

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL
DISABILITY, ALCOHOLISM, SUBSTANCE ABUSE AND
DISABILITY SERVICES

----- X

July 22, 2014
Start: 1:15 p.m.
Recess: 2:29 p.m.

HELD AT: 250 Broadway-Committee Room, 16th Fl.

B E F O R E: ANDREW COHEN
Chairperson

COUNCIL MEMBERS: Elizabeth Crowley
Corey Johnson
Helen Rosenthal
Ruben Wills
Paul Vallone

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

Samara Karasyk
Assistant Commissioner
External Affairs
NYC Department of Finance

Sara Meyers
Assistant Commissioner
Tax and Parking Program Operations
NYC Department of Finance

Brian Kavanaugh
Assembly Member
74th Assembly District
East Side of Manhattan, NYC

Michael Grinthal
Supervising Attorney
MFY Legal Services

Susan Dooha
Executive Director
Center for Independence of the Disabled
in New York

Robert Desir
Staff Attorney
Legal Aid Society

Elizabeth Esser-Stuart
Special Projects Administrator
LegalHealth
NY Legal Assistance Group

Edith Prentiss
Member/Advocate
Disabled in Action Metropolitan New York

Deborah Grife
Disabled Person
NYC

Moses Gates
Director for Planning and Development
Association for Neighborhood and Housing
Development

Mary Ann Rothman
Executive Director
The Council of NY Cooperatives and
Condominiums

1
2 CHAIRPERSON COHEN: ...Mic. Good
3 afternoon, everybody and thank you and good
4 afternoon. I am Council Member Andrew Cohen, chair
5 of the Council's Committee on Mental Health,
6 Developmental Disabilities, Alcoholism, Substance
7 Abuse and Disability Services. We are here today to
8 discuss a preconsidered introduction, which would
9 amend the administrative code of the City of New York
10 in relation to increasing the maximum qualifying
11 income level for exemption from rent increases
12 granted to certain persons with disabilities.

13 Research has consistently shown that
14 people with disabilities are more likely to
15 experience poverty. The 2006 American Community
16 Survey found the median income for people with
17 disabilities was \$17,000 as compared to \$28,000 for
18 those without a disability. A 2012 report from the
19 US Census Bureau found that people with disabilities
20 aged 21 to 34 were over twice as likely to be
21 unemployed. Research has also shown that individuals
22 with disabilities are less likely to complete high
23 school or obtain a bachelor's degree. In light of
24 these disparities, in 2005, New York State
25 established the Disability Rent Increase Exemption

1
2 DRIE program. The DRIE program helps shield low-
3 income people with disabilities from rising housing
4 costs by freezing their rents at an affordable level.
5 In return, landlords receive property tax abatement
6 equal to the amount of the rent forgiven. Currently,
7 individuals that receive state or federal disability
8 assistance are eligible for DRIE if they live in rent
9 regulated housing and have a maximum annual income of
10 \$20,412 for an individual or \$27,484 for a two or
11 more person household. The preconsidered
12 introduction we are gathered here today to discuss
13 would increase the income threshold for all
14 households to \$50,000. The legislation will improve
15 the lives of people living with disabilities.

16 At this moment, I would like to
17 acknowledge that we have been joined by my colleagues
18 from the Mental Health Committee. Council Member
19 Elizabeth Crowley is here, Council Member Corey
20 Johnson is here and we've also been joined by Council
21 Member Rosenthal. At this time, I would like to give
22 the microphone to Council Member Rosenthal, who would
23 like to make a brief statement.

24 COUNCIL MEMBER ROSENTHAL: Thank you,
25 Council Member Cohen. I appreciate your holding this

1 hearing so quickly and adding your name to co-
2 sponsorship of this bill and I'm very pleased to see
3 in the audience Assembly Member Kavanaugh, who I know
4 is doing amazing work pushing for this bill to be
5 signed, I think today hopefully, by the Governor or
6 tomorrow, so we're sort of in lockstep together. As
7 you mentioned, this bill will address the income
8 eligibility disparity that has existed between the
9 DRIE program and the SCRIE program now. It's a
10 really unconscionable discrepancy that the Council
11 will correct you know in pretty short order, which I
12 think is a good thing. We're off by just a couple of
13 months. The DRIE program prevents homelessness among
14 an especially vulnerable group of tenants who cannot
15 work and cannot afford the rent increases, so by
16 raising their qualifying income level, it's sort of a
17 common sense move to expand access to the program.

19 I also want to thank my other co-sponsors
20 for quickly joining on. Council Member... let's see
21 if I remember; Vacca, Council Member Ulrich, Council
22 Member Dickens... and I think that's it. And oh,
23 Jumaane. With help from the audience, Council Member
24 Lander, Council Member Williams and Chair Cohen,
25 which is all a good thing. Today the committee is

1 taking a concrete step toward the Council's larger
2 goal of keeping New Yorkers in their homes and
3 pushing back against the tide of skyrocketing rents,
4 particularly for those living on restricted incomes,
5 and I am especially happy to see my friends from the
6 disabilities community here in the audience and other
7 supporters for this program. It's really great to
8 see everyone, and of course, I ask my colleagues on
9 the committee in joining me to support our disabled
10 friends, family members and neighbors by supporting
11 this legislation. Thank you very much.

13 CHAIRPERSON COHEN: Thank you. I'd like
14 to acknowledge we've been joined by Council Member
15 Wills. I'd also like to acknowledge the hard work of
16 the Council staff, Jennifer Wilcox, Kelly Taylor,
17 Michael Benjamin, Sarah... how do you say her last
18 name? Gatslum and Crilhien Francisco. At this time,
19 we're going to invite Sara Myers from the Department
20 of Finance and Samara... I don't know how you say
21 that either. What did we say? [laughter] Karasyk to
22 come up and testify. [background voice] Yeah,
23 really. Alright.

24 [Pause]

25 CHAIRPERSON COHEN: Alright.

1
2 ASSISTANT COMMISSIONER KARASYK: Alright,
3 good afternoon, Chairman Cohen and members of... yes,
4 sir.

5 [crosstalk]

6 CHAIRPERSON COHEN: Oh, I...

7 [crosstalk]

8 ASSISTANT COMMISSIONER KARASYK: Oh, I'm
9 sorry.

10 CHAIRPERSON COHEN: Am supposed to ask.

11 ASSISTANT COMMISSIONER KARASYK: Yes.

12 CHAIRPERSON COHEN: Would you mind
13 raising your right hand? Do you swear or affirm the
14 testimony you are about to give before the committee
15 will be the truth?

16 ASSISTANT COMMISSIONERS KARASYK AND
17 MEYERS: Yes.

18 CHAIRPERSON COHEN: Thank you. Please
19 identify yourself.

20 ASSISTANT COMMISSIONER KARASYK: I'm
21 Samara Karasyk, Assistant Commissioner of External
22 Affairs with the New York City Department of Finance.

23 ASSISTANT COMMISSIONER MEYERS: Hi and
24 I'm Sara Meyers. I'm the Assistant Commissioner of
25

1
2 Tax and Parking Program Operations that oversees the
3 DRIE as well as the SCRIE programs.

4 ASSISTANT COMMISSIONER KARASYK: So good
5 afternoon, Chairman Cohen and members of the
6 Committee on Mental Health. I am Samara Karasyk,
7 Assistant Commissioner of External Affairs. With me
8 here today is Sara Meyers, Assistant Commissioner of
9 Tax and Parking Program Operations. Thank you for
10 the opportunity to testify before you today regarding
11 the preconsidered introduction regarding the
12 Disability rent Increase Exemption program or DRIE,
13 which will increase the DRIE income eligibility
14 threshold to \$50,000 with an effective date of July
15 1st, 2014. DRIE and the Senior Citizen Rent Increase
16 Exemption program or SCRIE are hugely important to
17 this administration and we support this bill
18 wholeheartedly.

19 Under this preconsidered introduction, in
20 order to qualify for DRIE, applicants must have a
21 total household income of \$50,000 or less, live in a
22 rent regulated apartment, spend at least one-third of
23 their income on rent and receive one of the following
24 disability benefits from the state or federal
25 government: federal Supplementary Security Income or

1
2 SSI, federal Social Security Disability Insurance or
3 SSDI, US Department of Veterans Affairs Disability
4 Pension or compensation that is related to military
5 service or compensation or disability-related
6 Medicaid if they have received either SSI or SSDI in
7 the past.

8 The current DRIE income eligibility
9 threshold is \$20,412 for single households and
10 \$29,484 for households that have two or more people
11 in residence. By increasing the income eligibility
12 to \$50,000, this new law will freeze rent increases
13 for more disabled New Yorkers living in rent
14 regulated apartments. It will also simplify the DRIE
15 application process by applying one income threshold
16 to all types of households, regardless of how many
17 people reside therein. We are pleased that this bill
18 will make it easier for applicants to understand the
19 program's requirements while benefitting additional
20 New Yorkers.

21 As you know, SCRIE's income eligibility
22 threshold increased to \$50,000 effective July 1st,
23 2014. That legislation was signed into law prior to
24 the July 1st effective date. The DRIE and SCRIE
25 programs are nearly identical and have the same

1 application process. Having recently passed
2 legislation which increased the SCRIE income
3 threshold to \$50,000, the Council's action on this
4 bill doing the same for DRIE will ensure the programs
5 continue to mirror each other and allow for ease of
6 administration and understanding by the general
7 public.
8

9 In the case of the preconsidered
10 introduction we are discussing today, we will apply
11 the new DRIE income eligibility threshold
12 retroactively to July 1st retroactively to July 1st,
13 2014 after the law has finalized. This means that if
14 we receive someone's application on or after July
15 1st, 2014 and they qualify for the DRIE benefit under
16 the new law, but were above the income eligibility
17 threshold previously, we will grant them the benefit
18 after the law goes into effect, but it will be
19 retroactive to July 1st, 2014.

20 We expect that the increase to the DRIE
21 and SCRIE income threshold will result in more
22 program participants and are in full support of more
23 New Yorkers having access to these valuable benefits.
24 We are prepared for this change and have the staffing
25 in place to timely process all new applications. We

1
2 communicate regularly with City Council, community
3 groups and the Mayor's Office for People with
4 Disabilities and we will all be ready to spread the
5 word about the increase to the income threshold for
6 DRIE once the law is enacted. We look forward to
7 collaborating with you and your offices to ensure
8 that we reach every potential DRIE participant. We
9 are planning an extensive DRIE and SCRIE marketing
10 campaign for the fall. We are totally committed to
11 reaching every New Yorker that qualifies for these
12 programs and are hard at work on a new outreach
13 strategy that will accomplish this goal. We will be
14 presenting our DRIE and SCRIE outreach plan to City
15 Council in the autumn.

16 At this time, we would be happy to answer
17 any questions you may have.

18 CHAIRPERSON COHEN: And I'm going to give
19 the microphone to Council Member Johnson.

20 COUNCIL MEMBER JOHNSON: Thank you, Chair
21 Cohen. I want to just first before I ask my question
22 to the Department of Finance, just thank Council
23 Member Rosenthal and her co-sponsors in getting this
24 done so quickly. I remember when the state budget
25 initially came out and the SCRIE news was in there.

1
2 It was a very welcome piece of news for New York
3 City. I'm very glad that Assembly Member Kavanaugh
4 is here today for this hearing. I was very excited,
5 but I was also disappointed at the time that DRIE was
6 not coupled alongside of SCRIE in that initial budget
7 deal and so as us, I think as you stated, Council
8 Member Rosenthal, righting an initial wrong and
9 making sure that DRIE is treated alongside SCRIE. We
10 know that keeping people in their homes is incredibly
11 important and valuable for their well-being,
12 especially folks who may disabled, and I look at this
13 as part of the Mayor and the Council's overall plan
14 and goals around affordable housing and preservation
15 and keeping people in their homes is another piece of
16 that puzzle and one that I think this Council should
17 be proud of as it related to the implementation. I
18 know that you mentioned at the end of your testimony
19 that the Department of Finance is going to present a
20 plan on outreach with regard to SCRIE and DRIE and if
21 you could tell us currently how many people are
22 enrolled in the programs and what are your initial
23 thoughts on actually getting the information out
24 there to the community organizations and folks that
25 may be interacting with New Yorkers that can't

1
2 participate and take advantage of these important
3 programs?

4 ASSISTANT COMMISSIONER MEYERS: Hi, I'll
5 speak a little bit to the current participation and
6 then you know Samara's going to speak a little bit
7 about outreach. And the current number of households
8 who have SCRIE is 8,741 and that's the current number
9 of active DRIE households and I will say that we are
10 spending...

11 COUNCIL MEMBER JOHNSON: [interposing]
12 But that's for SCRIE or DRIE?

13 ASSISTANT COMMISSIONER MEYERS: It's
14 DRIE, I'm sorry.

15 COUNCIL MEMBER JOHNSON: That's DRIE.

16 ASSISTANT COMMISSIONER MEYERS: Yes and
17 that's DRIE and if you want to know for SCRIE as
18 well, it's just under 45,000.

19 COUNCIL MEMBER JOHNSON: And do we know
20 how many New Yorkers actually qualify for these
21 programs that aren't currently taking advantage of
22 them?

23 ASSISTANT COMMISSIONER MEYERS: So what
24 we've been doing this... what we're doing this summer
25 and what we're going to end the summer with and

1 produce in the fall is a report, which outlines all
2 of our research to that effect. Right now, we're in
3 the middle of analyzing a lot of different data
4 sources and trying to predict the eligible population
5 generally for both SCRIE and DRIE programs and as
6 well by the two... what we're calling two
7 different... the old income strata and the new income
8 strata. While we do know that we're going to be
9 doing specific targeted outreach towards people in
10 the higher income, the administration Department of
11 Finance is also very committed to try and identify
12 those that were eligible under the old income and
13 didn't... we know that there's a population there as
14 well that didn't seek out the benefit and part of
15 this report is going to display not only all of the
16 steps and measures we took to analyze different data
17 sets, but it's also going to have a section on
18 outreach and what we're going to try to do to get at
19 those different groups.
20

21 ASSISTANT COMMISSIONER KARASYK: So on
22 the outreach side you know, as Sara mentioned, one of
23 the main components is trying to reach people that
24 don't already know about this benefit, so obviously
25 we're going to continue to do what we've been doing

1
2 in the past on the SCRIE side working with senior
3 centers; working with the Department for the Aging;
4 working with your offices on the disability side;
5 working with the Mayor's Office for People with
6 Disabilities and Commissioner Calise is here today,
7 and all the community groups that we already are in
8 touch with; obviously any new community groups that
9 want to work with us, we're happy to do that. We're
10 going to produce new materials; we're going to print
11 a lot of them; we're going to print them in various
12 languages. We're updating our SCRIE Injury Guide,
13 which is available on the website and we will produce
14 some hard copies and also it's translated into a
15 number of different languages, and then we're
16 really... what we're trying to figure out is how to
17 do a marketing campaign sort of outside of our usual
18 tools, which have gotten us to a certain point, but
19 we feel that there is still a population that's
20 missing, so how can we get them in ways that we
21 haven't used already? We're talking about working
22 with New York City Service to see what kind of
23 volunteers can help us and how we can maximize that.
24 We're talking to all the agencies that were involved
25 in sort of the Paid Sick Leave initiative, for

1 example, to see how we can utilize some of the ways
2 that they were reaching out to people, so that's all
3 going to be in this report. We're still kind of
4 putting it all together, but if you have any feedback
5 and thoughts like please come share them with us
6 because we want to use every tool that we can
7 possibly come up with.

9 COUNCIL MEMBER JOHNSON: Thank you. I
10 think that's great and I look forward to seeing the
11 final outreach plan when it's fully baked and we can
12 understand what you're going to do. I would just say
13 that I think probably a lot of the folks that
14 currently receive Meals on Wheels or food delivery
15 services are probably folks that qualify for these
16 services and I would imagine that some of the
17 population that currently may not be touched on
18 getting adequate outreach may be homebound seniors
19 and people with disabilities who have caregivers and
20 caretakers and there may be creative ways to reach
21 them through some of the folks that they interact
22 with, whether it be home health aides, the unions
23 that represent those folks or some of the
24 organizations that make deliveries or check in on
25 these folks, so I would include them on this outreach

1 strategy. I would also say, and I appreciate that
2 you said this, that I think our office is... the 51
3 in the Council, are pretty uniquely qualified, given
4 the number of local groups that we interact with to
5 hopefully get this information out there and lastly,
6 I would just ask do we think given the new
7 eligibility standard, going up to \$50,000, I would
8 assume the number of New Yorkers that are qualified
9 has expanded vastly. Do we have any initial numbers
10 on how big that increase is?
11

12 ASSISTANT COMMISSIONER MEYERS: Actually,
13 we have a little bit of data, which I can share with
14 you. I will say that I don't think it's expanded as
15 vastly as people may think because the income has
16 gone up from \$29,000 to \$50,000. For DRIE
17 specifically, I would say that the reason for that is
18 because you still do have to qualify for one of the
19 four, as was mentioned in the testimony, to different
20 programs you know, two of which are really connected
21 to lower incomes, and 70 percent of our active
22 participants receive the benefits that are for lower
23 income and so when we're looking at the data you
24 know, that is impacting the kind of expansion and for
25 SCRIE, similarly, although it's not connected to the

1
2 federal disability programs, for both programs you
3 still need to meet a one-third income to rent ration
4 and you know, there is... you know, the higher the
5 income goes up and people are making more income you
6 know, the ratio between rent and income you might not
7 be able to make the one-third and so we will show
8 that in the data that we present and so... but as I
9 said earlier, what we're finding through this
10 analysis though is what we think though is there's a
11 large untapped population in the existing lower
12 income, which is going to be a large part of our
13 outreach and so that's... if that makes sense.

14 COUNCIL MEMBER JOHNSON: Thank you for
15 your testimony today. Thank you to the Department
16 for getting this up and going really quickly and I
17 look forward to seeing what your plan is and again, I
18 want to thank Council Member Rosenthal for her
19 leadership on this and making this happen so quickly
20 in the middle of the summer. I appreciate it. Thank
21 you.

22 CHAIRPERSON COHEN: Council Member
23 Rosenthal?

24 COUNCIL MEMBER ROSENTHAL: Just a few
25 questions.

1
2 CHAIRPERSON COHEN: I just want to
3 acknowledge that we've been joined by Council Member
4 Vallone.

5 COUNCIL MEMBER ROSENTHAL: Just a few
6 questions piggybacking on Council Member Johnson's
7 questions, so do you have a timing of when you think
8 the analysis will be completed?

9 ASSISTANT COMMISSIONER MEYERS: Yes,
10 we're committed to releasing a report in the fall, so
11 probably somewhere in September we're imagining and
12 it may be later September due to the holidays, but we
13 want to be done internally with our analysis kind of
14 middle of August with a huge part and what I think
15 we're going to do is we're going to go to some other
16 groups that have done similar analysis, such as the
17 Council and... yes, and identify... and kind of
18 present our numbers before we publish them and...
19 yeah, and 'cause sometimes we know people look at
20 similar datasets and we're doing this internally and
21 it's been very productive with SCRIE data. You know,
22 OMB was doing an analysis and the Department for the
23 Aging was doing an analysis and Finance is doing an
24 analysis and they're all doing these analyses you
25 know, disparately and then I said it was really

1
2 important that all three agencies kind of got
3 together; all the analysts got together and said how
4 are you looking at the same data...

5 COUNCIL MEMBER ROSENTHAL: [interposing]
6 Yeah.

7 ASSISTANT COMMISSIONER MEYERS: And
8 coming up with different... and it's been really
9 great 'cause we all have learned from each other and
10 so what we want to do in the you know, end of the
11 summer is go to the Council and say alright, we're
12 going to publish these number, but if you have a
13 different way of looking at the exact same dataset
14 coming up with something different, let's talk about
15 it.

16 COUNCIL MEMBER ROSENTHAL: First of all,
17 I hope on everyone's screens at home it went
18 government working together [cheers].

19 ASSISTANT COMMISSIONER MEYERS: That was
20 the...

21 [crosstalk]

22 CONCIL MEMBER ROSENTHAL: I'm very
23 excited.

24 [crosstalk]
25

1
2 ASSISTANT COMMISSIONER MEYERS: Exact
3 image that I had. [laughter]

4 COUNCIL MEMBER ROSENTHAL: Exactly and
5 yeah, to your point about our internal numbers versus
6 your numbers, just doing the math really quickly, I
7 probably made a math error... six, 10... I don't
8 think so. So our internal numbers on who's currently
9 getting DRIE came to a total of like over 11,000
10 people and it's based on I think your Department of
11 Finance report from February 2014, so it'd be
12 interesting to understand why there's the discrepancy
13 of 3,000 people you know in that...

14 [crosstalk]

15 ASSISTANT COMMISSIONER MEYERS: Oh, I
16 know the...

17 [crosstalk]

18 COUNCIL MEMBER ROSENTHAL: Oh.

19 [crosstalk]

20 ASSISTANT COMMISSIONER MEYERS: I know
21 the reason for that discrepancy. The... how it's
22 reported and tax expenditure report is any household
23 that received a credit in the course of the year, so
24 as home move in and out of the program or we have to

1
2 instate retroactive credits to make an adjustment, so
3 that's part of the reason for the discrepancy.

4 COUNCIL MEMBER ROSENTHAL: So emphasis on
5 the word active.

6 ASSISTANT COMMISSIONER MEYERS: Mm-hm.

7 COUNCIL MEMBER ROSENTHAL: I know you
8 said it 8,700 are active.

9 [crosstalk]

10 ASSISTANT COMMISSIONER MEYERS: Correct,
11 like, who's getting it today, yeah.

12 COUNCIL MEMBER ROSENTHAL: Great.
13 Alright and do you have... and then I would imagine
14 just sort of thinking out loud you know, if it's
15 costing the city right now \$18.6 million...

16 ASSISTANT COMMISSIONER MEYERS: That's
17 correct.

18 CONCIL MEMBER ROSENTHAL: Which is great;
19 we want it to cost more. That's part of what you're
20 figuring out so you would put that in the November
21 modification of what the cost would be. Is there a
22 state... I'm just unfamiliar. Is there a state
23 sharer to that?

24 ASSISTANT COMMISSIONER MEYERS: I don't
25 believe so for DRIE.

1 ASSISTANT COMMISSIONER KARASYK: Not for
2 DRIE, no.

3
4 COUNCIL MEMBER ROSENTHAL: Not for DRIE,
5 but yes for I guess for...

6 [crosstalk]

7 ASSISTANT COMMISSIONER KARASYK: Yes for
8 SCRIE.

9 ASSISTANT COMMISSIONER MEYERS: For two
10 years.

11 COUNCIL MEMBER ROSENTHAL: Oh, okay,
12 they'll explain it to me later.

13 ASSISTANT COMMISSIONER MEYERS: It's
14 connected...

15 [crosstalk]

16 COUNCIL MEMBER ROSENTHAL: That's my job.

17 [crosstalk]

18 ASSISTANT COMMISSIONER MEYERS: The SCRIE
19 is connected to the...

20 [crosstalk]

21 COUNCIL MEMBER ROSENTHAL: Welcome to my
22 world.

23 [crosstalk]

24 ASSISTANT COMMISSIONER MEYERS: New
25 income ratio and new income limits and it's for two

1 years, this is SCRIE, but there was nothing for the
2 DRIE.
3

4 ASSISTANT COMMISSIONER KARASYK: Although
5 it is... also sunsets in two years.

6 ASSISTANT COMMISSIONER MEYERS: Yeah.

7 COUNCIL MEMBER ROSENTHAL: Right, so
8 hypothetically, I mean we could be doubling our
9 number and it could be another... I mean will that be
10 part of your estimate as well when you're doing...

11 [crosstalk]

12 ASSISTANT COMMISSIONER MEYERS: We're
13 going to...

14 [crosstalk]

15 COUNCIL MEMBER ROSENTHAL: Both for SCRIE
16 injury as the people and the dollar impact?

17 ASSISTANT COMMISSIONER MEYERS: We're
18 certainly going to be looking... we're going to try
19 and forecast that the best we can and something to
20 understand for DRIE is that you know, because people
21 qualify for... DRIE's only been around since like
22 2005 and so the impact of the DRIE program is still
23 fairly new, whereas SCRIE has been around...

24 [crosstalk]

25 COUNCIL MEMBER ROSENTHAL: Uh-huh.

[crosstalk]

ASSISTANT COMMISSIONER MEYERS: Much longer. Also, DRIE you can start the benefit when you're 18, so this potential for people to be on the benefit you know, for a very long time... and that will part of... just so you know that's the difference between SCRIE who qualifies at 62. You know, someone gets on in their 18 or their early twenties, the city could be covering their rent increases for you know, decades.

COUNCIL MEMBER ROSENTHAL: Okay, thank you. Okay, thank you very much. I appreciate it. Thank you, Chair.

CHAIRPERSON COHEN: You know, one thing I noticed from our internal numbers is that the... you know, borough by borough there's a significant discrepancy in the number of people participating and I wonder if you could... if you know, they may just be the numbers or there may be a failure to do a better outreach in some of the outlying boroughs, so I think it would be helpful if you'd just be cognizant of that as you develop a marketing plan that you know, that all the boroughs are... you know,

1
2 that what works in Manhattan may not work in the
3 Bronx or vice versa, so we...

4 ASSISTANT COMMISSIONER MEYERS:

5 [interposing] I will say there is a proportion by...
6 we have looked at the proportion just over the
7 boroughs that it... the proportion per rent regulated
8 units is on par, but what we're drilling down to is
9 not just council districts, but to census tracts and
10 we do realize that we've identified certain census
11 tracts where you know, the ratio is not accurate, so
12 we've identified already neighborhoods where we think
13 there's a higher percentage of rent regulated units,
14 but a low percentage of usership and we... it's
15 definitely part of our plan and looking at the
16 demographics of who lives in those census tracts as
17 well and how to target them.

18 CHAIRPERSON COHEN: Thank you. Just
19 quick, Council Member Vallone.

20 COUNCIL MEMBER VALLONE: Thank you, Mr.
21 Chair. I heard you mention retroactive, so that's
22 exciting because most of our city exemptions and
23 qualifications are not, so is there a retroactive
24 component to this if a senior misses or applies in
25

1
2 2015 in March that they would be able to have
3 retroactive credit?

4 ASSISTANT COMMISSIONER MEYERS: No,
5 that's not what the retroactive piece meant just
6 because the SCRIE bill... how the SCRIE bill went
7 into effect because it was passed or signed into law
8 by the Mayor before July 1st and this bill you know,
9 is going to go into effect after that, but the
10 language of the bill said with applications received
11 on or after July 1st that we're going to go
12 retroactive to applications between July 1st and when
13 the Mayor signs the bill into law, so let's say the
14 Mayor signs the bill into law August 1st, then that's
15 the retroactive period we're discussing.

16 COUNCIL MEMBER VALLONE: So for a senior
17 who applies in March there is no ability for them to
18 get a credit back, just those that applied July?

19 ASSISTANT COMMISSIONER MEYERS: Well, if
20 the senior qualified in March or a person of
21 disability qualified in March, they qualified under
22 the previous income. We were talking about... let's
23 say someone with a disability... so we talked about
24 DRIE, which is not into law yet, if they could
25 qualify under the higher income then it would be

1 retroactive too if the application was received on
2 July 1st. But if they applied on let's say July 2nd
3 to the Department of Finance and their income was
4 \$35,000, we would've denied them, but for this case
5 we would consider them approved you know, providing
6 they meet all of the requirements.
7

8 COUNCIL MEMBER VALLONE: So for someone
9 who was denied in July, do they have to reapply or
10 will they be notified...

11 [crosstalk]

12 ASSISTANT COMMISSIONER MEYERS: They're
13 being notified...

14 [crosstalk]

15 COUNCIL MEMBER VALLONE: Subsequently...
16 'kay.

17 ASSISTANT COMMISSIONER MEYERS: We track
18 them and we've sent them all letters telling them
19 that we expect the you know, the legislation to be
20 signed and when it does, so we've been holding some
21 applications and then we also have gone back to
22 people we've denied, so everyone's been sent a
23 letter.

24 COUNCIL MEMBER VALLONE: Okay, 'cause I
25 had heard that some of the confusions at the centers

1 were people getting denied and they said they would
2 apply, so now that clears up...

3
4 ASSISTANT COMMISSIONER MEYERS: And as
5 soon as we found out about the legislation we kind of
6 tried to put a plan into place. There may have been
7 a few applications, but they're all going to get a
8 notice because we've done a data... you know, done a
9 data analysis of them. It's a small number for DRIE.

10 COUNCIL MEMBER VALLONE: It seems that
11 some of the seniors are right there on the point when
12 they know when it's July 1st, they're going to let us
13 know, so we want to advocate for those that got...

14 ASSISTANT COMMISSIONER MEYERS:
15 [interposing] Sure.

16 COUNCIL MEMBER VALLONE: Bounced back.
17 You also mentioned one in the four programs have to
18 be met prior to receiving the additional benefits, so
19 do we have data on... you said the numbers aren't as
20 high as we thought they were because they had to
21 qualify for one of four programs in order to be
22 entitled to this additional benefit.

23 ASSISTANT COMMISSIONER MEYERS: Well,
24 what I said... what I was trying to imply was for a
25 state... regarding the expansion under the higher

1
2 income is that when we're trying to do an analysis,
3 it's not a one to one ratio because you have to get
4 one of these federal programs in order to qualify for
5 DRIE and SSI and disability-related Medicaid are part
6 of that and they have income thresholds, so and about
7 70 percent of our current recipients get one of those
8 two programs, so that's where we think there may not
9 be as many people as income goes higher just the
10 increase would be.

11 COUNCIL MEMBER VALLONE: Maybe that's
12 something we have to look into. If the threshold has
13 to be met in order to receive the additional benefit,
14 if we don't change thresholds it may not be as
15 fruitful as we thought it was going to be.

16 ASSISTANT COMMISSIONER MEYERS: Well,
17 it's how the governing state legislation for DRIE you
18 know kind of outlines how one qualifies or how we
19 define one as being disabled and so it is different
20 from SCRIE because SCRIE is just you... we define you
21 as being a senior when you turn 62, so you know, I
22 think that the department would administer you know,
23 anything that was clear and that's just... we're just
24 following the laws of that.

1
2 COUNCIL MEMBER VALLONE: Do you think
3 there's anything we need to do further with defining
4 the disability terminology and what defines who's
5 disabled and who's not and entitled to receive the
6 disability?

7 ASSISTANT COMMISSIONER MEYERS: I don't
8 think I'm prepared to speak to that right now.

9 COUNCIL MEMBER VALLONE: That might be
10 something for a future...

11 ASSISTANT COMMISSIONER MEYERS: Sure.

12 COUNCIL MEMBER VALLONE: Thank you.

13 CHAIRPERSON COHEN: Thank you very much.

14 ASSISTANT COMMISSIONER MEYERS: Alright,
15 thank you.

16 CHAIRPERSON COHEN: Assemblyman Brian
17 Kavanaugh from the 84th assembly district.

18 [Pause]

19 CHAIRPERSON COHEN: If you could just
20 identify yourself for the record, please.

21 ASSEMBLYMAN KAVANAUGH: Good afternoon.
22 My name is Brian Kavanaugh. I'm the assembly member
23 of the 74th assembly district on the East Side of
24 Manhattan. I'd like to thank the chair and the
25 members of the committee for the opportunity to

1
2 testify and for holding this very expedited process
3 and also, of course, the bill sponsor, Councilwoman
4 Helen Rosenthal again for just jumping into action
5 and setting off all those bells and whistles about
6 government working together, as she was talking about
7 it before. I also had the privilege of working here
8 at the City Council as Chief of Staff for a City
9 Council member a few years back, as it happens to the
10 predecessor of Council Member Rosenthal, and it's
11 always great to be back.

12 I have written testimony, which you are
13 getting I guess. It's much of... a fair amount of it
14 has been covered by the previous testimony, so I
15 won't... I'll just, if you don't mind, hit a few
16 highlights verbally and then happy to take any
17 questions or comments you all have.

18 So you know, this is... I represent... a
19 great majority of my residents are in rent regulated
20 or publicly subsidized housing in my district and so
21 I focused a lot of my service, both in Albany and in
22 the district on finding ways to preserve
23 affordability. I had introduced a bill in my very
24 first year in the Assembly to raise the SCRIE
25 threshold to \$50,000. It takes a long time to do

1 these things, but seven years later that was included
2 in the state budget this year and again, I'd like to
3 thank the Council and the Mayor for working so
4 quickly to take that thing after we enact it at the
5 state level and implement it here at the city level.
6 However, as has been noted today, that change did not
7 include DRIE and we left that unchanged, the income
8 threshold in the process earlier in the spring, so
9 Senator Diane Savino and she hasn't been mentioned
10 today, but she was a very big part of getting this
11 done in the Senate and our colleagues in the
12 legislature have worked to pass this bill to remedy
13 that situation. The bill has now passed both Houses.
14 It was sent to the Governor basically the way we
15 count days in Albany, nine days ago. It doesn't
16 include Sundays and the Governor has 10 days from the
17 day it's sent to either veto it or sign it and we are
18 hoping it'll be signed and that will happen or not
19 happen by midnight tomorrow night. And again, I
20 thank you for moving so rapidly and pre-introducing
21 this bill today so that it could be acted on as
22 quickly as possible if that occurs.

24 Just briefly again, the current DRIE
25 program has different thresholds for single person

1 households and multi-person households; \$20,412 and
2 \$29,484 respectively. The program costs about \$18.6
3 million. I also had the figure that your staff had
4 at about 11,000 renters who currently benefit from
5 the program you know, but I understand from the
6 Finance testimony that that may not be quite correct.
7 Again, the bill proposes two important changes. One
8 is just raising the threshold and setting a simple,
9 clean number as opposed to sort of a calculated
10 formula that varies gradually over the years and also
11 very significantly eliminates this distinction for
12 families... for individuals living by themselves that
13 have received 30 percent less of... the eligibility
14 threshold has been 30 percent less for those folks.
15 The changes conform, as has been mentioned, with the
16 changes to SCRIE and just make the program simpler
17 both to understand and administer. The estimates
18 I've seen suggest that this might cost something on
19 the order of a couple hundred thousand dollars a
20 year. Obviously, that's a very variable number,
21 depending on how many people join and as had been
22 mentioned, and I'll discuss this a little bit
23 further, both... all the of the privileges will
24 expire on July 1st, 2016, as to the changes to SCRIE.
25

1
2 Just briefly, the... you know, I think
3 everybody here understands how difficult it can be to
4 afford to continue to live in the neighborhoods we
5 represent. The median gross rent in New York City
6 since DRIE was enacted has risen 11 percent after
7 inflation since 2005; that's according to an NYU
8 study and median household income of renters
9 generally has rose by two percent during that period.
10 New York NYU and many others consider households rent
11 burdened if they pay 30 percent more of their income,
12 which is comparable to the DRIE rent income ratio
13 requirement. Notably, in 2012, 54 percent of all New
14 York City households and 75 percent of low-income
15 renters were rent burdened by that standard. Raising
16 ineligibility avoids a lot of unintended
17 consequences. It is currently the case because the
18 ways the threshold for DRIE changed and the way the
19 various other sources of income that folks who are
20 receiving DRIE may be receiving, the way they change
21 and the way the cost of living adjustments work, in
22 some cases a cost of living adjustment in one of
23 those programs could actually make you ineligible for
24 SCRIE, where you might previously have been eligible
25 or some other change to your income. Obviously, for

1
2 somebody who's had their income capped for many
3 years, that could be very problematic in terms of
4 their ability to continue to live in their homes.
5 There's a particular problem. We've talked about the
6 different... as has been mentioned, some of the kind
7 of source programs that make you eligible for DRIE
8 are specifically for low-income New Yorkers and as a
9 result, you might not get many more increases in
10 eligibility from those programs. One of the groups
11 that this is most likely to affect most significantly
12 are disabled veterans. It is currently the case,
13 disabled veterans are rated by the Veterans
14 Administration as on a scale of percentage disability
15 relative to their... that sort of measures their
16 ability to work and earn income. It is currently the
17 case that if you are 70 percent disabled, you might
18 qualify for DRIE, but if you're 100 percent disabled,
19 the benefit you get from the Veterans Administration
20 is likely to make you ineligible for DRIE, so that's
21 sort of a somewhat perverse you know, consequence of
22 that. The change from the 20 and 30... and \$29,000
23 thresholds to \$50,000 ought to remedy that.

24 The... I just want to mention the... it's
25 a particularly glaring inequality that single

1 individual households have such a low threshold,
2 whereas multi-individual... households of two or more
3 people have a much higher threshold. If you are
4 making \$21,000 or \$22,000 a year and you're paying
5 more than 30 percent of your income, you're not less
6 deserving of this program than a household making you
7 know, \$28,000 or \$29,000 who might have two members
8 of the household by virtue of the size of your
9 household, so eliminating that is a very significant
10 simplifying step and a step that creates greater
11 equity.
12

13 I mention the sunset provision because
14 this... because the SCRIE bill, which was the
15 predecessor of this, was done in the budget. There
16 was a complicated negotiation, the conclusion of
17 which was that the state would pay for any newly
18 eligible recipients of SCRIE for two years and that
19 both the state's obligation to pay and the increased
20 income threshold would expire on July 1st, 2016.
21 This bill matches the second part of that. We're
22 increasing the threshold because it was not done in
23 the budget and it's difficult to allocate any funds
24 at all when we're not you know, involved in the
25 budget. This bill simply increases the thresholds

1
2 and it does expire on July 1st, 2016. That is not an
3 outcome that I think any of us who support these
4 programs would think is desirable, so to address
5 this, I'll be introducing a bill to eliminate the
6 sunset provisions in both laws and the uncertainty
7 that that'll create. Hopefully, we'll do that well
8 in advance of July 1st, 2016 and while that bill is
9 not the subject of today's hearing, I'll be asking
10 for your support when the State Legislature next
11 convenes.

12 I may just want to mention the importance
13 of outreach and education. These programs, depending
14 on the program and the area and the population that
15 is intended to be served, serves something somewhere
16 between a third and maybe 40 percent of the potential
17 eligible recipients. Raising the threshold obviously
18 adds a lot of new people to that pool for both SCRIE
19 and DRIE, but also I think provides an opportunity to
20 rethink the outreach and the means of getting more
21 people involved. I'm very happy we've been working
22 already with the Department of Finance on their
23 implementation of SCRIE and I'm very happy to hear
24 that they again are you know, reiterating their
25

1
2 commitment to rethinking, outreach and expanding it.
3 It's a terrific thing.

4 I guess I... you know with my written
5 testimony in your hand, I guess I'll end there and
6 I'm happy to... again, thank you for the opportunity
7 to testify and happy to take any questions or
8 comments you all have.

9 [Pause]

10 CHAIRPERSON COHEN: Council Member
11 Rosenthal.

12 COUNCIL MEMBER ROSENTHAL: Brian, I don't
13 know that you're the right... thank you so much for
14 introducing the bill and for work... it's a pleasure
15 working with you.

16 ASSEMBLYMAN KAVANAUGH: Thank you.

17 COUNCIL MEMBER ROSENTHAL: So maybe
18 you're not the right person, so there's SCRIE,
19 there's DRIE and there's SCHRE [sic]. Where are we
20 on the...

21 ASSEMBLYMAN KAVANAUGH: I think you mean
22 SCHE and DHE.

23 COUNCIL MEMBER ROSENTHAL: SCHE, okay.

24 ASSEMBLYMAN KAVANAUGH: There are...

25 [crosstalk]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCIL MEMBER ROSENTHAL: Thank you.

[crosstalk]

ASSEMBLYMAN KAVANAUGH: There are...
there are... the programs we have been discussing,
the DRIE bill is a renter program, as is SCRIE.

COUNCIL MEMBER ROSENTHAL: Yes.

ASSEMBLYMAN KAVANAUGH: There are
companion programs for...

[crosstalk]

COUNCIL MEMBER ROSENTHAL: That's right.

[crosstalk]

ASSEMBLYMAN KAVANAUGH: Homeowners and
for both senior and for people with disabilities who
are homeowners. Those programs work by reducing the
property tax burden. They allow the locality to give
up to 50 percent credit toward basically a reduction
in property taxes. Those programs are still on the
books, but in the mysterious ways we're doing this
are not the subject... were neither the subject of
the budget change in...

[crosstalk]

COUNCIL MEMBER ROSENTHAL: No.

[crosstalk]

1
2 ASSEMBLYMAN KAVANAUGH: April or of this
3 bill. However, I have a bill that should be numbered
4 imminently that will also give those programs parity
5 and I again, will be discussing that further and
6 looking for your support and the intent is to make
7 those benefits retroactive to July 1 as well.

8 COUNCIL MEMBER ROSENTHAL: Thank you.

9 CHAIRPERSON COHEN: Thank you,
10 Assemblyman.

11 ASSEMBLYMAN KAVANAUGH: Thanks. It's a
12 pleasure.

13 [Pause]

14 CHAIRPERSON COHEN: Okay, Michael
15 Grinthal from Legal Services, Robert Desiree...
16 Desir, Elizabeth Esser-Stuart, Susan... this is not
17 my fault, by the way; this is her fault; Dooha.

18 [Pause, background voices]

19 CHAIRPERSON COHEN: Could you identify
20 yourself for the record, please?

21 MICHAEL GRINTHAL: Sure, my name is
22 Michael Grinthal. I'm a supervising attorney at MFY
23 Legal Services. MFY Legal Services serves thousands
24 of people with disabilities every year. Through our
25 mental health project we serve over 2,500 people with

1
2 mental illness every year and it's in that area that
3 I'd like to speak specifically on and I'll keep my
4 remarks brief.

5 It's heartening to see the unified
6 support for the bill here and we want to express our
7 gratitude to the Council, as well as to Assembly
8 Member Kavanaugh for making this happen and making it
9 happen quickly. Sara Meyers had noted that a lot of
10 folks who might... who are eligible for DRIE or whose
11 income is between the old threshold and the new
12 threshold might not be eligible for DRIE because they
13 are limited to federal subsidy SSI or SSDI. One
14 thing I'd like to point out where we see a possible
15 population that will be able to take advantage of the
16 increase in income eligibility are people with mental
17 illness who live in households where they themselves
18 are on a subsidy, but the income of the household as
19 a whole would be above the previous limit and that's
20 especially important not just because there are a lot
21 of such people, but because keeping families together
22 is so important to treatment and maintenance for
23 people with mental illness and of course, as has been
24 shown many times over, so is housing stability, so
25 this is really going to the heart of what it means

1
2 for our clients who are struggling with mental
3 illness and housing issues.

4 One other place, and this may not be the
5 biggest benefit, but I would like to point out that
6 what we often see, because we also have a seniors
7 practice, is that when folks who get DRIE turn 62
8 they often transfer to SCRIE because it has the
9 higher income threshold and especially over the last
10 few weeks they would have done that and it's a good
11 thing that they don't have to do that now. It's a
12 good thing for them that they don't have to take the
13 time to do that. It's a good thing I think for the
14 Department of Finance that they don't have to process
15 those transfers. It's a good thing for us that we
16 can focus on... that we can tell people who have DRIE
17 or who have gotten DRIE this is something that you
18 can keep. So there are... even though you know, the
19 people on subsidies may not seem like they can take
20 advantage of this increase in income eligibility,
21 there are, in fact, a lot of ways that it will impact
22 them.

23 I'd also like to say that we applaud the
24 Department of Finance for what they've been doing to
25 proactively outreach around the SCRIE increase and we

1
2 look forward to working with them and as I'm sure
3 they expect, nagging them, over similar efforts
4 around DRIE. We are already revising our back
5 sheets, so. Thank you.

6 CHAIRPERSON COHEN: Thank you.

7 SUSAN DOOHA: Good afternoon, my name is
8 Susan Dooha and I'm the Executive Director of Center
9 for Independence of the Disabled in New York and our
10 organization has been around for 36 years serving
11 people with disabilities across New York City. In
12 2013, we served about 17,000 people and I bring you a
13 story of a woman who did not want to appear herself
14 today because she wishes to maintain her privacy.
15 After 32 years in her apartment, Diana's faced with
16 losing her home. She's a 58-year old woman living on
17 Social Security Disability Income, who has a
18 psychiatric disability. Diane lived with her mother
19 in the apartment until her mother's death last month.
20 As she mourns her mother, Diane juggles the rent and
21 other bills on her own now, even though the apartment
22 is rent regulated and she can just afford it. With
23 the increase that will come with her next lease,
24 she'll be priced out of her housing.

1
2 There is a housing crisis in New York
3 City for people with disabilities and people like
4 Diane who can live independently in the community,
5 but who are often at-risk of homelessness or
6 institutionalization because of their rents and we
7 often see people like Diane who fall between the
8 cracks. If this bill does pass, and I hear that it
9 is uniformly well supported and I'm deeply grateful
10 to the members of the committee and to Assembly
11 Member Kavanaugh and Senator Savino for all their
12 hard work, then it would make an enormous difference
13 in Diane's life and she would be able to remain in
14 her apartment.

15 I would also like to point to another
16 population that can benefit from the increase in
17 DRIE's income threshold and that is people with
18 disabilities who are on SSI or SSDI who are
19 attempting to transition into employment, and these
20 are people who have to balance what they might earn
21 moving into employment with what they might stand to
22 lose that keeps them afloat in the community. It's
23 very hard to work if you have a disability and you
24 also are homeless, so the idea that people would be
25 able to keep their disability rent increase exemption

1
2 a little longer as they try to go to work is really
3 critical and this suggests avenues for outreach as
4 well through the vocational rehabilitation system and
5 its providers, ACCES-VR and the various providers who
6 work with people with disabilities to get them ready
7 for work and to help them as they become employed.

8 We also participate in the marketing of
9 other programs and in enrollment in other programs as
10 an independent living center. We're a facilitated
11 enroller sort of for the Medicaid program. We help
12 people access health coverage as a navigator. Why
13 not look at these programs that deputize community-
14 based organizations that see a high volume of people
15 with disabilities to become engaged in enrolling
16 people in the DRIE program and the SCRIE program.
17 Thank you for listening.

18 CHAIRPERSON COHEN: Thank you.

19 ROBERT DESIR: Good afternoon. I'm
20 Robert Desir. I am a staff attorney with the Legal
21 Aid Society. Good afternoon, everyone. We thank
22 you, committee head chair... Committee Chair Cohan
23 for holding this hearing. We thank Council Member
24 Rosenthal for sponsoring this legislation and also

1
2 the other council members who are co-sponsoring this
3 legislation.

4 On behalf of the countless disabled New
5 Yorkers that subside on fixed incomes, incomes that
6 are not keeping pace with rising costs, we urge this
7 body to expand the maximum income eligibility for
8 tenants living with disabilities, low-income,
9 disabled new Yorkers that would benefit from the
10 corresponding changes to the DRIE program that were
11 made with the SCRIE program deserve the same relief
12 that people who are eligible for SCRIE are receiving.
13 As with the SCRIE, the DRIE program will go a long
14 way toward preventing homelessness and preserving
15 affordability for a particularly vulnerable group of
16 tenants living in rent stabilized housing. The
17 annual cost of living increases for disability
18 benefits are far smaller than annual rent increases
19 for rent stabilized tenants. This increased tenants'
20 rent burden and placed them at severe risk of
21 homelessness and displacement. The tenants that
22 would benefit from the DRIE program are typically
23 those living with fixed income, those receiving
24 disability benefits such as SSD and SSI and Veterans
25 Disability benefits. This legislation will go a long

1
2 way towards preserving affordability and ensuring
3 that these residents have a place to call home. I
4 thank you for the opportunity to testify and urge you
5 to pass this important legislation.

6 CHAIRPERSON COHEN: Thank you.

7 ELIZABETH ESSER-STUART: Hi, my name is
8 Elizabeth Esser-Stuart. I'm here from the Legal
9 Assistance Group and LegalHealth. We want to commend
10 all those who have worked on this law and strongly
11 urge its passing.

12 NYLAG has hundreds of clients who are
13 disabled, many of whom live in rent stabilized or
14 otherwise subsidized apartments, for whom this
15 increase in yearly income will be a great relief and
16 for whom DRIE is the only means to remain in their
17 affordable homes, often of decades. An increase of
18 \$50,000 in annual income for DRIE eligibility will
19 prevent vulnerable people with disabilities from
20 facing eviction, become even more impoverishment by
21 ever rising rents or being forced into nursing homes
22 at a much greater cost to taxpayers. This increase
23 in the income for DRIE eligibility is a great stride
24 towards keeping disabled persons housed, as well as
25

1
2 maintaining New York City's dwindling affordable
3 housing stock for a little longer.

4 LegalHealth provides legal services in
5 hospitals across the city and we see how disabled
6 persons are affected by the threat of or actual loss
7 of housing on a daily basis. As this body is acutely
8 aware, this problem is particularly severe for
9 disabled low-income people with serious health
10 problems. Many disabled persons struggle to survive
11 to remain in their homes and pay their medical bills.
12 Not only do they have to deal with the health problem
13 itself, but the expense of the health problem. The
14 stress and uncertainty of facing eviction exacerbates
15 their conditions.

16 I just want to bring up one example.
17 NYLAG recently assisted Marco, a 53-year old patient
18 at Elmhurst Hospital, who will struggle to afford his
19 apartment after a major capital improvement allowed
20 the landlord to raise the rent by 15 percent from
21 \$1,400 to \$1,610. He receives \$1,740 in Social
22 Security Disability and \$540 for his pension, putting
23 him just above the current income eligibility for
24 DRIE and of course, he's under the age requirements
25 for SCRIE, so Marco cannot get a job due to his

1 disability and will be unable to afford his apartment
2 due to the rent increase. It's a rent stabilized
3 apartment.
4

5 We realize that this may have to be
6 addressed by the state and not the Council; however,
7 with just a slight amendment to the law to allow for
8 anyone who had DRIE in the past, but was no longer
9 eligible because of his or her income was too high to
10 be able to obtain the benefit again at the rate at
11 which their rents were previously frozen, perhaps by
12 making this law, once passed, effective
13 retroactively; that's before the July 1st is our
14 preference.

15 And then similar to our testimony in
16 support of the recent increase to the SCRIE income
17 limit, we also urge the following immediate changes:
18 that DRIE applications, letters and notices be
19 available and sent out in a diversity of languages
20 and not just in English; that all DRIE forms
21 regardless of which agency administers the
22 application process be available online; that DRIE
23 recipients receive automated phone reminders about
24 their renewal due dates because the letters are not
25 enough and sometimes get lost and that the DRIE

1
2 specialists at 311 either truly be knowledgeable
3 about DRIE or that there be a community liaison at
4 the agency that administers DRIE that advocates and
5 recipients can reach directly to ask questions and to
6 resolve minor issues informally. We'd be happy to
7 discuss our proposals further with the Council or
8 other advocates and work together to make this
9 program even better than it is and we thank all of
10 you for your support and speedy resolution to this.
11 Thank you.

12 CHAIRPERSON COHEN: Thank you. Council
13 Member Johnson?

14 COUNCIL MEMBER JOHNSON: I just want to
15 thank you all for being here today and your advocacy
16 that you do day in and day out for the most
17 vulnerable New Yorkers that rely upon your
18 organizations and your advocacy and it's always
19 helpful to hear the real world stories with a face
20 behind them like Diane and like Marco, so it's not an
21 abstract issue, but understanding how this really
22 impacts the day to day lives of folks who really
23 depend on these and I'll just say, and I don't say
24 this in a self-congratulatory way 'cause I know that
25 my colleagues do this well, but the Finance Division

1 here at the Council sends each council member a
2 listing of people who are on SCRIE or DRIE who have
3 not re-upped for whatever reason and my office calls
4 these people over and over and over again until we
5 get a hold of them and we assist them in re-upping
6 their applications and most of these folks are
7 incredibly grateful that someone reaches out to them;
8 asks them if they need help filling out the
9 application; sending it in; they can come to our
10 office. And so the plans that I heard from the
11 Department of Finance earlier today with regard to
12 their recommendations that NYLAG just mentioned, I
13 think those things are actually going to be
14 implemented and we'll continue to push to make sure
15 they are as well, so that people do get the
16 assistance they need when they are trying to receive
17 these benefits. So thank you for being here today
18 and your advocacy on behalf of the folks that need it
19 most.
20

21 CHAIRPERSON COHEN: Thank you very much.

22 COUNCIL MEMBER VALLONE: I'm sorry, one
23 second before you guys leave. I just wanted to jump
24 in and also thank you and also give you a little bit
25 of advanced notice. We're just waiting for a date.

1 A lot of the issues that you have brought up, and
2 it's all different tiers and levels of security,
3 legal advice, protection that we can provide. My
4 concern after doing elder law for 20 years is where
5 of those with disabilities and seniors fall when
6 there is no place to go, so that brings in Adult
7 Protective Services, DOE, Human Resources, so we, as
8 a Council, have asked for a task force on senior
9 issues and I really need you guys there with these
10 real live stories. The chair has today, the council
11 members have all expressed their understanding and
12 appreciation of going forward with this and the idea
13 is to address those in most need who haven't taken
14 the steps to protect themselves and what the city's
15 responsibility is to everyone that falls in that
16 class and there's a very wide gap right now as to
17 what the city is doing or should be doing, and I
18 think it's just a matter of having the experts and
19 those that work in the field really looking at the
20 same laws and legislation that we're doing now and
21 amending it and changing it 'cause the resource is
22 there, it's just not being applied in my eyes
23 correctly. So I just ask your help for that when the
24 senior task force starts. A lot of folks, whether
25

1
2 they're judges or lawyers or paralegals are saying
3 please let us know and we'll gladly come and start to
4 look at the system. It brings in guardianships; it
5 brings in all of that world and there's very few
6 people and right now with our committees are looking
7 at that and that's when everyone keeps talking about
8 interagency action now and cooperation. Now is the
9 perfect time to do that, so I just wanted to mention
10 before you left that that's on the horizon.

11 SUSAN DOOHA: That's a really exciting
12 opportunity and I'm sure I speak for my colleagues
13 that we would really look forward to the chance to
14 talk about the ways that people fall between the
15 cracks and what the city might do. Thank you.

16 COUNCIL MEMBER VALLONE: Thank you.

17 CHAIRPERSON COHEN: Thank you for your
18 testimony.

19 [Pause]

20 CHAIRPERSON COHEN: Edith Prentiss and
21 Deborah Griff... Grife [phonetic].

22 [Pause, background voices]

23 CHAIRPERSON COHEN: Just please state
24 your name for the record.

25

1
2 EDITH PRENTISS: Edith Prentiss and I
3 am... lots of things, but today I'm being DIA,
4 Disabled in Action Metropolitan New York. I love the
5 discussion about... I'm sorry, the cap is not going
6 to \$5 million. Who in New York City currently in our
7 population is actually paying less than a third of
8 their rent? When I started as a caseworker in 1980
9 and did lots of senior DRIE applications, I had some
10 clients who had rents of \$85. You wouldn't want to
11 live there, but they had rents of \$85. This is now
12 35 years later. I don't think we really need to
13 worry about anyone paying less than a third of their
14 income when the cap for the program is \$50,000.
15 Let's get over that. The population that's going to
16 be well served by this increase are people like
17 myself, who worked, who were professionals and became
18 disabled. I was a contract worker for the City of
19 New York, Department of DFTA and had a reasonable
20 salary, a reasonable Social Security, but we don't
21 have anything else. We're the population that were
22 above \$19,000 and we're the population that's below
23 \$50,000. This is a very important increase for our
24 community. Individuals who are... have much lower
25 incomes were eligible for DRIE. The problem is there

1
2 has never been an effective DRIE outreach program and
3 a good part of that program is because there are very
4 few programs that service the general person with
5 disability. It's not like aging, where you have a
6 senior center; multiple senior centers in every
7 community. We can't get into half of your offices.
8 We can't get into other public places if we're chair
9 users. The number of council members who still have
10 inaccessible offices is truly embarrassing, truly
11 embarrassing. I would love to see something done
12 about that; you could police yourself a little maybe.
13 But the issue remains that we are in many cases
14 underserved, underserved and basically ignored and I
15 think that's a problem. I have to say the Council
16 has been very supportive. You've been great on the
17 taxis, you've been great on a number of other things,
18 but the problem is is most of other things it goes
19 from you to the state and the state... I love all the
20 legislators who very proudly told me how they had
21 increased SCRIE; how they have increased EPIC with no
22 awareness that younger disabled New Yorkers were not
23 impacted by those increases. So I think there's a
24 need for leaning on the state a little more. I was
25 telling Kavanaugh that... it's a funny thing, I had a

1 conversation with Kemp Hannon yesterday. We were
2 talking about EPIC and he said to me, "Well, you know
3 when we save more money; when the doughnut hole
4 closes we'll be able to give you EPIC," and I said,
5 "If the doughnut hole is closed, do I really need
6 EPIC?" You know, the awareness is that we should
7 just wait six years. Why are benefits for people
8 with disabilities always held to the fiscal litmus
9 test? If there's extra money we'll give you a
10 benefit. It's not that we deserve a benefit and I
11 think that you know the city's getting screwed in
12 this because the city is carrying the full freight
13 for the DRIE expansion, but you know what? We've had
14 SCRIE for how many years; at least 25; at least 30,
15 35. It was around in 1980. I can tell you that
16 much. When do people with disabilities get that same
17 consideration? Thank you.

19 DEBORAH GRIFE: Good afternoon. My name
20 is Deborah Grife. I am a person with disabilities,
21 I'm the parent of a child with disabilities and I
22 have a sibling with disabilities and my late mother
23 was disabled. When SCRIE came into effect, my mother
24 couldn't take a part of it and why? Because my son
25 and I lived in the household with her and we had to

1 help share and pay the rent, so they weren't going to
2 just freeze one-third of the rent. Well, I've been
3 disabled very long and every time we've tried to go
4 for DRIE I'm always a drop above that income. You
5 seem there's an issue that comes with families who
6 have children with adult mental disabilities 'cause
7 one of my other hats is I do chair the Brooklyn
8 Family Support Advisory Council with OPWDD. Many of
9 our children will not work or not work and make
10 enough money, so what happens is they become what's
11 called DACs or Adult Survivors, so you see, my son's
12 father died; he collects his father's Social
13 Security. Last year, my father died; my brother
14 collects it 'cause my brother, being that he has
15 emotional and other disabilities that are more
16 severe, I had no problem letting him have it. I'm
17 the only one on SSI. If you went by my monthly
18 income; I'll tell you what people get a month in SSI:
19 \$808. That's the most I'll get. If I did not live
20 with my younger brother and my son, and let's see, my
21 son and brother because they're DACs, it brings my
22 income... I'm just like... and I had someone from the
23 Coalition for the Homeless check my budget over the
24 weekend and I may make it. I may make it, but my
25

1
2 rent already went up because this month was the last
3 time I get to pay \$960.18, that's the whole rent.
4 Now we're going over \$1,000 and I know a major
5 capital improvement's coming in 'cause my landlord
6 wanted a new elevator. That keeps breaking down
7 anyway; the computer keeps going off. I also have to
8 pay Con Edison and you know what? We do pay
9 telephone; there's the cable bill. Yeah, I know
10 cable may be considered frivolous and the internet,
11 but everybody... but in one way it's not because
12 every time I go I'm told to keep in contact or check
13 everything online; go online. Well, that costs
14 money. Other households with disabilities, the
15 medications are expensive; the equipment's expensive.
16 My son, my brother and I have serious food allergies
17 and in the developmental disability world, we have
18 children with autism who have challenging behaviors
19 who can be very difficult and destroy the household.
20 So I mean they destroy in the house and the parent
21 has to keep getting a new bed; they have to get new
22 sheets. I could go on and on and you don't take into
23 consideration the things that go... the cost of being
24 a person with disabilities. To get a half fare card,
25 gee, I was lucky I'd qualified and my brother too and

1 my son thank God, so that helped us with
2 transportation issues, but we still... you know even
3 though I look like I can move around, as I don't use
4 a wheelchair, I do have issues with mobility. It
5 does affect my breathing. I've broke my foot three
6 times. It is hard. I always have to know where the
7 L train station is, so I would like... and also when
8 I've tried to fill out the DRIE form, it mixes me up.
9 I can't figure it out. It's one of the hardest thing
10 to fill out and I want to tell you, I fill out my
11 brother's Medicaid forms 'cause my brother and son
12 get to buy in; I do that with no problem and I can
13 fill out the food stamp forms; I know how to do
14 public assistance 'cause I've helped other people. I
15 even know how to fill out the Social Security forms
16 and those aren't easy, but yet I can't do the DRIE.
17 I can't figure it out and I don't even understand why
18 they think a third of my rent. They're... you know
19 even a quarter of our rent is a lot when you see what
20 goes on with people living with disabilities.
21 Whether it's developmental, mental, physical,
22 emotional, we have very unusual expenses and no one
23 takes it... and I'm not even talking about the
24 basics. I mean for many of us who have to stay home,

1
2 having the television on is a comfort or being able
3 to go online to socialize because you physically
4 can't get out of the house because guess what? The
5 elevator broke down and then you don't know when
6 you're going to get out. So these expenses need to
7 be added in because it's really unfair and I
8 appreciate though the City Council is taking this.
9 I appreciate it very, very much. My son, brother and
10 everyone I represent we're thrilled and thank you so
11 much. Please ask them to count in these expenses.
12 Thank you.

13 COUNCIL MEMBER VALLONE: Thank you again
14 for... you know, the more you share your life
15 experiences with us, the better we get at it also, so
16 thank you for coming out today.

17 CHAIRPERSON COHEN: Thank you for your
18 testimony. Final panel is Moses Gates, Mary Ann
19 Rothman.

20 [Pause]

21 CHAIRPERSON COHEN: And if you could
22 state your name for the record, we'd appreciate it
23 too.

24 MOSES GATES: Hi, my name is Moses Gates.
25 I'm representing the Association for Neighborhood and

1
2 Housing Development. We're a coalition of 98 not-
3 for-profit local housing organizations doing
4 development work, community organizing, housing
5 organizing, anti-displacement work. We generally
6 testify for the... you know, the Housing Subcommittee
7 or the Housing and Buildings or on Land Use issues
8 and things like that, but we thought that this issue
9 is so important we wanted to come and show the
10 support of the affordable housing community as well.
11 We are strongly in support of this bill. We think it
12 fills a much needed gap for helping to preserve
13 affordable housing for vulnerable populations in New
14 York City and in terms of outreach, we offer
15 ourselves as a resource to try to help do outreach.
16 We have a very strong on the ground community
17 organizations that are able to do this and many of
18 our organizations administer SCRIE and DRIE help and
19 forms, not just for the apartment, but helping other
20 folks anyway, so we would like to offer that and I
21 will turn it over to my colleague, Mary Ann.

22 MARY ANN ROTHMAN: Good afternoon and
23 thanks for this opportunity to testify. You can see
24 why he... when Moses first came to New York we were
25 happy to hire him at the Council of Co-ops and

1
2 Condos. My organization deals primarily with co-ops
3 and condos and I can echo every word he just said.
4 We thought this legislation was so important that we
5 had to come to this committee and testify in strong
6 support.

7 I was very pleased to hear Assemblyman
8 Kavanaugh say that there is parallel legislation
9 being considered in Albany for owners of homes, which
10 is what normally includes co-ops and condos. The
11 immediate reason why we're delighted with this
12 legislation is that many of our member co-ops and
13 condos have seniors who... or individuals who opted
14 to remain in their homes when the buildings became or
15 were converted to co-ops and condos and in fact, in
16 many cases, the sponsors who proceeded to default on
17 the co-ops and condos themselves are responsible for
18 those units for the difference between the rents they
19 collect and what it costs us to operate them, et
20 cetera and in most buildings there's a very strong
21 support for these tenants and the fact that disabled
22 tenants may now have a better chance and better
23 protection to live on affordably in their homes is
24 wonderful. We note that the legislation in talking
25 of co-op speaks only of the individual's present in

1
2 cooperatives developed under the Section 213 program,
3 who were there at the time of the original mortgage
4 guarantees. I'm kind of intrigued by that because
5 there are so many programs that provide affordable
6 housing in co-ops and sometimes in condominiums
7 throughout the city. As I say, I'm happy Mr.
8 Kavanaugh is going to introduce legislation for
9 homeowners in general, but I would respectfully
10 suggest that thought be given to include in HDFC co-
11 ops; Michell-Lama co-ops; mutual redevelopment; any
12 kind of specifically affordable limited equity co-ops
13 in the raising of the threshold here and I thank you.

14 CHAIRPERSON COHEN: Council Member
15 Vallone.

16 COUNCIL MEMBER VALLONE: Just real quick,
17 I extend again the offer to both of you, especially
18 when we do our DOE hearings and we're talking about
19 NORCs and the Department of Aging's definition of
20 NORCs. I think co-ops and condos are not included as
21 much as they should be and I know firsthand in my
22 district, which is all of Northeast Queens, there's a
23 huge number of seniors and co-ops in condos that have
24 chosen to live their life in these remaining
25 facilities or apartments and are now increasingly in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

danger of losing that, so these programs are critical for that, so we look forward to working with you and thank you for coming down today

CHAIRPERSON COHEN: Thank you for taking the time to testify today. This concludes this hearing. Thank you very... and we're convening again on Thursday, Thursday at 10:30. Thank you.

[gavel]

C E R T I F I C A T E

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



Date August 5, 2014