole truth, and
7 nothing but the truth in your testimony before this
8 committee, and to respond honestly to Council Member
9 questions?

10 FRANK RITCHIE: I do.

11 CHAIRPERSON WILLIAMS: You can begin.

12 FRANK RITCHIE: And you are correct, Mr.
13 Chairman. Thank you for the opportunity and Council
14 Member Mendez to testify today. I am not going to
15 read the testimony even though it is very, very
16 brief, but everything that I have said in three
17 paragraphs the city said in about five or six. So
18 I'll just summarize. Yeah, there's--there's many
19 vehicles available already if someone wants to
20 register to vote. It is not an owner's job to--to do
21 this service, and on top of that, even though
22 Councilwoman Mendez did not read my testimony
23 beforehand, we have never had a discussion about
24 this, the--the gist of it is there are so many things
25 right now in the course of providing a lease to a

2 tenant, some of them very duplicative. To add
3 another piece of paper there, which—which would just
4 be confusing to the tenant. The owner has no way of
5 knowing if that tenant is a—a-has the validity to
6 actually register to vote. I think this causes all
7 kinds of problems. I want to elaborate on one thing
8 that Mr. Berger said also in terms of—and that was
9 discussed by you, if—if this is in the Housing
10 Maintenance Code and an owner doesn't provide the
11 voter registration form, at the time of the signing
12 of the lease, which is what the bill says, then the
13 only remedy is it's a violation, but it's a violation
14 you can never cure because you're only signing that—
15 you're only going through that procedure one time and
16 one time only to sign the lease. So it's a violation
17 that would stay there theoretically with no—no
18 ability to cure it, which I think really would
19 invalidate the bill altogether. So we support the
20 whole idea of increasing voter registration. We
21 encourage our members all the time to make sure they
22 vote that their family members register to vote, but
23 this is the wrong way to go about doing it.

24 CHAIRPERSON WILLIAMS: You raised an
25 interesting point. It was actually the one about

2 whether or not they're eligible to vote—to vote which
3 would cause some confusion. I—I mean I need to
4 figure out—I mean anybody can just fill out a form
5 and drop it in. So what happens when you're not
6 eligible to vote and you get a registration to vote
7 from the library and drop it in? I don't know—I'm
8 just saying what that means for--

9 FRANK RITCHIE: Well, I think the
10 difference might be that—that if you're doing that
11 and you're not eligible, you're the one who's singing
12 it saying, you know—so you're creating—you the
13 invalid voter is actually, you know, lying on a—on a
14 government form. In this situation, you would have
15 an owner helping them do that, which we don't want to
16 be in that position.

17 CHAIRPERSON WILLIAMS: I mean I think
18 there's a lot of good points that were made. I don't
19 know if that was one because the owner was just
20 providing basically a piece of paper. You're not
21 telling them to register or not to register, but
22 there are a little—a lot of good issues that have
23 arisen here. I—I just want to have the conversation.
24 I think—I think in the packet that there has to—but
25 it is very big, there—there might be things that are

2 duplicative. I don't mind having that conversation
3 to see how we can use that vehicle a little bit more,
4 and I do think we have to be creative with the voter
5 registration because we don't have too many vehicles
6 that we can use.

7 FRANK RICHIE: Well, we've got the
8 tenants signing a lease. We want owners and tenants
9 to focus on the important things. We need to know if
10 there is a child under 10 or a child under 6 for lead
11 paint or for window guards. That's the important
12 stuff.

13 CHAIRPERSON WILLIAMS: Sure.

14 FRANK RICHIE: This much less important.
15 It shouldn't be done at that time.

16 CHAIRPERSON WILLIAMS: Alright, I give a
17 lot of thought on these questions, and issues that
18 have arisen here. So I just want to put that on the
19 record as well. Did you have anything? No.
20 Alright. Thank you Mr. Richie.

21 FRANK RICHIE: Okay.

22 CHAIRPERSON WILLIAMS: Much appreciated.
23 No one else has [bell] provided—filled out a form to
24 [coughs]—filled out a form to testify. For the
25 record, we received testimony from Architects Council

1 COMMITTEE ON HOUSING AND BUILDINGS

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2 of NYC, REBNY and Bomer (sp?). We are also joined by
3 Council Member Cornegy. With that, the hearing is
4 now closed. [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, 2017