

1 BEFORE THE NEW YORK STATE SENATE  
2 STANDING COMMITTEE ON HOUSING, CONSTRUCTION, AND  
COMMUNITY DEVELOPMENT  
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3  
4 PUBLIC HEARING:

5 RENT REGULATION AND TENANT PROTECTION LEGISLATION  
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6  
7 Newburgh Armory Unity Center  
8 321 South William Street  
Newburgh, New York

9 May 23, 2019

10 PRESIDING:

11 Senator Brian Kavanaugh  
12 Chair

13  
14 PRESENT:

15 Senator Neil D. Breslin

16 Senator Shelley B. Mayer

17 Senator Jen Metzger

18 Senator Zellnor Myrie

19 Senator Julia Salazar

20 Senator James Skoufis  
21  
22  
23  
24  
25

	SPEAKERS:	PAGE	QUESTIONS
1			
2			
3	Jonathan G. Jacobson Assembly Member New York State Assembly	5	9
4			
5	Juanita Amador Co-Founder Kingston Tenants Union	12	47
6			
7	Rashida Tyler Co-Founder, Kingston Tenants Union Also, Member of the State Board of Citizen Action of New York	12	47
8			
9	Betsy Kraat Member Patsy Smith Member Kingston Tenants Union	12	47
10			
11			
12	Nick Page County Legislator Dutchess County Legislature	60	
13			
14	Carla Johnson Resident of Newburgh CVH Member	69	
15			
16	Michele McKeon Chief Operating Officer Regional Economic Community Action Program	76	
17			
18	Albert Annunziata Executive Director Westchester Building and Realty Institute	85	95
19			
20			
21	Anthony Grice Councilman-At-Large	111	
22			
23	Ramona Monteverde Councilwoman, Ward 2 Newburgh City Council	111	
24			
25			

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

SPEAKERS (Continued):

PAGE QUESTIONS

Tamie Hollins A Tenant City of Newburgh	111	
Bob Braunclich A Tenant Kingston Tenant Union	121	
Omari Shakur Member New Voices Heard	127	135
Patrick Cousins Resident and Landlord City of Newburgh	127	135
Thomas Bosket Member Martin Colavito Member Sullivan Agencies Leading Together	137	145
Liliana Cobo Member Angel Estrada Member Make the Road	147	

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1           SENATOR KAVANAGH: Okay, ladies and  
2 gentlemen, we are ready to convene our next hearing  
3 for the day.

4           So, if folks talking in the back could either  
5 take seats or, you know, step outside, we'd  
6 appreciate it.

7           Shhhh.

8           So it -- we're going to -- we're just about  
9 to begin, so if people could take seats, or maybe  
10 step outside, we'd appreciate it.

11           We still have a couple of senators, and  
12 perhaps witnesses, getting to their places, but  
13 I think we will go ahead and convene this hearing of  
14 the Standing Committee on Housing, Construction, and  
15 Community Development.

16           This is a public hearing on rent regulation  
17 and tenant protection legislation.

18           This is our fourth hearing on this topic.

19           I would note that we have one additional  
20 hearing in Greenburgh on Tuesday, the 28th, from  
21 10 a.m. to 2 p.m., at Greenburgh Town Hall.

22           But today we're very happy to be here in  
23 Newburgh.

24           Given that we are beginning substantially  
25 later than our scheduled time, first, let me begin

1 by thanking all of those who got here on time, and  
2 have been very patient, waiting for a prior hearing  
3 to conclude.

4 And I would also suggest that, perhaps, my  
5 colleagues and I will forego any extensive opening  
6 remarks, but I will give -- I will first acknowledge  
7 that we have with us, Senator Breslin,  
8 Senator Salazar, Senator Myrie, Senator Mayer,  
9 Senator Metzger, and, Senator Skoufis has just  
10 stepped out, but will be -- because he was  
11 participating in the prior hearing, but he will be  
12 joining us very shortly.

13 I will, I guess, give my colleagues the  
14 opportunity to say any urgent opening remarks if  
15 they choose.

16 Okay.

17 Thank you, all.

18 So our first witness then, is Assembly Member  
19 Jonathan Jacobson.

20 And, welcome, and thank you for welcoming us  
21 here to Newburgh as well.

22 ASSEMBLYMAN JONATHAN G. JACOBSON: Thank you.

23 Thank you, Senator.

24 Thank you for having these important hearings  
25 on rent regulation and tenant protection.

1           And it's -- I think it's notable you're  
2           having it that goes later in the day so that people  
3           that have to work or pick up their kids from school  
4           are able to come later, and I appreciate that.

5           As with many areas of the law, there needs to  
6           be a balancing act; there needs to be a balance  
7           between the needs of the tenants and the need to  
8           encourage proper development.

9           In the city of Newburgh there is a need to  
10          protect tenants, and also a need to incur  
11          development for more better housing.

12          I have committed to support these bills to  
13          protect tenants, and I've signed on to them.

14          It's important --

15                 [Applause.]

16          ASSEMBLYMAN JONATHAN G. JACOBSON: It's  
17          important to protect good tenants who have paid rent  
18          for years, particularly seniors, and would have no  
19          place to go if they are evicted.

20          We have that a lot in Newburgh, they're  
21          fearful, because there just isn't a lot of housing.

22          This is why it's important that we -- that we  
23          make sure we encourage more housing, because if  
24          there was more better housing, it would change the  
25          situation, because those landlords that are not

1 putting their apartments up to code would have a  
2 reason to, because they would have competition to  
3 rent out their places.

4 So we have to think of both as we go along.

5 But we need that protection, we need to make  
6 sure.

7 I thought the proposed good-cause bill has  
8 taken into account most concerns that people had in  
9 the past, particularly when an owner wanted to use  
10 the premises for him or herself for their family.

11 The one section which is being changed,  
12 I hear, concerns a section which defines what is  
13 considered "unconscionable rent increase."

14 The current language states that an  
15 "unconscionable rent increase" would be something  
16 greater than 1 1/2 times the rate of inflation,  
17 which, for this year, would be 3 percent.

18 So if this was a rent of \$750 a month, there  
19 would be only an increase of \$22.50, or \$30, on  
20 1,000.

21 It's probably unlikely that such a small  
22 increase would cover water, sewer charges, or tax  
23 increases.

24 So I think that, perhaps, what would be  
25 better is to talk about unconscionable rent, and

1 list the factors that would be considered when  
2 determining that, because we want to make sure that,  
3 when we go ahead to get new developers here in  
4 Newburgh and other -- in Poughkeepsie and other  
5 cities that really need it, they're not discouraged  
6 totally from stepping up to the plate.

7 And like I said, we do need better housing so  
8 that the tenants here would not be forced to rent  
9 from some of the landlords you heard from earlier.

10 So, I think that would really be helpful.

11 Also, concerning the statewide rent control,  
12 and from what I understand the bill to say, it's for  
13 buildings built in 1973 or earlier.

14 I think we have to make it clear what happens  
15 when you have an old building, from 1917, and it's  
16 been vacant for a lot of years, and now we finally  
17 get somebody to do something, and they get a new CO  
18 in 2019.

19 So that should be considered new construction  
20 and not part of it.

21 But I think it should be clear in the statute  
22 so people know what they're getting into.

23 But, I just want to say I applaud the effort.

24 This is difficult.

25 But -- and I think that the fact that you're

1 having these hearings is important, because you have  
2 to explain what's going -- what's going on with  
3 these bills.

4 I do believe that the problem with tenants  
5 and rent is a statewide issue, and I'm sure you  
6 found that out as well.

7 And I just think that, when you balance it  
8 out so that we can encourage more development in  
9 cities like Newburgh, which has been getting some  
10 more development, not enough, that we can do both.

11 I think we can; I think we can protect  
12 tenants while encourage development.

13 And I appreciate the opportunity to speak  
14 before you, and congratulate you on your efforts.

15 SENATOR KAVANAGH: Thank you.

16 I'll just begin, briefly, just a few  
17 comments.

18 First of all, thank you again for your  
19 testimony.

20 Thank you for your leadership in, you know,  
21 advocating for the many bills that we've been  
22 discussing.

23 Just on the issue of good-cause and its  
24 relation to the standard for -- for  
25 unconscionability, you know, I just -- just to

1 clarify for those who might listen, I think -- I'm  
2 sure that you know this, that -- that changes in  
3 those -- in water and sewer charges and other things  
4 that are beyond the control of a given landlord  
5 would, of course, be, you know, acceptable reasons,  
6 even under unconscionability standards, to -- you  
7 know, to exceed the CPI standard that's in the  
8 current bill.

9 But we will -- you know, we'll take that --  
10 we are -- we are having an, you know, extensive  
11 discussion among senators, and certainly with the  
12 Assembly and the Governor's Office.

13 ASSEMBLYMAN JONATHAN G. JACOBSON: Yeah,  
14 I heard it at our own conference, and I'm sure  
15 you've heard in it yours, you know, the concerns.

16 And it's just -- we want to do it right.

17 We don't want to -- I don't think it's an  
18 either/or situation, and it's certainly not  
19 susceptible to bumper-sticker solutions.

20 SENATOR KAVANAGH: Right.

21 And, similarly, on the issue of abandon --  
22 buildings that have been abandoned for a long time,  
23 under current standards, of course, if a building  
24 has to be -- is very -- has been abandoned, and it's  
25 very substantially rehabilitated, also, the rent

1 regulation would not normally imply under those  
2 circumstances if the building is effectively a new  
3 housing that's being created out of a long-abandoned  
4 building.

5 But we -- we have heard that concern,  
6 particularly in this area, and given, you know, all  
7 of the effort to redevelop formally, you know,  
8 currently, unoccupied housing.

9 So, you know, that might be worth -- there  
10 might be something we can consider clarifying.

11 But we do -- again, we do very much  
12 appreciate your comments.

13 ASSEMBLYMAN JONATHAN G. JACOBSON: I  
14 appreciate.

15 I have signed on the bills, but I just think  
16 that we have to work some things out.

17 SENATOR KAVANAGH: Thank you.

18 ASSEMBLYMAN JONATHAN G. JACOBSON: Thank you.

19 SENATOR KAVANAGH: Okay. And I'm going to --  
20 we appreciate the enthusiasm for this topic, and  
21 I am -- and I -- and we had a little bit of  
22 applause, including from a lovely small child  
23 before, which was very sweet.

24 We are going to ask that people not -- just  
25 so that we can get through the questions and hear

1 all your testimony, I would ask people not to react,  
2 you know, too much to the -- to what you hear today,  
3 whether you like it, or perhaps maybe you won't like  
4 some things we hear today.

5 But, we are going to try to get as many  
6 points of view out as we can today.

7 So next up we're going folks from the  
8 Kingston Tenants Union.

9 We have Patsy Smith and Juanita Amador.

10 And if there's anyone else from Kingston  
11 Tenants who is expecting to testify, if you could  
12 come up as well.

13 So, again, we're going to run, basically,  
14 10 minutes for testimony.

15 There is a clock there, and we will -- we'll  
16 remind you, if you do have written documents you  
17 want to submit, we will accept those as part of the  
18 written record of this hearing as well.

19 We will ask people to -- you know, to -- to  
20 respect that time so that everybody can get their  
21 turn.

22 And, in addition, then we'll have five-minute  
23 periods for senators to ask questions of the  
24 panelists.

25 So, if you could begin.

1           Each person should begin, please, by stating  
2 your name for the record, so that it's in the  
3 official recording of the hearing, and any  
4 affiliations you want us to know about, and then  
5 proceed with your testimony.

6           JUANITA VALESQUEZ-AMADOR: My name is  
7 Juanita Velazquez-Amador, and I am the founder of  
8 the Kingston's Tenant Union.

9           These are two members here with me, Patsy and  
10 Betsy.

11           And we are here due to the fact that  
12 Ulster County does not have any protections for  
13 their tenants.

14           I've been fighting, due to the fact that,  
15 E&M Management came up here into Ulster County and  
16 took over.

17           And I may not have any paperwork for you, but  
18 I have a lot of pictures for you.

19           I lived in E&M properties, where they came  
20 in, removed all our amenities, and raised our rents,  
21 and left us with no repairs.

22           I lived in an apartment with sewage coming  
23 out of my tub, for months.

24           And they did nothing.

25           I had bedbugs because the building had

1 bedbugs.

2 They did nothing.

3 Okay, we had roaches, because we had a sewer  
4 problem throughout the property. And everything  
5 that came out that sewer, everybody, all the  
6 tenants, were feeling it.

7 They have other properties where they are  
8 having gas leaks, and people are being put out, and  
9 what they're doing is forcing them out.

10 We had staff members who were harassing our  
11 tenants sexually, as well as threatening.

12 And I got tired, so I started speaking out.

13 Ulster County needs tenant protections.

14 We had over 210 evictions alone in Kingston  
15 in one year.

16 That's almost one eviction every other day,  
17 and yet there's no place to house our homeless.

18 We have over 1500 just alone in Kingston, and  
19 that's not including the kids.

20 Okay, we are 57 percent renters, okay, and  
21 most of them are single moms, okay, with children,  
22 that cannot afford to live on their own.

23 And then when we go to ask for help, we're  
24 treated like we're less than nothing.

25 That is wrong.

1           And our own buildings departments do not help  
2           us.

3           You go and you speak to them, and they say,  
4           Well, the landlord is going to evict you anyway, so  
5           there's no use for me to go there.

6           I have one housing inspector that said, Well,  
7           those people, just let me know. I'll get them out  
8           of the apartment. I'll find violations.

9           And her name is Jeannie Edwards.

10          Okay?

11          That is not okay.

12          I'm sorry, due to this administration that  
13          has been in this White House, people of color have  
14          been treated less than human.

15          Protections are what we need, and we need you  
16          all to stand up for us.

17          To be homeless, do I look homeless to you?

18          Do you think I've ever been homeless?

19          Yeah, I was, 'cause I was illegally evicted  
20          out of the E&M property when I fought back and  
21          refused to live in those conditions.

22          So they found a loophole to get me out.

23          So I was homeless.

24          And thanks to my community, I didn't even get  
25          my security deposit back.

1           That's not thing that happens here  
2           Upstate New York.

3           Not no one gets their security deposit back.

4           So how are you supposed to move on if you  
5           can't get your security deposit back to put down on  
6           the apartment that you're about to get?

7           I tried with the common council and our  
8           Mayor Noble, I've given him policies, procedures,  
9           security-deposit law, that could be passed just  
10          within our county, that can help even if we don't  
11          get universal rent control, which we want.

12          But if we don't, there's some protections  
13          that you can put in place for us to make us there,  
14          so that we can have something.

15          It's really sad that we have all these  
16          tenants and children who are being displaced, and  
17          not even going to their same schools anymore.

18          It's not -- I mean, I remember back in my  
19          time, we didn't have tenant protections, and I saw  
20          my cousins, my family, fight for tenant protections  
21          back in the '60s.

22          I remember being burnt out of my apartment  
23          because, back then, you were able to be burned out,  
24          and it was legal.

25          They did burn down the building and you were

1 done, you're out.

2 We need just-cause evictions.

3 We need universal rent control.

4 We need our security deposits back.

5 We need you to please stand up for the  
6 people.

7 We are what we call "the working-class poor."

8 Just because you make less than \$50,000 does  
9 not mean that we are less than.

10 Okay?

11 In actuality, those people that -- they call  
12 "those people" are actually who built America.

13 Okay?

14 Because the rich would not have their money  
15 if it wasn't for the backs of the people that  
16 actually were building the railroads, or building  
17 the roads, or working in Walmart, or stewards, and  
18 we don't even have the minimum wage up here.

19 We're still getting paid \$11.75 an hour.

20 How is anyone supposed to live in an  
21 apartment, at \$11.75 an hour, when you don't even  
22 make that much and your apartment is \$1,000 a month?

23 And that's only for a single apartment.

24 It's -- it's horrific.

25 I just ask that -- I will show you the

1 pictures if you would like.

2 I want to show you what people are living in  
3 right now, to this day, with what they're living  
4 with, because I think this is not right.

5 It's totally not right.

6 This is my apartment. This is what I was  
7 living in.

8 (Witness gets up from table and approaches  
9 the dias with pictures.)

10 JUANITA VALESQUEZ-AMADOR: And they thought  
11 it was okay.

12 I know Kevin Cahill says he's a silent  
13 sign-on for just-cause evictions.

14 Well, I went to his office to speak with him,  
15 and got insulted by his own staff. His receptionist  
16 insulted me.

17 I got video of it.

18 Okay?

19 And he still didn't come out to speak to me.

20 A silent partner is not what we need.

21 We need someone to actually stand up and take  
22 a stand, because, without you, who we put in  
23 office, we ain't gonna make it.

24 That's about all that I have.

25 I'm just asking, we need universal rent

1 control, we need tenant protections.

2 And I'll pass this on.

3 And this is another founder here,  
4 Rashida Tyler, of the Kingston's Tenant union.

5 SENATOR KAVANAGH: Thank you.

6 RASHIDA TYLER: Thank you very much.

7 My name is Rashida Tyler. I am a co-founder  
8 of the Kingston Tenants Union, and I am on the State  
9 Board of Citizen Action of New York.

10 I would like to thank the Senate for holding  
11 the series of housing hearings across New York State  
12 to allow those who are directly impacted by the  
13 current housing crisis to tell you their stories and  
14 their experiences.

15 I am an advocate, and I carry the stories of  
16 many tenants who are struggling to afford  
17 ever-increasing rents, and those who have been made  
18 homeless, by unrestrained market forces here in the  
19 Hudson Valley.

20 I'll skip everything about our organization's  
21 identification, and I'll be submitting my written  
22 testimony.

23 But, the Kingston Tenants Union is,  
24 basically, meant to educate tenants on rights,  
25 provide workshops, and provide rides to court and

1 social services, as well as assistance in housing  
2 search, direct assistance.

3 Citizen Action is an advocacy organization  
4 and we do not provide direct assistance.

5 So I support the passage of all nine tenant  
6 protection bills that are currently before the  
7 Senate and the Assembly.

8 Ending geographic restrictions of the  
9 Emergency Tenant Protection Act would allow  
10 municipalities right outside of the eight counties  
11 already included in the legislation to opt in to  
12 rent stabilization the chance to do so.

13 The City of Kingston's Common Council has  
14 passed a memorializing resolution in support of  
15 expanding the ETPA, and legislation enjoining the  
16 village of New Paltz, cities of Hudson and Newburgh.

17 Good-cause eviction legislation will help to  
18 provide residents of the Hudson Valley with peace of  
19 mind when they speak up against landlords that  
20 refuse to make repairs.

21 Since evictions in -- since 2002, evictions  
22 in the city of Kingston have increased by  
23 57 percent.

24 You can be assured that they are not all for  
25 non-payment or property damage.

1           We have found that when tenants problematic,  
2           landlords will ignore repairs until they become a  
3           safety hazard, at which time they will call the  
4           building inspector and have their own premises  
5           condemned.

6           This is a common end-run around the formal  
7           eviction process which silences many tenants from  
8           reporting needed repairs.

9           It is increasingly becoming more difficult to  
10          find a place to live, and this is compounded for  
11          anyone with an eviction.

12          In Kingston, there is a tenant database run  
13          by landlords -- Kingston Landlord Support that  
14          tracks evictions based on data from courts and the  
15          sheriff's department.

16          This has helped lead to tenant blacklisting.

17          Also, landlords are increasingly requesting  
18          deposits of first, last -- first and last months  
19          rent, in addition to security deposits, to move in.

20          However, there are also increasingly  
21          associated costs with just applying to get a rental,  
22          including application fees, background checks, and  
23          credit checks.

24          In the Hudson Valley we are facing a real  
25          housing crisis.

1           The 2018 Ulster County Rental Housing Survey  
2 found a vacancy rate of non-subsidized apartments  
3 was just 3.16 percent.

4           While anything under 5 percent is considered  
5 an emergency, this statistic gets even worse when we  
6 consider the city of Kingston where the vacancy rate  
7 was just .5 percent.

8           Our communities are in crisis.

9           I hear about the struggle to find available  
10 affordable housing on a daily basis, this morning,  
11 in fact.

12           It is taking longer to find permanent housing  
13 for the homeless. Families are doubling up, causing  
14 dangerous overcrowding. And people are working two,  
15 and even three jobs, to afford a roof over their  
16 heads.

17           This leaves less money for families to spend  
18 on other basic necessities, such as food and medical  
19 care.

20           It is also preventing families from saving  
21 money to purchase homes, for college education, and,  
22 in the long run, it can really limit social  
23 mobility.

24           Many families facing crisis cannot qualify  
25 for public assistance.

1           The 2016 Asset-Limited Income-Constrained But  
2           Employed (ALICE), from the United Way, factors that  
3           there are 11 percent of families in Ulster County  
4           that live in poverty, as defined by the federal  
5           poverty line, of \$11,880 for individuals and \$24,300  
6           for a family of four.

7           However, 30 percent of households are  
8           classified as ALICE, meaning, that they are above  
9           the federal poverty line, but below the basic cost  
10          of living for the county.

11          In order to just survive in Ulster County, an  
12          individual needs to earn at least \$12.06 per hour,  
13          or, \$24,000 -- \$24,108 per year; and a family of  
14          four would need to earn at least \$39.96 an hour.

15          Wages are just not keeping pace with housing.

16          Additionally, short-term rentals, such as  
17          Airbnb, are placing stresses on an already  
18          constrained housing market.

19          The Hudson Valley is a top destination for  
20          Airbnb users, with over 300,000 guests helping hosts  
21          earn \$50,000 in supplemental income in 2018 alone.

22          In Ulster County there are almost 150,000  
23          guests, bringing in \$24.4 million.

24          There is no doubt that people want to  
25          vacation and recreate in the Hudson Valley and

1 Catskills, which can increase local revenues, but at  
2 what price?

3 According to the American Community Survey in  
4 2018, Ulster County Rental Housing Survey, over  
5 50 percent of households in Ulster County are  
6 rent-burdened, meaning that they pay over 30 percent  
7 of their monthly house -- incomes for housing.

8 Almost 30 percent of the residents are  
9 considered severely rent-burdened, meaning that they  
10 pay over 50 percent of their monthly incomes for  
11 housing.

12 Ulster County ranks sixth out 62 counties in  
13 New York State for the highest percentage of  
14 household income used to pay rent.

15 This is not a statistic that anyone should be  
16 proud of.

17 And so each of these statistics is someone's  
18 story.

19 Carla, who was evicted from her apartment,  
20 she and her family rented in Kingston for  
21 seven years. But after her landlord sold the  
22 building, she was evicted.

23 Carla works hard to provide for herself and  
24 her two children, while caring for her elderly  
25 parents, one of whom is also disabled.

1           Currently, they all reside in a motel in the  
2 suburb of Kingston, which requires a car to access  
3 the supports that she needs for her family and her  
4 emotionally-traumatized son.

5           Mitch, who, like Carla, is currently  
6 homeless, is suffering a series of health setbacks,  
7 including a stroke, that left him unable to work.

8           After being released from the hospital, he  
9 was sent to the department of social services for  
10 housing.

11           From there, he was released to the  
12 Warming Center to recover from his stroke.

13           Due to a 120-day sanction from DSS, he was  
14 unable to access a local shelter, and was sent to  
15 the Warming Center, which was only open when  
16 temperatures dropped below 32 degrees.

17           The center is closed between 9 a.m. and  
18 7 p.m.

19           The Kingston Tenants Union advocated for  
20 Mitch, and was able to get a sanction lifted, and he  
21 was placed in temporary accommodations in a motel in  
22 Highland, which is located 16 miles from Kingston;  
23 however, his physical therapy and his doctors were  
24 all located in Kingston.

25           Mitch has been given \$446 to find new

1 accommodations.

2 Christine.

3 Christine is a single mother of five children  
4 who works two jobs to make ends meet.

5 She is doing her best to afford the  
6 three-bedroom home she has rented for the past  
7 two years.

8 One of her jobs is at a fast-food restaurant  
9 chain.

10 Some weeks they cut her hours.

11 So some weeks she can even have no hours at  
12 all.

13 One of her jobs, also, just fired her to  
14 replace her with their niece.

15 Her landlord began changing the terms on her  
16 rental agreement, making her pay for heating oil,  
17 even though this was supposed to be included in  
18 rent.

19 She agreed because she and her family had  
20 nowhere else to go.

21 The house needs repairs, and she tries to do  
22 as many as she can, but she cannot really afford to  
23 bring them to the attention of the landlord.

24 She cannot afford to make trouble.

25 Christine pays \$1500 per month in rent.

1           I have lived in Upstate New York since I was  
2           5 years old, and I have seen it through good times,  
3           and bad, like in my hometown, when IBM closed in  
4           1994, and many of my classmates suddenly had to  
5           move, businesses closed down, and homes sat vacant  
6           for years.

7           Path-dependency on large corporations helped  
8           to create this problem.

9           Today, when I speak to many elected officials  
10          in upstate, I hear echos of the same failed strategy  
11          offered up to explain why rent protections cannot be  
12          extended to their districts.

13          While it's great to speculate about the  
14          impact of rental laws on developers, corporations,  
15          and investors that have yet to break ground in our  
16          community, there are people right here, right now,  
17          who are suffering, and can benefit from the relief  
18          this legislation would provide.

19          Thank you very much for considering these  
20          bills.

21          SENATOR KAVANAGH: Thank you.

22          RASHIDA TYLER: I'd like to introduce  
23          Betsy Kraat, a member of the Kingston Tenants Union.

24          BETSY KRAAT: Senators, guests, fellow  
25          tenants, and activists, my Facebook status from

1 May 19, 2017, reads:

2 "I need your support. I'm facing eviction.

3 "My landlords have been entering my apartment  
4 and taking pictures without my knowledge or consent.

5 "I have legal representation, but no new  
6 place to live, and I'm so scared.

7 "I feel helpless."

8 That would be the second eviction for me that  
9 year.

10 My evictions, like many, aren't included in  
11 the official eviction count because we leave before  
12 the sheriff shows up.

13 In 2015 my landlord died suddenly, and  
14 without a will.

15 Her estate passed to her children, and  
16 because they were minors, to their guardian, her  
17 ex-husband, who had no interest in being a landlord.

18 But, in 2016, I had my choice of two  
19 apartments, and chose one in the Rondout.

20 It was a dump, and there were fleas. And the  
21 circuit-breaker popped if you tried to make toast  
22 while the bathroom light was on. And the pilot  
23 light in the stove wasn't lit. And there was one  
24 heat source for the whole apartment.

25 My landlord, Fatima Dean, told me the

1 building was for sale, but there hadn't been any  
2 showings in months.

3 That was the first lie.

4 A week after we moved in, we came home to  
5 find a notice on the door. A showing had been  
6 scheduled for the following day at 12 noon.

7 I had moved in on Sunday, and on Monday, the  
8 kids had to go to school and I had to go to work.

9 Our mattresses were on the floor,  
10 disassembled furniture was leaning against walls,  
11 and all manner of stuff was scattered everywhere,  
12 papers, clothes, cans of soup, you name it.

13 In the morning I called my landlord to say  
14 the apartment was a mess and we were not ready for a  
15 showing.

16 "We understand," she said. "Everyone knows  
17 you just moved in. Don't worry about it."

18 Second lie.

19 The next week I needed Ms. Dean to sign  
20 paperwork for the department of social services.

21 She kept asking to come by to see me.

22 Finally, when she called, she told me the  
23 people who had looked at the house had made an offer  
24 and she'd accepted it.

25 The new owners wanted to live in my

1 apartment.

2 Third lie.

3 The realtor, Barbara Vitair (ph.), had called  
4 Ms. Dean, who went to the apartment and looked in  
5 the window, even though she went in, to see the mess  
6 I told her about.

7 The house was not sold, but she was throwing  
8 me out, and she could because I had no lease.

9 She was disgusted with me, and said she  
10 wouldn't want a ten -- me as a tenant now anyway.

11 She said she'd give me a reference, but she  
12 never called any landlord back.

13 Fourth lie.

14 I begged her, but it was no use.

15 I was served with eviction papers and given a  
16 move-out date.

17 My security deposit, I learned this from  
18 landlords, by the way, that you are not getting it  
19 back.

20 So that last month of rent? You're not  
21 getting that either.

22 They taught me that.

23 I proceeded on a, well, I'm going take good  
24 care of your stuff, you know, so you're going to  
25 give me back my security deposit.

1           Doesn't happen.

2           So, through friends, I found another  
3 apartment, some Creatives from Brooklyn, and moved  
4 in there, and then I started noticing itchy bumps on  
5 my arms and legs.

6           I asked my landlord, "Do cockroaches bite?"

7           Because we had had a cockroach problem.

8           "No," he said, "but bedbugs do."

9           And that was how that nightmare started, and  
10 I bagged and dragged every item; sock, shoe,  
11 dishcloth, pillowcase, dust ruffle, mitten, down two  
12 flights of stairs and spent nine hours in the  
13 laundromat.

14           Not for the first time. I would do that  
15 several times over the coming months.

16           My parents gave me the money to buy the  
17 required mattress covers because I didn't have the  
18 \$125.

19           At the time I was what HUD calls "severely  
20 rent-burdened." I was paying more than half of my  
21 income in rent.

22           And the meager bit of money I saved to take  
23 the kids to pizza or a trip to Goodwill went towards  
24 laundry.

25           My landlord didn't really want to be bothered

1       letting in exterminators, so he gave them a key.

2               And because they had a key, they could come  
3 whenever they wanted. And because they could come  
4 whenever they wanted, they didn't give me notice,  
5 which means I couldn't do the prep.

6               "I don't think these exterminators are very  
7 good," I said to my landlord.

8               "If I were you, Betsy, I'd look at myself  
9 before I cast aspersions on others," was his reply.

10              And for nearly a year I lived in that  
11 apartment with our clothes and towels in bags piled  
12 up in the kitchen.

13              Well, of course, after the term of the  
14 spraying was up, my landlord didn't believe they  
15 came as often as they did, and there was no way for  
16 him to prove or disprove it because he hadn't been  
17 there.

18              So, my legal advocate told me I could stop  
19 paying rent and look for a new place to live.

20              And now it was 2017, and it was a whole  
21 different ballgame.

22              There were no \$1,000, two-bedroom apartments  
23 anymore.

24              They were 1200, they were 1400, and you  
25 weren't looking at apartments, it was an audition.

1           But I'm a broke, single mom with two kids,  
2           and I'm not the tenant that anybody wants.

3           And I couldn't tell anyone why I was moving,  
4           'cause now I had a landlord who was disgusted with  
5           me, a dead landlord, and now a bedbug infestation.

6           I dragged my kids with me in the hope  
7           somebody might think they're cute.

8           And every dump I took them to see, no matter  
9           how frayed, damp, dirty, smelly, they would see  
10          possibilities. They would go, "Wow!" and "Cool!"  
11          with excitement, and they would be charming.

12          And one day my son Dennis asked me, "Did we  
13          get the apartment?"

14          "No, sweetie," I said, "we didn't."

15          And his twin brother Conan asked me, "Why  
16          does God hate us?"

17          And we were served.

18          My boys missed the first process server, but  
19          they were home for the second one.

20          Now they were scared, and they went to stay  
21          with their dad while I waged war against the bedbugs  
22          who turned my hair white.

23          Now I live in Section 8 housing in Hunter,  
24          nearly an hour drive from our lives; our  
25          children's -- my children's schools, my support

1 networks, my parents, my children's father, and it's  
2 only possible because I have a car.

3 And, you know, that's not something that you  
4 can take for granted. Like, not everybody has one.

5 And -- but without that, I'd be in another  
6 terrible situation with a terrible landlord.

7 And this is my experience as a tenant in  
8 New York State.

9 In Ulster County you can apply for Section 8  
10 when they open the waiting list, which is once every  
11 two or three years.

12 If your name is drawn in that lottery, you  
13 get a place on the waiting list. You don't get a  
14 Section 8 voucher.

15 And I've been on that waiting list for  
16 three years.

17 Every subsidized housing development in  
18 Ulster County maintains a waiting list.

19 RUPCO, which is the agency that  
20 administrators those grants -- or, those vouchers,  
21 they have buildings.

22 They have one that's LEED-certified and has  
23 gardens.

24 They've got one that's a loft they've  
25 converted for artists.

1           But there's no designated development for  
2           just poor working stiff's, single mothers and their  
3           kids.

4           And I've been on those waiting lists longer  
5           than the Section 8 waiting lists.

6           The waiting list is so long that caseworkers  
7           told me that they don't tell tenant -- they don't  
8           tell people about it anymore.

9           Landlords lie to us, they steal from us, and  
10          they prey on us, because they can.

11          We're garbage to them.

12          We are the most vulnerable citizens; the  
13          poor, the disabled, the elderly, single moms and  
14          their kids.

15          The wolves are at our door.

16          I shouldn't have to leave this county. I've  
17          lived here for 40 years. I was born in Kingston.

18          We need universal rent control, and we need  
19          protection from frivolous evictions.

20          I've always been proud to be a New Yorker,  
21          and especially proud to be from New York State, from  
22          Upstate New York.

23          Aren't we better than this?

24          Don't upstate tenants deserve the same  
25          protections afforded to our downstate counterparts?

1           To quote George Bailey, "This rabble you're  
2 talking about, they do most of the working and  
3 paying and living and dying in this community. And  
4 is it too much to have them work and pay and live  
5 and die in a couple of decent rooms and a bath?"

6           I ask you, is it?

7           SENATOR KAVANAGH: Thank you.

8           JUANITA VALESQUEZ-AMADOR: And now we have  
9 Patsy Smith from the Kingston Tenants Union. She's  
10 one of our new members.

11           And we also have pictures of her place as  
12 well.

13           PATSY SMITH: Hi, I'm Patsy Smith.

14           I've never done anything like this before,  
15 so, pardon me. I've only ever doesn't things in  
16 church.

17           So I'm bold in there, and I'm shaking like a  
18 leaf here.

19           But I believe all things do happen for a  
20 reason, and since this happened to me, I believe  
21 it's my take to stand up for those who are too  
22 scared to speak up themselves, because, as I speak  
23 to other people in Black Creek where I am from,  
24 under A&M Management, every person almost has the  
25 same response, is that they're scared of getting the

1 famous 3-day eviction, and they can't afford to be  
2 put out, and they're afraid of being bullied and  
3 they're afraid of being strong-armed.

4 I didn't think, you know, people could act in  
5 such a manner, but, obviously, they can.

6 I've had things said to me.

7 And, obviously, they talk about situations  
8 that are going on that is not my fault.

9 And, maintenance guys that usually talked to  
10 me and smile, and, you know, have conversations  
11 with, and check on me, are now turning their backs  
12 on me, making sly remarks towards me, knowing that  
13 I can't get to them fast enough to speak to them  
14 direct.

15 But, when I very first pulled up to  
16 Black Creek, all I could think of was, this place  
17 looks so nice, especially for the price.

18 And it was advertised for 1175 a month for  
19 the beautiful black-and-white kitchen that they  
20 advertised all over the place.

21 Everybody had a waiting list to get in this  
22 place, and I needed a place desperately.

23 You know, having a little girl, I needed to  
24 put a roof over her head, and I thought this place  
25 was beautiful, you know.

1           And I should have followed my gut feeling  
2           that I had, that it was kind of shady.

3           I went there three times, driving 30 minutes,  
4           being told I could see the apartment.

5           And, finally, at last, I said, Do not invite  
6           me to the property until you can show me the  
7           apartment when the tenants are moved out.

8           We get to the apartment, and she opens the  
9           door, and we walk in, and there's some things lying  
10          around. So I thought that was kind of odd.

11          I said, I thought the tenants were moved out.

12          I looked to the right, and there's a man  
13          laying in his bed, sleeping.

14          And I was petrified of getting arrested for  
15          breaking and entering with this woman, because  
16          I didn't know this woman.

17          I shoved her, I ran out as fast as I could,  
18          and I called my husband, scared to death.

19          I was, like, I don't think the man seen me,  
20          but I don't know. I seriously don't know what to  
21          do.

22          Things go on, I go back.

23          I made sure there was nobody in there.

24          And it went from 1175, and she knew that we  
25          really needed a place, then it was 1210 a month, all

1 of a sudden. And then it was an \$1800 deposit, that  
2 we thought was only going to be \$800. And then \$100  
3 apiece for us to get background checks.

4 And, like I said, we were desperate, so we  
5 did it.

6 And a couple of days later I had told her  
7 that I was leaving town.

8 My daughter, I had to travel four hours for  
9 her health care, neither here nor there, but she  
10 knew that it was the most important appointment we  
11 had been waiting for since birth.

12 And she calls me up and says that she's  
13 missing \$1,000 of my money that I paid her with, you  
14 know, this -- where it's the one, like, a money  
15 order, where you have the stub.

16 And I said, "I handed it to you. We laid it  
17 all out and counted it together. It was in your  
18 possession. That's not my fault."

19 And she said, "So when are you bringing me  
20 \$1,000?"

21 And I said, "You know, that's not happening.  
22 That's your problem."

23 Well, I have that on video, of her calling me  
24 back the next day, laughing about it, saying,  
25 "I found the \$1,000. It was on the floor in your

1 hallway. I'm a very vigilant person. I know my  
2 surroundings, I'm very well aware."

3 And I said, "No, it wasn't. You're lying.  
4 I don't know what your incentive was, or what you're  
5 trying to do, but, you know, that was wrong of you  
6 to do to us."

7 I came home, and I do not move into a place  
8 unless I Lysol and bleach it. I have like cleaning  
9 OCD problems.

10 I walked in. There's big, fat greasy hands  
11 gliding up my hallway. And I'm pretty sure it was  
12 done on purpose to intimidate me. And they even  
13 went into my refrigerator.

14 I'm pretty sure they were looking for the  
15 stub of the \$1,000 that I told her was not my  
16 problem, because she had kept asking for the stub of  
17 the \$1,000.

18 But I had hid that into a special place,  
19 and I have it to this day, just in case if anything  
20 should arise that they're missing \$1,000.

21 And, I've also been informed that I'm not  
22 getting my \$1,800 back, or, quote/unquote, I am  
23 seriously not giving you a dime back.

24 I paid my rent three days early the entire  
25 year. I keep a very clean home. There's not even a

1 scuff on the paint.

2 But they're angry because of their lack of --  
3 their negligence.

4 So, like I said, we was lied about  
5 everything.

6 Carpet shampoo.

7 We'll give you new blinds.

8 The lights never had caps on them.

9 The windows didn't open.

10 The oven was completely filthy and full of  
11 cleaner.

12 I almost put a chicken dinner in there to  
13 cook, until, thankfully, I seen that there was  
14 chemicals in there.

15 I could have poisoned my family, that she  
16 assured me that was cleaned, which I think is  
17 pretty -- pretty low.

18 So the roof started leaking when the rain  
19 came, and it seemed look a domino effect.

20 It went from one leak, and me and my husband  
21 to this day joke and say, "They should hand out  
22 buckets with their leasing," because there are so  
23 many leaks in my apartment, it's unbelievable.

24 And it's a shame that I have to scold my  
25 daughter to either stay in her bedroom or come out

1 to the living room, because I don't want my daughter  
2 walking underneath a current fall that continually  
3 falls down.

4 It's not just drip every minute. It's  
5 continually falling across the whole top of her  
6 doorpost.

7 And that's not a good feeling, as a mother,  
8 when you have to tell your child you can't play in  
9 your own home.

10 On top of my dining room table is completely  
11 busted open and pours down.

12 I have a video of water pouring out of my  
13 light fixture.

14 And when you call and -- nicely, and say, you  
15 know, "These leaks are happening. Can you send  
16 somebody out to fix them?" it's never addressed.

17 They don't want to give names of who's in  
18 charge, who's the big guy.

19 They don't want to comply with you.

20 They call on you blocked numbers.

21 I had to find out the property manager's name  
22 through another tenant, and he calls you blocked  
23 too.

24 I'm going to skip a lot of this.

25 We was told to just call them if we didn't

1 want to sign a lease, March 20th, and that they  
2 would schedule the walk-through to come through, to  
3 get us our deposit.

4 We called Annette, the secretary of the  
5 property manager, and we was told, "I don't handle  
6 that. Mike deals with that."

7 So I said, "Can I please get Mike's number?"

8 "I don't give Mike's number. Nobody has  
9 Mike's number."

10 Like I said, I found out his name through  
11 another tenant.

12 They don't -- they -- they're like secret  
13 service, I guess.

14 So, you try to even see them on the property,  
15 and they get in their car and they leave as fast as  
16 they can.

17 I complained for ten months about a banister,  
18 and a railing also.

19 My daughter has a prosthetic leg, and I have  
20 an autoimmune disorder. So I have to carry my child  
21 up four flights of steps.

22 I need these codes.

23 That's my main problem, is buildings staying  
24 up to code.

25 When you can't get out to your fire escape,

1 when your windows don't open, when you have exposed  
2 wires in hallways for over two months and nobody is  
3 working on them, that's things that I have problems  
4 with.

5 When you're scared to death of walking up the  
6 steps with your daughter, and you don't know, that  
7 you can't hold onto a rail because it's not secure,  
8 that's scary when you have to do that, especially,  
9 as a diabetic, when you're not feeling well, and  
10 you're in charge of a little life in your arms.

11 You know, and you have to beg them, and they  
12 don't call you back.

13 They don't comply with you. They don't fix  
14 anything.

15 It took me calling a building inspector to  
16 come out because, now I've had enough, and I just  
17 don't care.

18 And I told him to put my name on the building  
19 inspector.

20 That's when they finally wanted to address  
21 the lack of the fire -- the fire detectors, none of  
22 them worked, none of them was hooked up, and there  
23 was only one. And there's supposed to be one in  
24 every room.

25 And, my husband had fell in April.

1           There was no lights in the hallway.

2           I called for a month, every two days. And  
3 what I get told from E&M Management is, Don't worry  
4 about it. It will be fixed.

5           The shared meter is being addressed as we  
6 speak.

7           I called Central Hudson. They say, they've  
8 been calling, they've been writing. There's no  
9 answer from them. There's no compliance there. And  
10 they're not returning phone calls. They haven't  
11 reached out to them.

12           And then the lights go out, and then guess  
13 what?

14           My husband's walking in, and, you know, he,  
15 literally, like, if this is the step, his foot was  
16 here (indicating).

17           So, naturally, you would put your hand on a  
18 banister; correct?

19           The banister that's on top of like a wall  
20 here (indicating), he put his hand on it, and it  
21 flipped up like this (indicating), hitting him,  
22 knocking him down.

23           I told them, I'm not trying to be nasty, but  
24 I think we at least, you know, deserve medical.

25           I was told, "It's completely against

1 protocol, and it is against the law," which I have  
2 all of that on video also, "to give you our  
3 insurance information. Insurance claims do not talk  
4 to tenants. Insurance claim will not reach out to  
5 you at all."

6 Like I said, I only have a seventh-grade  
7 education, but any time I got in an accident,  
8 insurance claims ask you, Was you texting? Did you  
9 have your seatbelt on?

10 So -- but after I called the building  
11 inspector, miraculously, an insurance-claim agent  
12 called my husband and says, "I've been trying to  
13 get your information for over a month now."

14 And my husband said, "Just out of curiosity,  
15 when did you get my phone number?"

16 And he said, "An hour ago."

17 And that's about when the building inspector,  
18 you know, had sent the report, with my name on it,  
19 that I wanted on there.

20 There's six violations in my apartment alone.

21 And there's also exposed wires in every  
22 building for over two months. They're not working  
23 on them.

24 That's -- the codes need to be assessed.

25 I shouldn't have to complain when I'm paying

1       you. I'm not living there for free.

2               And I don't think that any of us should have  
3 to take it that far for somebody to do what they're  
4 already supposed to do that is right.

5               SENATOR KAVANAGH: Thank you all.

6               We will just take -- I'll defer to other  
7 members of the panel first.

8               Anybody want to -- Senator Metzger, do you  
9 want to --

10              SENATOR METZGER: I just want thank you for  
11 your testimony.

12              I don't represent Kingston, but I feel like  
13 I represent Kingston.

14              I'm right next door, and in Rosendale, and  
15 incredibly aware of, you know, what's happening  
16 there, in terms of housing, you know, and  
17 gentrification, which is putting such a huge  
18 pressure on affordable housing in Kingston.

19              But to hear the firsthand accounts of these  
20 kinds of practices, these kinds of entirely  
21 unacceptable practices, is so important.

22              So, I appreciate you being here, and I want  
23 to just thank you for your testimony.

24              JUANITA VALESQUEZ-AMADOR: Do you know that  
25 E&M Management is about to come to Rosendale?

1           So, hello, you'll be with us.

2           They're about to buy a property there.

3           RASHIDA TYLER: Also, the effect -- also, the  
4 effects and the gentrification are not only in  
5 Kingston.

6           We're using Kingston as an example.

7           But, when people are pushed out of the city  
8 center, they're moving to the suburbs, and they're  
9 moving to places where the forces of gentrification  
10 are -- there's a ripple effect.

11           And so this is going to impact rural  
12 communities, whether people think of it or not.

13           And then people who have a higher demand for  
14 services are being pushed out into rural areas that  
15 don't have these services.

16           The rate of poverty is going to increase.

17           And, so, this is something that's going to  
18 impact all of us.

19           SENATOR KAVANAGH: Senator Mayer.

20           SENATOR MAYER: I just want to thank you, and  
21 also want to give you credit for forming the tenants  
22 union, because that's obviously been a source of  
23 power that you wouldn't have had otherwise.

24           And while we're going to work on legislative  
25 solutions that address non-New York City --

1 I represent Westchester where we have rent  
2 stabilization -- but, above Westchester, where, in  
3 my opinion, we need rent protections, and I think  
4 you'll find we agree with you.

5 Thank you for your testimony.

6 Thank you for -- keep the tenants union  
7 going, whatever happens.

8 The power is in numbers.

9 JUANITA VALESQUEZ-AMADOR: Thank you.

10 SENATOR KAVANAGH: Thank you, Senator Mayer.  
11 Senator Salazar.

12 SENATOR SALAZAR: Thank you.

13 First, I just want to thank all four of you  
14 for your testimony.

15 Thank you for your courage as well, Patsy.

16 And, I find it remarkable how patient your  
17 daughter has been, truly.

18 So, thank you.

19 I found it interesting that both Betsy and --  
20 Betsy and Patsy, that you both mentioned RUPCO.

21 We have a representative from RUPCO on the  
22 witness list, and I look forward to talking to them  
23 about some of the things you mentioned in your  
24 testimony.

25 Juanita, I wanted to ask you -- and thank you

1 for sharing your story -- some of -- I've heard from  
2 some of my colleagues, particularly with regard to  
3 expanding tenant protections to those who currently  
4 have, virtually, none outside of the ETPA region,  
5 that, by giving tenants rights in the eviction  
6 process, we will flood the courts.

7 I'm naturally not sympathetic to this, but,  
8 regardless, feel that it warrants a response.

9 As somebody who has gone through the eviction  
10 process, and to court, could you just walk us  
11 through, if you don't mind, what that process was  
12 like for you as a tenant, without having passed this  
13 legislation.

14 JUANITA VALESQUEZ-AMADOR: Sure.

15 I had no rights.

16 When I went to complain about a landlord, we  
17 don't have a tenant-landlord court.

18 It's only a landlord court.

19 They told me, if I wanted anything to be  
20 done, I had to sue him myself.

21 And when I got the eviction notice, I went to  
22 see a judge to try to get a stay.

23 And there was no judge for me.

24 And I stood at that courthouse, and I said,  
25 Someone has to see me so that they can hear my case.

1           And they said, No.

2           And I stood there, until they made a phone  
3 call.

4           I said, I don't care who you get, the  
5 magistrate, I don't care who it is, somebody.

6           It took an entire day just to get a judge to  
7 sign my stay, then to overturn it, due to the fact  
8 that, when I first went to court and I asked legal  
9 aid to please let them know the reason why I'm  
10 fighting was because I had no repairs, it was not  
11 mentioned to the judge, so it wasn't put in writing.

12           So the judge says, I'm not going to see your  
13 evidence. You're evicted immediately.

14           And I was.

15           So there was nothing for me.

16           No matter where I went to try to get the  
17 help, there was none.

18           I couldn't, no judge, nobody to speak to.

19           So, for a tenant to try to fight their  
20 eviction, it was hard, and I went through the whole  
21 process.

22           Like I said, you went to the courthouse, no  
23 one was -- no one there to see you.

24           It's only on a Tuesday.

25           And usually the landlords, when they go to

1 put an eviction notice, they immediately get to see  
2 someone.

3 So they'll get that, and then they'll get the  
4 eviction notice, and then they'll go put it on your  
5 apartment.

6 But for a tenant to go in, there is nothing  
7 at all. We have nothing.

8 And if you go to the buildings, they go and  
9 tell the landlord, and then you get an eviction  
10 notice immediately, and it's a retaliation for your  
11 speaking out.

12 And then the building says, Well, there's  
13 nothing I can do.

14 And that's another thing that happens as  
15 well.

16 They go and look at you, and they don't even  
17 give a fine.

18 I actually have a court order, that they were  
19 supposed to take my landlords to court, and they  
20 never did.

21 They were supposed to remedy the problem back  
22 in August of 2018. And never to -- I got evicted a  
23 week ago.

24 They never took those landlords to court.

25 There's a failure in this process here, and

1 we need the help.

2 SENATOR SALAZAR: Thank you.

3 JUANITA VALESQUEZ-AMADOR: Thank you.

4 SENATOR KAVANAGH: Thank you.

5 Senator Skoufis.

6 SENATOR SKOUFIS: Thank you, Mr. Chairman.

7 And thanks to each of you for your testimony.

8 You know, a lot of these issues we've been  
9 debating for now some time, and it's helpful to be  
10 able to put faces to that public policy.

11 Right?

12 And so I am grateful for your being here.

13 And to Senator Mayer's points, I think it's  
14 both impressive and, quite frankly, essential, by  
15 the sounds of it, that you have this tenants union  
16 in Kingston.

17 And so I encourage you to keep doing that as  
18 well.

19 My one question, one item that is new to me,  
20 in terms of hearing it from advocates, and even sort  
21 of institutionally, we haven't really discussed  
22 this, at least in those places where I've been part  
23 of the conversation, is this issue of security  
24 deposits.

25 And so, you know, leases that I've seen,

1 typically, at the end of the lease, there's  
2 something, you know, okay, this is the dollar amount  
3 that's security deposit. Sometimes it's, you know,  
4 first and last month, sometimes one month, whatever  
5 it is.

6 And then there's, you know, some sentence, or  
7 a couple of sentences, you know, you'll get the  
8 security deposit back at the conclusion of the lease  
9 as long as, you know, or, minus, like, any damages,  
10 or whatever.

11 Right?

12 And so under what authority do these  
13 landlords have, in the couple of cases that have --  
14 that has been brought up, to withhold returning that  
15 security deposit?

16 And -- so, look, I guess, you know, anyone  
17 can sort of willfully not follow the lease. Right?

18 But then don't you have sort of legal  
19 recourse?

20 Can't you hire a lawyer and say, you know --

21 BETSY KRAAT: I could have gone to small  
22 claims court.

23 That was -- that was -- you know, with the --  
24 like, with the first landlord, I didn't even include  
25 this, he told me, well, there's no -- because, you

1 know, this was the ex-husband of my landlord who  
2 died.

3 He said, Well, there's no record of your  
4 security deposit.

5 And I said, Well, it will be held in escrow.  
6 You should be able to find it.

7 You know, and once I said that, he didn't  
8 fight me and he gave me my money back.

9 But every other -- you know, I could have  
10 taken her to court, but, you know, I can't even --  
11 I don't even know what to say.

12 Like, two of the other people who -- like,  
13 who are responsible for Kingston Tenants Union are  
14 property owners.

15 And I think that that's great because, when  
16 you're trying to survive, like you're -- you only  
17 have, like I have a child with autism. You know,  
18 there are limited hours in a day.

19 So I just thought, screw it.

20 You know, so she kept my money.

21 You know, I did live there for most of the  
22 month, whatever, you know, even though she threw me  
23 out.

24 You know, I just didn't have the -- I didn't  
25 have it in me to fight.

1           You know, because so much of life, so much of  
2 being poor, is fighting, and you have to prioritize  
3 what you have the hours, you know, the strength,  
4 for.

5           And I just didn't have it at that time.

6           JUANITA VALESQUEZ-AMADOR: Again, in  
7 Ulster County, up in Kingston, actually, and I've  
8 known, in Ellenville, and a couple of other places,  
9 what happens is, they tell you, if you want your  
10 security deposit back, you need to go sue your  
11 landlord.

12           That is the answer we get in courts.

13           They don't even -- they don't even discuss it  
14 at eviction time.

15           They go, You want your security deposit? Go  
16 sue them.

17           Half these people don't have the money to go  
18 pay \$45.

19           So we have to sue them to get security.

20           We have no laws to protect us on that as  
21 well.

22           New Paltz passed a security-deposit law that  
23 we're trying to bring to Kingston, that we've been  
24 trying to get legislation, and now officials, and  
25 now locals, to come on board with that.

1           At least that gives something to the tenant.

2           I mean, that's what we're trying to work on.

3           RASHIDA TYLER: I think also that, there's a  
4 culture in Upstate New York, particularly  
5 Ulster County where I can speak to, where there's a  
6 certain class of people who get evicted.

7           And they -- the people who are landlords and  
8 judges and lawyers in court, they know they're not  
9 going to bring a lawsuit, a civil suit, to get that  
10 security deposit back.

11           So it's a culture where it's, you're out of  
12 luck.

13           You're better off living the last month, not  
14 paying the rent, and, you know, having the landlord  
15 keep the security deposit, because you know that's  
16 what they're going to do anyway.

17           I think that we do need a law that definitely  
18 is enforceable, and that landlords have to return a  
19 security deposit within a defined amount of time.

20           We know that there's law that says 28 days,  
21 or something like that. But, that doesn't happen in  
22 reality.

23           So we need something a little bit -- that's  
24 going to compel landlords to comply.

25           JUANITA VALESQUEZ-AMADOR: There's also an

1 article that is under the "Real Deal," that was  
2 written by -- oh, my God, it's going too slow.

3 PATSY SMITH: It's still loading.

4 JUANITA VALESQUEZ-AMADOR: Yeah.

5 -- it's written by Georgina --

6 RASHIDA TYLER: Comrie.

7 JUANITA VALESQUEZ-AMADOR: -- Comrie.

8 If you have a chance to read it, you actually  
9 hear the response of these landlords, on how they  
10 can take advantage of us, because we're Upstate  
11 New York and there's no rules.

12 And you'll even hear a sheriff department --  
13 from the sheriff's department, the one in charge of  
14 evictions, he's also quoted in here, and not in a  
15 very good way.

16 So if you get a chance to read that article,  
17 it will tell you what's going on in Kingston in  
18 Upstate New York, and it's pretty accurate.

19 SENATOR SKOUFIS: Thank you.

20 JUANITA VALESQUEZ-AMADOR: Thank you.

21 SENATOR KAVANAGH: We just have a -- maybe a  
22 quick follow-up, reminding people that we're a  
23 couple of hours late.

24 But, Senator Metzger.

25 SENATOR METZGER: No, I was just going to say

1 that this kind points to a different problem, even  
2 with the good-cause bill, if you don't have the  
3 resources, the legal resources, to go to court.

4 So I think that that's another issue that  
5 needs to be looked quite apart from this  
6 legislation.

7 SENATOR KAVANAGH: Thank you.

8 And, Senator Salazar, one more.

9 SENATOR SALAZAR: No, that's okay.

10 SENATOR KAVANAGH: Okay.

11 And I -- so --

12 PATSY SMITH: Sorry, I just --

13 SENATOR KAVANAGH: 30 seconds.

14 PATSY SMITH: 30 seconds.

15 When you speak to RUPCO, something that I'm  
16 really interested in, that we haven't been able to  
17 get an answer about, is, when the Section 8 voucher  
18 is issued, whether it's used or not, it's counted  
19 towards the allotment, you know.

20 So when -- so when, Alex, one of the other  
21 founders of Kingston Tenants Union, asked the  
22 executive director of RUPCO, Well, how do you -- you  
23 know, so you go next down the list; right? Like,  
24 you know how many of them are being used; right?

25 And the answer was, no, we don't know how

1 many are being used.

2 So I've FOIL'd Section 8 records since 2013,  
3 and I'm waiting for that. That was on May 15th.

4 But I'm curious as to what records they keep,  
5 and if they find somebody that's not using the  
6 voucher, why do they not go down the list?

7 Because there are, what, there are, I think  
8 he said, there are 200 families on the waiting list  
9 for Section 8 vouchers in Ulster County.

10 SENATOR KAVANAGH: Great.

11 Okay, again, we really appreciate your  
12 testimony and your patience today.

13 Thank you, all.

14 And for one or two of you who said you aren't  
15 used to this, you did, you know, very -- you were  
16 very, very helpful to this panel.

17 So, thank you, we really appreciate it.

18 So next up -- we're going to hear a variety  
19 of perspectives today.

20 Next, we are going to have, Nick Page, who's  
21 a member of the Dutchess County Legislature, and  
22 also I think representing progressive legislators  
23 from other localities as well.

24 And then --

25 Thank you.

1 NICK PAGE: Thank you.

2 Thank you.

3 Good afternoon, everybody.

4 My name is Nick Page. I'm a member of the  
5 Dutchess County Legislature, representing Beacon and  
6 Fishkill.

7 Thanks for giving our area a convenient  
8 opportunity to be heard on this issue -- on these  
9 issues. It's great.

10 Today I'm going to read a statement on behalf  
11 of the local elected-officials network, Local  
12 Progress New York, and specifically on behalf of  
13 Francena Amparo, my colleague on the Dutchess  
14 Legislature, representing the town of Wappinger, and  
15 a member of the local Progress New York Organizing  
16 Committee, and, Chad Raddick (ph.), who's the  
17 New York State coordinator of Local Progress.

18 The statement is as follows:

19 "Our network.

20 "Local Progress New York, we are a network of  
21 local elected officials across New York State,  
22 united by our commitment to share prosperity, equal  
23 justice under law, livable and sustainable  
24 communities, and good government that serves the  
25 public interest.

1           "Building a more just and equitable society  
2 requires an engaged citizenry, strong institutions,  
3 and elected leaders who are dedicated to advancing  
4 the progressive movement.

5           "We commit ourselves to this work in  
6 partnership with community leaders and progressive  
7 organizations around the state because we share a  
8 belief that, by organizing together, we can build a  
9 more just and equitable society.

10           "Our membership is approximately 200 local  
11 elected officials statewide, representing cities,  
12 towns, villages, counties, school boards, and more,  
13 from Niagara Falls to South Hampton, and from  
14 Binghamton to Plattsburgh.

15           "Local Progress members meet each year at a  
16 state convening.

17           "At our last event we held a discussion about  
18 affordable housing in New York State, as it had been  
19 issue our members felt needed more exploration by  
20 the network.

21           "This year, our organizing committee, our  
22 governance body for the New York Chapter of  
23 Local Progress, decided that members should work  
24 together to protect renters across the Empire State.

25           "Resolutions across New York.

1           "Local Progress members from New Paltz,  
2 Hudson, Newburgh, and Beacon passed local  
3 resolutions supporting the expansion of the ETPA and  
4 the good-cause eviction bill.

5           "Similar legislation is proposed in  
6 Westchester County, Ithaca, Syracuse, Rochester,  
7 Kingston, and Albany, and Local Progress members are  
8 ready to take leading roles.

9           "In all of these areas, renters represent  
10 between 45 to 75 percent of the residents.

11           "Many of these communities are also under a  
12 5 percent housing vacancy rate, and, by state law,  
13 are considered to be experiencing a housing crisis.

14           "If the ETPA were extended outside of the  
15 eight counties that have currently been authorized  
16 by the State Legislature, all of these areas would  
17 be able to allow their local officials to make a  
18 decision as to whether to opt in to the ETPA and  
19 help to stabilize rent costs for thousands of  
20 upstate families.

21           "Rents are rising in our communities faster  
22 than wages, and displacement of residents is a  
23 concern of many Local Progress members.

24           "In all of the areas that have passed or are  
25 considering passing resolutions of support, 45 to

1 60 percent of renters are facing unaffordable rents,  
2 defined as, rents, again, that are more than  
3 30 percent of a family's income.

4 "So this is a crisis not only among those in  
5 the metro New York City area, but to upstate renters  
6 as well.

7 "Renters are more than 60 percent of the  
8 residents in Albany, Kingston, Newburgh,  
9 Plattsburgh, Poughkeepsie, Rochester, Syracuse,  
10 Troy, and Wappingers Falls.

11 And in these areas, renters paying more than  
12 30 percent of their monthly income in rent range  
13 from 65 to 45 percent, in Albany, Kingston,  
14 Plattsburgh, Syracuse, and Troy.

15 The 60 percent and above of renters in the  
16 communities of Newburgh, right here; Poughkeepsie;  
17 Rochester; and Wappinger Falls.

18 "The rent-burden issue is even worse when you  
19 disaggregate the data and explore how rent burdens  
20 grow among renters of color in the Empire State.

21 "In a recent report by the Fiscal Policy  
22 Institute, renters of color are disproportionately  
23 rent-burdened compared to White households.

24 "According to the report, only 37 percent of  
25 White renter families are rent-burdened statewide,

1 compared to 46 percent of African-Americans,  
2 53 percent of Latinx, and 52 percent of Asian and  
3 other families.

4 "Another issue that is brought into focus by  
5 the housing crisis in New York State is the  
6 staggering number of low-income renters; for  
7 example, a family of three, with an income at or  
8 below \$40,000 a year, who are paying more than the  
9 30 percent threshold of their incomes towards rent.

10 "The federal government has determined that  
11 that 30 percent threshold, paying above that,  
12 is unsustainable for any household, yet in  
13 New York State, 42 percent of low-income renters are  
14 paying more than one-half of their incomes in rent,  
15 and almost four out of five low-income renter  
16 families are paying more than 30 percent of their  
17 incomes in rent.

18 "Availability of affordable housing.

19 "According to a report we are co-authoring  
20 with the Community Service Society of New York,  
21 available affordable units have fallen in the state  
22 by 10 percent, from 2012 to 2017, with big  
23 percentage losses of affordable units in  
24 Suffolk County and in the Hudson Valley.

25 "In 2012, rents up to \$924 a month were

1 considered affordable for a family of three making  
2 \$40,000 a year.

3 "And for the same demographic in 2017,  
4 affordability was determined to be \$988.

5 "The state of renter protection in New York  
6 State.

7 "Renters without leases living in  
8 month-to-month rentals have no right in New York  
9 State to remain in their homes.

10 Even renters with leases have found that it  
11 is easier for the landlord to evict than to hold the  
12 property owner accountable for conditions within the  
13 unit.

14 "Many Local Progress members have shared  
15 stories about constituents who have been forced  
16 out of their homes in the Hudson Valley, the  
17 Capital Region, and in Rochester due to the lack of  
18 rights for tenants in New York.

19 "Because people of color are more apt to be  
20 in low-income households, not only do they pay a  
21 higher percentage of their monthly incomes for rent,  
22 but they often live in housing that is not of the  
23 highest quality.

24 "For example, recently, at a renter town hall  
25 that was held in Wappingers, one renter in

1 Wappingers Falls described finding her unit infested  
2 with mold that ruined her wardrobe, her furniture,  
3 and other possessions. She had to involve the  
4 county health department, and then needed to find  
5 new housing because her housing was declared unsafe.

6 "Legislative proposals before the State  
7 Legislature.

8 "Local Progress supports all nine of the  
9 bills on the Upstate/Downstate Housing Alliance's  
10 legislative platform.

11 "The two bills to -- most important to areas  
12 north of New York City are the expanding the  
13 Emergency Tenant Protection Act of 1974 to encompass  
14 the entire state, and the good-cause eviction bill.

15 Expanding the ETPA to cover all communities  
16 within the state affords local control to our  
17 municipalities and counties over their rental  
18 apartments.

19 "Throughout the state, thousands of units  
20 could be stabilized, thereby creating a secure  
21 permanent home for good tenants.

22 "In all of the communities listed above,  
23 again, Albany, Kingston, Newburgh, Plattsburgh,  
24 Poughkeepsie, Rochester, Syracuse, Troy, and  
25 Wappingers Falls, the vacancy rate is below

1 5 percent.

2 "This means that in all of the areas most  
3 hard-hit by the statewide housing crisis, they would  
4 find relief with this proposal.

5 "The second bill that we're most interested  
6 in, the good-cause eviction bill, would only allow  
7 landlords to evict tenants who have violated terms  
8 of their lease, or have not paid rent, or have  
9 caused damage to the property, while allowing  
10 renters the ability to hold landlords accountable  
11 for building conditions.

12 "In addition, the rent would stop  
13 unconscionable rent hikes.

14 "Currently, if a landlord insists, an upstate  
15 renter has no recourse but to move out of a  
16 situation if they're unable to field a major rent  
17 increase, or, if the landlord is asking for a more  
18 reasonable rent increase, but also requiring that  
19 the tenant bear the cost of maintaining the  
20 functionality and living conditions of the  
21 property."

22 We ask you to support these bills.

23 Thank you, appreciate it.

24 SENATOR KAVANAGH: Thank you very much for  
25 your testimony, and your colleagues throughout.

1           You know, we've had meetings with local  
2 departments before, and we really appreciate all of  
3 your -- you know, your work.

4           Thank you.

5           NICK PAGE: Thank you, sir.

6           SENATOR KAVANAGH: So next up --

7           We are trying to accommodate many people's  
8 schedules, and we know people have been here for a  
9 while.

10          -- I'm going to ask Carla Johnson to come up.

11          And then I know we have some additional  
12 people from CVH that we're going to do a little bit  
13 later.

14          But, we're just trying to accommodate a  
15 couple of people who need to leave for very -- for  
16 family obligations.

17          CARLA JOHNSON: Hello.

18          My name is Carla Johnson, a city of Newburgh  
19 resident since 2012, a CVH member for the past year  
20 and a half now.

21          I had moved to Newburgh in 2012 from New York  
22 City. I moved here for a change, a difference.

23          Living here in the city of Newburgh, I have  
24 moved nine times due to the fact that, when you make  
25 complaints to your land -- about the landlord to

1 codes enforcement, you are immediately given --  
2 well, in some cases, you're given a 30-day notice,  
3 and then a 3-day notice, or, just the landlord may  
4 say, you have to go.

5 My first two apartments I was evicted out of.  
6 By the third one I got smart.

7 When I say "I got smart," it was, I would  
8 take the landlord to court, because in the city of  
9 Newburgh, since there's no tenant protection, if the  
10 landlord brings you to court, you're automatically  
11 evicted even if you don't owe any rent money.

12 So, in my case, I have a 4-year-old who  
13 haven't been living in an apartment for a whole  
14 year. She moved four times, and she's 4.

15 We finally got good housing, which has a  
16 possibility of lead, which you may have heard me  
17 coughing throughout the whole day, is because of my  
18 asthma.

19 The reason why good-cause is good for the  
20 city of Newburgh is because it gives young children  
21 a stable home, a stable place to live.

22 We're forced out of our apartments and put in  
23 shelters.

24 I lived in a shelter with my daughter for one  
25 night because living there was just horrible.

1           And the city is a wonderful city. The city  
2 of Newburgh is a great city.

3           Minus all of the abandoned buildings and  
4 different things that's going on, it's a beautiful,  
5 upcoming city, and it's a great city.

6           And I would like to thank Jonathan Jacobson  
7 for signing all nine bills for the good-cause,  
8 because he sat on our city council and he heard  
9 numerous people complain about the poor conditions.

10          And to piggyback earlier, with the landlords  
11 that were up here, the landlords, basically, bully  
12 tenants.

13          The landlords took the City of Newburgh to  
14 court, and once you take a person to court you're  
15 the winner even though you may not be the winner.

16          So I just feel that good-cause is great  
17 because, I rented a building that was condemned;  
18 condemnation, rat infestation.

19          And when I moved in the property, I heard one  
20 of the landlords say, like, yeah, when you go in an  
21 apartment you look for all of these things. You  
22 make sure there's working hot water. You make sure  
23 there's heat. You make sure -- you even move the  
24 stove out to make sure they no holes so the rodents  
25 wouldn't run around.

1           And I want to go to codes enforcement.

2           The problem that I believe that we have is a  
3 lack of code enforcers here.

4           Why I say that, I believe that, is because  
5 they do go -- once a tenant makes a report against  
6 the landlord, say you have mold, say you have  
7 bedbugs, whatever the problem is, and you bring it  
8 to a higher authority as the code enforcement, they  
9 go and they inspect the apartment and they write the  
10 violation. Once the violation is written, the  
11 landlord then puts you out.

12           So if you have mold, for instance, if you  
13 have mold, and you complain to codes, and they come  
14 out, they write the violation, the landlord then  
15 retaliates against you, and then they smack the  
16 cheap paint up on the walls and move another tenant  
17 in.

18           So once the new tenant is in there, the case  
19 is basically closed for the codes, because it's no  
20 one to investigate.

21           Like, Carla, did they fix the problem?

22           Oh, I don't live there anymore.

23           So I think that the code -- the reason why we  
24 need the good-cause is, is because it secures homes  
25 for children. It secures a foundation for someone.

1 I spent \$46,000 since 2012 to slumlords here  
2 in the city of Newburgh.

3 Not every landlord is a bad landlord, but the  
4 majority of the landlords are horrible. And it's,  
5 like, you give them -- they want cash. Some  
6 landlords want cash money.

7 I gave them \$2,000 to a landlord outside for  
8 a condemned condemnation.

9 And when I went to codes, I went and did like  
10 a FOIA request, because now I'm interested about  
11 what's going on with the building.

12 The landlord owes the City of Newburgh over  
13 \$250,000 in fines.

14 So I just think that, if your building is not  
15 up to codes, you shouldn't get anything.

16 The tenants should put maybe their money in  
17 the escrow account until the landlord is up to date  
18 on codes.

19 And I think that the -- the codes shouldn't  
20 give landlords these rental license if they have  
21 more than one or two violations, because I can say,  
22 Senator Skoufis, I'm going to fix the problem. Just  
23 give me the rental license.

24 And it's not necessarily that I fixed the  
25 problem, but I have the rental license.

1           And that's where the ball gets dropped, that  
2 we need more code enforcement, we need more code  
3 officers to follow up.

4           And Chief Horton is doing an outstanding job.

5           I did a petition on our last codes person,  
6 Steve Hunter. And he was later told that, you know,  
7 he was going to retire, and Chief Horton stepped up,  
8 and he's doing a great job.

9           But the main fact is, it's the whole  
10 statewide, it's a statewide thing.

11          It's nine bills that need to be signed.

12          Some say, oh, they signed four or five of  
13 them, and a lot of stuff doesn't apply to the city  
14 of Newburgh, but it's a statewide thing, as far as  
15 tenants being protected all around the board.

16          I believe that, my child is 4 years old, and  
17 she hasn't been in an apartment for a whole year,  
18 and that's not fair to her.

19          Like, one minute, oh, we live at -- you  
20 teach them one address, and then you have to teach  
21 them another address.

22          So I just feel that, we need good-cause, and  
23 we need to crack down on these landlords who is  
24 taking advantage of us.

25          I moved here from New York City. I worked

1 for the parks department, for security, for  
2 15 years.

3 And I want to buy a home here in the city of  
4 Newburgh, but, at the moment, I can't afford the  
5 high taxes. So I have to rent.

6 And so when you renting something,  
7 I shouldn't have to rent a rat-infestation  
8 apartment, I shouldn't have to rent a  
9 mold-infestation, I shouldn't have to -- I should be  
10 able to rent a beautiful apartment, when, my  
11 landlord, they live out in Marlboro, and they got  
12 the fancy cars and big houses, and they live in --  
13 high on the people here in the city of Newburgh.

14 And we live like -- some of the people live  
15 like savages here, I'm going to be honest with you.

16 There's so many people that come to our  
17 community, voices heard, and it makes you want to  
18 cry.

19 And the reason why they don't say anything is  
20 because they're in fear of the retaliation.

21 The retaliation here in the city of Newburgh,  
22 is, if you go to codes, you getting out.

23 So I wanted to know, if you guys, if you  
24 haven't done it already, if you could just pass the  
25 good-cause here for us, because you don't know how

1 many people you're going to help.

2 And with the good-cause, it's not going to  
3 not make landlords want to invest here, make people  
4 invest here.

5 It's just protecting the tenants who is  
6 really the important people here.

7 So, that's all I wanted to say.

8 And, again, thank you for having this  
9 hearing, and you guys have a good day.

10 SENATOR KAVANAGH: Thank you very much.

11 And thank you again for your patience as  
12 well.

13 So next up we are going to have  
14 Michele McKeon (ph.) of RUPCO (sic).

15 MICHELE McKEON: My testimony has already  
16 been submitted.

17 My name is Michele McKeon, and I am the chief  
18 operating officer of the Regional Economic Community  
19 Action Program.

20 Since 1965, RECAP has been the  
21 State-designated antipoverty program for  
22 Orange County. We serve seniors, veterans, victims  
23 of domestic violence, individuals living with HIV  
24 and AIDS, people with substance-use disorder, and  
25 anyone living below the poverty line.

1           Our program (indiscernible) includes  
2           Head-Start; workforce development, like the Fresh  
3           Start and Mill Streak cafes; parole reentry;  
4           residential and non-residential treatment facilities  
5           for drug and alcohol; nutrition and advocacy; and,  
6           of course, housing.

7           In 2018, we were awarded 40 units of the  
8           Empire State Supportive Housing Initiative housing  
9           for victims of domestic violence and/or  
10          substance-use disorder.

11          20 units are slated for the city of Newburgh,  
12          and 20 units are slated for the city of Newburgh.

13          There are a few things to note.

14          According to the New York State Community  
15          Action Association, New York State has a poverty  
16          rate of 15.1 percent, with women-headed households  
17          living in poverty at 37.4 percent.

18          Orange County's poverty rate is 12.6 percent,  
19          with 31.8 households, with women-head households  
20          with children living in it, at that rate.

21          When we look at our two biggest cities,  
22          17.3 percent and 32.2 percent poverty rate for  
23          Middletown and Newburgh, respectively, the  
24          women-headed household rate with children present is  
25          50.6 percent and 55.6 percent, respectively.

1           If you imagine for a moment those numbers,  
2           and the people, the children, behind those numbers,  
3           we should all be horrified, or at least curious, as  
4           to why they are living in poverty.

5           While county employment is low, employment in  
6           liveable-wage jobs is still elusive in this county.

7           Liveable-wage jobs in the city are almost  
8           non-existent. And where jobs are offered for better  
9           pay and, importantly, with benefits, transportation  
10          and child care is, at best, challenging, and at  
11          worst, non-existent.

12          Both cities are also food deserts with  
13          healthy nutritional foods difficult to come by.

14          And it is very safe to say that food pantries  
15          and soup kitchens outnumber, by double digits,  
16          grocery stores.

17          And the food pantries locally do consistent  
18          business, briskly, monthly, repeatedly.

19          Our cities in particular, in particular  
20          Newburgh, struggle with environmental concerns,  
21          including the poisoning of our water, lead and  
22          asbestos in buildings, and crumbling infrastructure.

23          All of the aforementioned determine the  
24          health of a community, the health of a city. They  
25          are the social determinants of health.

1           And one I have yet to mention is housing.

2           We are beyond a housing crisis.

3           We must look at New York City, but we must  
4 look beyond the borders of The Bronx and  
5 Westchester, into our suburbs, all the way upstate.

6           This is not just a New York City problem.

7           When I worked in Albany as the CEO of the  
8 New York State Coalition Against Domestic Violence,  
9 we talked about New York City and rest of state.

10          To make sure we don't leave those people  
11 behind, we must make sure that rent regulations and  
12 tenant protections expand beyond New York City.

13          This homeless housing crisis is far-reaching  
14 and having devastating effects on communities.

15          Housing is health.

16          Housing is health care.

17          Safe, affordable housing improves the lives  
18 of individuals, families, neighbors, community, and  
19 beyond.

20          We can no longer operate "not in my  
21 backyard."

22          Our 20-unit program in the city of Middletown  
23 has been told by the mayor, there is no way he is  
24 having more affordable housing being built in the  
25 city of Middletown, and we have to return that money

1 to the State because we cannot get approval to build  
2 in the city of Middletown.

3 We don't have the luxury of the kind of time  
4 to wait for other people to start paying attention.

5 Every night in my county people sleep  
6 outside.

7 And as someone who led a point-in-time count  
8 this year, none of you, nor me, would ever want to  
9 sleep in some of the places we visited where people  
10 actually sleep every night.

11 We visited abandoned houses, where there are  
12 600 abandoned houses in the city of Newburgh, with  
13 boarded-up windows, broken into, with mattresses,  
14 food, unsafe lighting, and unsafe heating equipment,  
15 and padlocks on bedroom doors to keep people safe.

16 We spoke with people who were just wandering  
17 the streets, looking for a warm spot in the biting  
18 cold. It was 28 degrees that night.

19 We gave out hats, food, scarves, socks, and  
20 information, and tried to engage people in the  
21 process of finding housing.

22 None of this is easy.

23 Add mental health, substance use, domestic  
24 violence, trauma, and poverty, and it's overwhelming  
25 to access the help offered, and, let's face it, our

1 systems are not exactly user-friendly.

2 Safe, affordable housing is a right.

3 While in Orange County we have low-income  
4 housing, it is not enough, and if there are -- there  
5 is real confusion about the different types of  
6 housing.

7 There is low-income housing, there is  
8 affordable housing, and there is market-rate  
9 housing.

10 We have some amazing organizations doing some  
11 good work.

12 We provide permanent housing.

13 RUPCO's Phase 2 is moving along.

14 Habitat is doing their work.

15 But, to be honest, the people that we serve  
16 at RECAP can't afford RUPCO's apartments. They  
17 cannot afford houses from Habitat.

18 We work with people who get a \$412 housing  
19 allowance from the department of social services.

20 Think about your own rent and mortgages, and  
21 where you could possibly access housing, safe,  
22 affordable, clean housing, for \$412.

23 That's why our SEs are so important,  
24 especially for families and singles.

25 We are so thankful for that grant, but, that

1 grant does not come with capital funding.

2 So we have a grant to provide case management  
3 and subsidized housing units for permanent housing,  
4 and no money, without another grant, to build the  
5 actual housing.

6 It is two steps forward, and one step  
7 standing in place.

8 We have to do better, we must do better, and  
9 we are imploring to help us do better.

10 We must make it less cumbersome to meet the  
11 needs of our neighbors and our communities.

12 Housing must be safe and affordable.

13 "Safe" means without the hazards of lead, and  
14 working utilities, windows, doors, and staircases.

15 We allow people to rent apartments without  
16 those things.

17 While the county and cities do their best to  
18 enforce the laws, there are still people living in  
19 absolutely horrendous conditions.

20 Furthermore, the city of Newburgh tenants are  
21 fined for dirty apartments.

22 And when that law, which was pushed by the  
23 landlords, was originally designed, there was also a  
24 15 -- or, 10- or 15-day jail sentence that came with  
25 that, and a \$250 fine.

1           And who determines what's dirty?

2           Because, half the time, my house looks like  
3 "who did it and ran."

4           I wouldn't want somebody coming in and  
5 judging how clean my house was.

6           In the city of Middletown, landlords are now  
7 required to do a criminal background check before  
8 they rent to somebody.

9           That scares our tenants, and the people that  
10 we work with, that they're not going to be able to  
11 find housing.

12           All of these legislative fixes can and have  
13 chilling effects on the most vulnerable and fragile.

14           Rent protection and good-cause eviction, that  
15 must be part of any package.

16           We don't want people evicted just because  
17 they're complaining about the conditions they're  
18 living in, and it happens on a regular basis.

19           We must acknowledge that tenants are  
20 non-powered positions in many cases.

21           We have seen numerous cases of tenants  
22 being -- making fair, legitimate complaints about  
23 living conditions and being retaliated against  
24 against (sic) landlord, either by raising rents,  
25 locking them out, refusing to sign a lease, or just

1 evicting them.

2 This harassment by landlords who are not  
3 doing the right thing must be stopped.

4 Rent control, rent regulations, beyond  
5 New York City is paramount to protect both tenants  
6 and landlords.

7 We recognize landlords also have challenges,  
8 that, at times, tenants can be destructive and  
9 wallet-draining.

10 We especially see our small-business  
11 landlords where the cost to prepare and maintenance  
12 can be fiscally problematic.

13 But working together, agreeing that safe,  
14 clean living conditions benefit everyone -- tenants,  
15 landlords, lawmakers -- we can make real progress  
16 ensuring that tenants are protected, landlords are  
17 able to run successful businesses, and communities  
18 are healthier and safer.

19 Housing is key.

20 Safe, affordable housing is the key.

21 If we make a true commitment to one another  
22 and to our neighbors, and be our neighbors' keepers,  
23 then we can provide healthier communities for all of  
24 us.

25 And isn't that what we all want?

1           Isn't that what we are all required to do?

2           And, isn't that should we -- what we should  
3 want to do?

4           Thank you so much for having the hearing.

5           SENATOR KAVANAGH: Thank you.

6           Any questions for this witness?

7           Okay, thank you very much.

8           Next up we're going to have Albert Annunziata  
9 of the Building and Realty Institute of Westchester.

10           ALBERT ANNUNZIATA: Thank you very much,  
11 Mr. Chairman, and the Committee, for holding this  
12 hearing.

13           Again, my name is Albert Annunziata,  
14 executive director of the Westchester Building and  
15 Realty Institute.

16           We are a membership organization of over  
17 500 members, running the gamut in the building  
18 industry.

19           We represent -- regarding the rental  
20 industry, we represent 120 building owners in  
21 Westchester County, primarily small- to middle-size  
22 building owners. Probably 90 percent of them don't  
23 have buildings above 40 or 50 units. We're not  
24 talking New York City-class.

25           And not surprisingly, they are concentrated

1 in the major cities, Yonkers, of course,  
2 Mount Vernon, New Rochelle, White Plains, and the  
3 town of Greenburgh, which I understand you'll be  
4 having another hearing next week.

5 The town of Greenburgh also has several major  
6 apartment buildings as well, mostly clustered in the  
7 urban centers.

8 I do have handouts, which I will -- I think  
9 I have enough for everybody on the committee, but,  
10 you know, I've been listening very carefully to the  
11 very heartfelt and sincere comments of the tenants  
12 up here in Orange County, in the Newburgh area, and  
13 it can kind of ties in -- just as an observer and a  
14 listener, it ties in directly to the very dramatic  
15 testimony that was here at an earlier committee  
16 meeting, I guess it was joint Housing and  
17 Investigations, where you had the experts from  
18 FASNY, the firemen's association, and they were  
19 talking about the importance of enforcement of  
20 building codes.

21 There is a municipality in Westchester  
22 County --

23 I don't want to mention the name because  
24 they're currently undergoing a big to-do over their  
25 housing situation, but, some of you might know which

1 one it is.

2 -- but, for the past two or three years they  
3 had hearings like this about housing conditions.

4 Many of the housing conditions are like the  
5 ones that we heard here from the other speakers,  
6 where it was the conditions of the housing;  
7 dangerous, substandard fire, fire detectors, alarm  
8 detectors, and CO detectors, that didn't work, the  
9 very things you heard from the FASNY experts.

10 And they happened to have -- this  
11 municipality happened to have a volunteer  
12 landlord-tenant advisory board which operated fully  
13 and completely within the limits of the village.

14 And most of the cases that they had to deal  
15 with were not rent level -- you know, the levels of  
16 the rent.

17 The average rent in Westchester County is  
18 still below the HUD, you know, designated  
19 fair-market rent for Westchester County.

20 So it wasn't so much the rent level. It was  
21 the very dangerous and substandard work -- living  
22 conditions that would be -- speak of a failure of  
23 that municipality, through their building inspector  
24 and fire inspector, to make sure that these  
25 conditions did not persist, or even exist, for that

1 matter.

2 So you have that situation -- where, of all  
3 the things that was wrong with the rental housing in  
4 this particular village, the rent levels were, like,  
5 ninth or tenth on the list, because there are areas,  
6 even in Westchester County, that simply don't  
7 command the high rent levels that you might find in  
8 Scarsdale or Chappaqua, or even New York City.

9 So -- you know, so I was kind of listening to  
10 the interrelated, you know, system that has been  
11 discussed, and how there are a lot of stakeholders  
12 in this process.

13 You know, all of us, we -- we talk to our  
14 legislators, our Assembly reps, our Senate reps, and  
15 some of us even make the trek to Albany and do the  
16 same thing up in Albany.

17 And I couldn't help but notice the New York  
18 State seal, and my knowledge of American history and  
19 state history, such as it is, is that you have  
20 Columbia on the left, representing the new world,  
21 and the energy and the power of the new world, and  
22 you have Lady Justice on the right, with the sword  
23 and the scales of justice.

24 And, I've often thought about that in  
25 relation to the whole rent-laws issue.

1           And then, of course, you're up in Albany, and  
2           you're running around like a chicken with your head  
3           cut off. And then you see this, you know, the state  
4           of justice in New York State, and here's  
5           Lady Liberty, justice, with the scales.

6           And just imagine, the existing system of rent  
7           regulation -- now, I can only speak for  
8           Westchester County, which is -- which, along with  
9           Rockland and Nassau county, are under ETPA, the  
10          suburban form of the rent-stabilization law in  
11          New York City.

12          So, in fact, Westchester probably is the  
13          largest of the three. They have the lion's share of  
14          the units under ETPA. Nassau a distant second. And  
15          Rockland even a far more distant, like the planet  
16          Pluto from the sun, you know, the least amount of  
17          ETPA housing.

18          But if you looked at the system, at the  
19          regulatory framework, in which ETPA, you know,  
20          operates, and you look at the scale of justice, and  
21          you have, you know, the two, if I may, having --  
22          being a frustrated teacher -- having the two scales,  
23          the two plates of the scale of justice, on either  
24          side, this is what exists now.

25          And, you know, in the grand scheme of things,

1 quite rightly so, but this is what exists now:

2 The tenants are on this side, and the owners  
3 are on this side.

4 So if I may use, with the generosity of the  
5 armory and their supply of cups:

6 We have senior citizen rent exemption.  
7 Senior citizens can apply. It is a very active and  
8 popular program in New York State.

9 You have senior citizens rent exemption, so  
10 that any rent increases that might come along,  
11 whether from a legitimate MCI (major capital  
12 improvement), or individual apartment improvement,  
13 or even the smaller increases that invariably come  
14 from the local county rent guidelines board, senior  
15 citizens are exempt from those increases.

16 Then you have DREAM, the disabled  
17 rent-increase exemptions, and quite understandably  
18 so.

19 There's no income qualification for rent  
20 protection under ETPA.

21 And I heard the last witness talking about  
22 landlords who, you know, are quite wealthy, and  
23 they've got a place in Florida or the Hamptons,  
24 or -- and they drive fancy cars.

25 Well, I can tell you that, you know, if any

1 of you asked DHCR for -- well, actually, one of my  
2 senators left earlier.

3 If Senator Mayer asks DHCR a pointed  
4 question, "How many units in Westchester County are  
5 under ETPA?" DHCR would not be able to give her an  
6 exact figure, okay, because they're dependent on the  
7 information they get from the municipalities who  
8 have ETPA, and, also, those who do respond -- those  
9 landlords who do respond every year, to providing  
10 the gobs of information, financial or otherwise,  
11 with the operation and maintenance cost surveys, the  
12 apartment registrations.

13 So there's a tremendous amount of information  
14 coming from owners in Westchester, but DHCR doesn't  
15 still know how -- exactly how many units.

16 We've estimated -- based on our membership,  
17 accounting for about 15,000 of the units in  
18 Westchester, we've estimated that there's probably  
19 between twenty and twenty-five thousand units be  
20 remaining in Westchester County under ETPA.

21 So going back to -- there's no income -- real  
22 income test for being eligible for all the benefits  
23 of rent stabilization, rent regulation.

24 Tenants up to 200,000 are protected.

25 Now, only if DHCR initiates an investigation,

1 anything above 200,000 for a period of, I think it's  
2 two consecutive years, and, again, at DHCR's  
3 initiative, then they can proceed to say, hey,  
4 you've got to free up that unit for someone far  
5 more worthy -- many of the people here in this  
6 audience -- far more worthy to deserve the  
7 protections of rent stabilization.

8 We've estimated that a minimum of, probably,  
9 20, 25 percent, maybe four to five of that 25,000,  
10 four to five thousand units in Westchester County  
11 are being occupied by very, very wealthy tenants.

12 Are there wealthy landlords? Absolutely.

13 But, for every unit that a wealthy tenant  
14 occupies in Westchester County, or anywhere in  
15 the ETPA system, that is one unit denied; denied  
16 an eligible, struggling middle-class,  
17 lower-middle-class, poor family, in need of rent  
18 protection.

19 So keep that in mind, there are a lot of  
20 inequities in the system already.

21 And, again, inequities, I'm kind of pointing  
22 out the scales of justice here, with the two plates  
23 on either side.

24 Continuing on the tenant side, we're subject  
25 to -- the owners are subject to, in any of the

1 counties, including New York City, rent increases  
2 from the rent guidelines board, invariably, because  
3 it is an imminently political process, that the  
4 increases are -- the increases are very low, many  
5 times zero, increases, because it's political.

6 And, by the way, tenants can serve on the  
7 county rent guidelines board and vote on their own  
8 increases --

9 SENATOR KAVANAGH: Mr. Annunziata, I'm going  
10 to ask you to wrap up, and I think you will have  
11 questions at the end.

12 ALBERT ANNUNZIATA: Oh, okay, but a lot of  
13 people had time.

14 I just was -- wanted to present, I'm not  
15 finished. I probably have another five minutes.

16 SENATOR KAVANAGH: We're -- we're -- as  
17 I said at the beginning, we're offering each witness  
18 10 minutes for initial testimony, and we have been  
19 holding people to that --

20 ALBERT ANNUNZIATA: I should have brought  
21 maybe somebody else to continue to talk then,  
22 I guess.

23 SENATOR KAVANAGH: Well, we -- we -- we  
24 consider each --

25 ALBERT ANNUNZIATA: All right.

1           Very quickly --

2           SENATOR KAVANAGH: -- one person, one  
3 testimony, is our -- is a principle here that we've  
4 been adhering to.

5           So we'd appreciate if you would wrap up, and  
6 you will have additional questions --

7           ALBERT ANNUNZIATA: Oh, okay.

8           I just couldn't help noticing the amount of  
9 time that was given to the other speakers.

10          SENATOR KAVANAGH: Which was 10 minutes.

11          ALBERT ANNUNZIATA: Very quickly:

12          Pro-tenant members on the rent guidelines  
13 board, there's a tenant-protection unit that does  
14 the work, you know, over from the DHCR.

15          We have succession rights, where families can  
16 be in the same apartment for years and generations.

17          Permanent rental assistance, Section 8, now  
18 has become a permanent part of the lease.

19          And so forth.

20          So you've got all of this.

21          And the only tools remaining in the owner's  
22 toolbox are, basically, three or four things:

23          Major capital improvements, when needed;

24          Individual apartment improvements;

25          Vacancy allowance;

1           And, of course, the flexibility of  
2 preferential rent when the market does not command  
3 the legal regulated rent.

4           So, I present this to you for your  
5 consideration.

6           There's a lot of inequity in the system.

7           I would ask you to keep both sides in mind,  
8 because this is the side that actually keeps the old  
9 housing stock.

10          The average age in Westchester County is  
11 approaching 100 years because a lot of these  
12 buildings were built in the 1920s and '30s.

13          So, I do have handouts for the Committee.

14          SENATOR KAVANAGH: Okay, we will take any  
15 written material and incorporate it into the record.

16          ALBERT ANNUNZIATA: And this goes into a  
17 little bit more detail of the importance of these  
18 last four tools in the remaining toolbox of  
19 inaudible.

20                 (Witness gets up from table and approaches  
21 dias with materials in hand.)

22          SENATOR KAVANAGH: Okay.

23          Thank you very much.

24          Do the senators have questions or comments?

25          All right, I'm going to start at my right,

1 and work our way across.

2 Senator Salazar.

3 SENATOR SALAZAR: Thank you for your  
4 testimony, and for the cup demonstration.

5 I wanted to ask, you mentioned "legitimate  
6 MCIs."

7 And I realize that you were -- you were  
8 contrasting that with just increase -- you know,  
9 increases that aren't actually through the major  
10 capital improvements program.

11 But, I was reminded by your use of that  
12 language, you know, you -- you seemed to -- I guess  
13 my question is: Do you think that most of the  
14 increases granted through the major capital  
15 improvements program are legitimate rent increases?

16 And do you think that there is a problem with  
17 fraud in the program, for example?

18 ALBERT ANNUNZIATA: Actually, it was tough  
19 enough for owners to get an MCI, with all of the  
20 documentation and receipts and everything that they  
21 had to do.

22 Now with the tenant-protection unit, and  
23 I think it's been around now for three years, and  
24 I think that was specifically addressed by the  
25 Governor at the creation of the tenant-protection

1 unit, they've actually gone back and -- to MCIs that  
2 were approved, and gone back and checked and  
3 rechecked.

4 So, you know, it's a pretty hard gauntlet for  
5 the owner to go through, with all the documentation,  
6 so that the MCIs are legitimate, you know.

7 The MCIs, they have to be, to be granted the  
8 okay from the division of housing.

9 And -- but MCIs, you know, and some of that  
10 is the age of the building, and some of that is  
11 regulatory.

12 In Westchester County, and I think in  
13 New York City too, the Number 6 oil is being faced  
14 out, Number 4 oil soon. And, then, either they have  
15 to convert to Number 2 or gas.

16 So you are talking about massive old heating  
17 plants, heating systems in these buildings, that  
18 have to be redone, either converted to gas, but we  
19 have a Con Ed moratorium that we have to deal with  
20 in Westchester County, and I hear on the grapevine,  
21 soon to be on Long Island.

22 So you've got a regulatory component to MCIs,  
23 you have to do them. But, also, you have the age of  
24 the building and the condition of the building,  
25 whatever.

1           So, the MCIs, you know, they're not at every  
2 building at every time, but on an as-needed basis,  
3 or for compliance with regulatory directives, and,  
4 it runs a gauntlet through DHCR and through the  
5 tenant-protection unit.

6           SENATOR SALAZAR: Sure.

7           So -- and I'm pretty familiar with MCI  
8 program.

9           The reason I asked, is because, our  
10 understanding, based on a lot of testimony, not only  
11 from tenants, from legal experts, from even the  
12 agencies, they -- it seems that there actually is a  
13 lack of oversight in the MCI program, and that,  
14 actually, a lot of the increases through the program  
15 are not really verified, and there's a lack of  
16 accountability.

17           I also -- I just want to clarify, you're from  
18 the Building and Realty Institute of Westchester?

19           ALBERT ANNUNZIATA: Right, we're a trade  
20 association, much like the chamber of commerce.

21           My 10-second elevator speech is, when  
22 somebody asks me what the Building and Realty  
23 Institute is, I say, Do you know what a chamber of  
24 commerce is?

25           They go, Yeah, yeah.

1           We're the chamber of commerce for the  
2 building industry.

3           So we represent about 120 really small- to  
4 mid-size building owners in Westchester, among other  
5 real estate classes and membership.

6           SENATOR SALAZAR: Right, right.

7           Because my understanding is, that there are  
8 about 1500 members in the institute, but not  
9 necessarily property owners.

10          ALBERT ANNUNZIATA: Overall, yes.

11          Actually, the apartment owners are one of our  
12 smaller groups.

13          But we also have, you know, a number of, not  
14 surprisingly in any organization like this, a lot of  
15 contractors, suppliers, service firms.

16          We have -- we represent several hundred  
17 co-ops and condos in Westchester who also face the  
18 MCI, the need for capital improvements, whatever.  
19 So they're familiar with that, obviously, under a  
20 different regulatory umbrella.

21          But -- so it's about 1500, all tolled, yes,  
22 different classes. But the apartment owners, just  
23 about 120, representing about 15,000 of an estimated  
24 25,000 units in Westchester County.

25          SENATOR SALAZAR: Got it.

1           And do you happen to know if E&M Management  
2           is a member?

3           ALBERT ANNUNZIATA:   (Indiscernible)?

4           SENATOR SALAZAR:    E&M.

5           ALBERT ANNUNZIATA:   Oh, E&M.

6           I wouldn't.

7           We have a huge database, and I'm old-school.

8           I took over in 2001, where, my predecessor  
9           who ran the association from 1946 to -- 1946 to  
10          2001, I was looking at DOS computers, and, you know,  
11          fax machines.

12          I still like fax machines.

13          So, I'm not a tech person.

14          I actually avoid our database, and leave it  
15          to others in the office.

16          But, E&M, I can find that out for you.

17          SENATOR SALAZAR:    Great, thank you;  
18          I appreciate that.

19          My -- the only question I have, because you  
20          mentioned the tenant-protection unit that has  
21          existed for a few years, do you know how many  
22          full-time staff the TPU currently has?

23          ALBERT ANNUNZIATA:   No.

24          I just know that it was created several years  
25          ago by the Governor, I guess, carving it out of the

1 regular DHCR.

2 And when we met with -- and I'm not telling  
3 tales out of turn. Senator Mayer will tell you this  
4 is exactly what happened.

5 When a group of us met with her at her  
6 office, and she was very generous with her time for  
7 about an hour with our group, in port -- in Rye, she  
8 asked the question, you know: I've asked DHCR, have  
9 they done any investigation, TPU, have they done any  
10 TPU investigations in Westchester?

11 And they told her, no.

12 And then two of my owner members, both women,  
13 we have more than several women- and minority-owned  
14 building owners, they said, Well, you have two  
15 people in this room who were checked,  
16 doubled-checked, triple-checked, by TPU, over our  
17 MCI applications. And they had all of the  
18 documentation, they gave it all back.

19 What they gave to DHCR, they provided again  
20 to TPU, and even in more detail, whatever, and  
21 everything was okay.

22 I wouldn't necessarily know how many are in  
23 the TPU. That would have to be something that maybe  
24 one of you good people could possibly find out from  
25 DHCR.

1           SENATOR SALAZAR: Yeah, so -- so, right now,  
2 we did, in the state budget, increase the allocation  
3 so that they could specifically hire 94 full-time  
4 staff.

5           But, currently, there are 25 staff members in  
6 the -- in the tenant-protection unit.

7           And it's just remarkable to me, when I hear  
8 your testimony, that TPU is this resource to so many  
9 tenants across the state, and to two of your members  
10 in Westchester County, because it's actually -- what  
11 we have found, or what I have certainly -- what I've  
12 certainly found, and what tenants have attested to,  
13 as well as legal-aid attorneys, TPU is not the  
14 resources that they've had, even that they'll have  
15 now, is not adequate to cover the entire ETPA  
16 region.

17           ALBERT ANNUNZIATA: Well, I can well  
18 understand your point.

19           It's a big region under both rent  
20 stabilization and ETPA, as it is, you know, without  
21 even thinking about, you know, the need statewide,  
22 or even, you know, commenting on that.

23           But I only mentioned it here because it's one  
24 of the things on the tenant side, however,  
25 understaffed, that, certainly, not here, you know,

1 in terms of the benefit for the owner.

2 SENATOR KAVANAGH: Thank you,  
3 Senator Salazar.

4 Senator Myrie.

5 SENATOR MYRIE: Thank you, Mr. Chairman.  
6 And thank you for your testimony.

7 I want to focus on this notion of  
8 means-testing.

9 You mentioned that there -- there are a whole  
10 body of folks that are missing out on the  
11 opportunity for affordable housing because they are  
12 not means-tested, and this is not a novel concept.

13 I think we've heard this in this discussion,  
14 that we should be looking at the tenants, and we  
15 should be means-testing the tenants.

16 I want to talk for a moment about  
17 means-testing property owners, because, if we are --

18 And I do have a question at the end of this.

19 -- if we look at the rent-regulated system,  
20 certainly in the city of New York, according to the  
21 rent guidelines board, only 5 percent of property  
22 owners were distressed; meaning, that they made less  
23 money than the building was giving them.

24 Right?

25 So we have heard the argument from property

1 owners, that the reason that we need to keep some of  
2 these regulations in place, MCIs, IAIs, and these  
3 other means of passing on the costs to the tenant,  
4 is because that's the only way that the property  
5 owner will be able to make money, that is the only  
6 way that they'll be able to keep the building  
7 moving.

8 But, only 5 percent of them are not making  
9 money.

10 So here we are, instituting a system, in  
11 which 95 percent of the property owners are doing  
12 okay, if not doing very well, but we are calibrating  
13 and passing on the costs to the tenants.

14 And, so, should we be determining our  
15 policies based on how well the landlords are doing?

16 ALBERT ANNUNZIATA: That's a good question.

17 With the years that I've been an observer,  
18 I'm not an owner myself, but, with the years that  
19 I've been an observer at the county rent guidelines  
20 board, the operation and maintenance cost surveys  
21 and the apartment registrations and all the  
22 information that the owner has to file every year  
23 with the division of housing, one can determine, as  
24 a group profit margin, how well they're doing as a  
25 group, how not well they're doing, or whatever.

1           So, you know, there's already a lot of data  
2           on the owners' side for policymakers to look at  
3           and -- and -- and -- and -- and, you know, look at  
4           how well-off the owners are.

5           In a way, owners are like an electric  
6           utility, or any kind of utility, where they're  
7           providing a public service.

8           They have -- they -- they own -- they  
9           privately own the building --

10          SENATOR MYRIE: I'd agree, and I will say  
11          that is precisely why they should be regulated.

12          ALBERT ANNUNZIATA: And the thing is -- and  
13          they are regulated.

14          But the thing is, just like Con Ed, maybe  
15          there should be, just like with rent control, many  
16          of you might not know this, because it was a  
17          surprise to me to find out, that there is still  
18          maybe a few thousand of the old World War II  
19          rent-control units in -- throughout the whole  
20          system, New York City and the suburbs.

21          And DHCR -- DHCR determines the percentage  
22          increase of rent internally, based on CPI, or  
23          whatever.

24          So that's like the public service commission  
25          saying, Okay, Con Ed, you get X percent increase

1 this year, and that's passed along to the users.

2 So, whereas, the rent-control units get  
3 9 percent, in some years, from DHCR, the rent  
4 guidelines board, with ETPA, gives them zero or  
5 1 percent increases.

6 So it's kind of like there are disparities  
7 all over the place.

8 But, certainly, there are inequities on both  
9 sides, that we are looking to all of you, especially  
10 in such a position of power and responsibility, and,  
11 also, you know, opportunity to look at the entire  
12 rent-law system and, you know, come up with  
13 reasonable and rational regulations across the board  
14 for both tenants and landlords.

15 SENATOR MYRIE: So, I'm sorry, just so --  
16 just for clarity sake, and I appreciate your  
17 response.

18 I think we are well aware of, and we're  
19 trying to fix, in fact, that disparity between  
20 rent-control rent.

21 But you do not agree that landlords should be  
22 means-tested?

23 ALBERT ANNUNZIATA: I think it's certainly  
24 within the power of all of you legislators, in both  
25 Houses, that, you know, there's a tremendous amount

1 of information already, as to the health, or the  
2 lack thereof, or the middling condition, of, you  
3 know, building owners in New York City and the  
4 suburbs.

5 And -- so, you know, certainly, you know,  
6 it's something you should look at, if you feel you  
7 should.

8 But, you know, with all the talk of  
9 affordable housing, and I come from a family of  
10 renters in Mount -- I grew up in Mount Vernon,  
11 New York, and I grew up long before ETPA, I'm sorry  
12 to say. I grew up in the '50s and '60s, and my  
13 parents were immigrants from Italy, that, you know,  
14 we struggled, and whatever. Didn't have the  
15 protections that exist today.

16 But, suffice it to say, that -- that when you  
17 talk about affordable housing, whether it's  
18 Westchester County or Orange County, or whatever, to  
19 have 20 percent of the units out there in the hands  
20 of people who happen to be in the right place at the  
21 right time, for generations, because of the  
22 succession laws, that it doesn't matter how much  
23 they earn or grow in salary every year. That,  
24 they're in place until somebody decides, well,  
25 there's a suspicion that Tenant X in Apartment 2-B

1 is earning over \$200,000, so maybe we should take a  
2 look at that particular unit.

3 For every unit like that, it does cry out for  
4 a certain amount of social justice, that -- that, in  
5 the American way, that person earning a high income  
6 should really move on --

7 (Audience member sneezes.)

8 ALBERT ANNUNZIATA: Salute.

9 -- and give -- see, that's the Italian in me.

10 -- and give a more worthy tenant, single mom,  
11 low- to middle-class person, a chance for a  
12 rent-stabilized apartment, which they are -- which  
13 really they need, and really is due them.

14 SENATOR KAVANAGH: Thank you, Senator Myrie.

15 Just, briefly, you know, we are very late.

16 I would just -- I would suggest, just some of  
17 those cups -- and we appreciate the cup  
18 demonstration.

19 Just a couple of -- I would -- couple of them  
20 I might move over, just, for example, by pointing  
21 out that, statutorily, these rent guidelines boards  
22 do have to have two landlord representatives and two  
23 tenant representatives --

24 ALBERT ANNUNZIATA: That's correct.

25 SENATOR KAVANAGH: -- and then five

1 additional.

2 So I am not sure, you know, how that  
3 generated a cup for the tenant side without a cup  
4 for the landlord side.

5 ALBERT ANNUNZIATA: Well, in  
6 Westchester County -- I can only speak for  
7 Westchester.

8 In Westchester County, and in the ETPA  
9 statute, a tenant can serve on the rent guidelines  
10 board and vote on their own increases, decreases,  
11 freezes.

12 A landlord cannot serve.

13 SENATOR KAVANAGH: A landlord can serve as  
14 long as they are not owning -- a landlord can serve  
15 as a (indiscernible) member, as long as they are not  
16 owned -- an owner of real estate that is actually  
17 regulated by the statute.

18 ALBERT ANNUNZIATA: Well -- right, true.

19 SENATOR KAVANAGH: But there are certainly  
20 many landlords and many who are sympathetic to the  
21 interest of landlords.

22 ALBERT ANNUNZIATA: Right.

23 They're not under the regulatory -- they're  
24 not under the regulatory aegis (indiscernible) --

25 SENATOR KAVANAGH: Again, I would say, you

1 know, the idea that it's not balanced, you know, is  
2 something, and, certainly, many would question.

3 And I also would note that high-income  
4 deregulation provisions are -- that is a process  
5 that landlords can initiate.

6 What many people are concerned about is that,  
7 under the current process, it doesn't just remove  
8 the undeserving household that makes over \$200,000,  
9 although, some -- you know, in some of our  
10 neighborhoods, \$200,000 might be like a -- you know,  
11 a school principal and a firefighter, a two-income  
12 household.

13 But, also, you know, it removes the unit  
14 entirely from rent regulation.

15 So, you know, there's no -- there's no  
16 provision right now to remove that high-income  
17 household and keep the system in regulation.

18 ALBERT ANNUNZIATA: And that's part of -- and  
19 that's part of the inequities that you all are  
20 looking at.

21 SENATOR KAVANAGH: But we do -- again, we do  
22 appreciate your testimony, and your cups, and --

23 ALBERT ANNUNZIATA: Thank you, Mr. Chairman.

24 SENATOR KAVANAGH: -- thank you very much.

25 ALBERT ANNUNZIATA: My wife is a fourth-grade

1 teacher in Yonkers, and either she'd be very proud  
2 of me at this moment, or she'd be absolutely  
3 horrified.

4 SENATOR KAVANAGH: She can -- this will be  
5 webcast, so perhaps she can view the tape --

6 ALBERT ANNUNZIATA: Oh, my.

7 SENATOR KAVANAGH: -- and let you know.

8 ALBERT ANNUNZIATA: Oh, my goodness.

9 All right.

10 Thank you so much.

11 SENATOR KAVANAGH: Thank you.

12 Okay, next up, we're going have -- again,  
13 we're very happy to have some of our elected  
14 officials who -- local elected officials who may --  
15 some of these things we're discussing today might  
16 empower them, going forward.

17 But, I'm going to ask Ramona Monteverde to  
18 come up, along with Anthony Grice, and also --  
19 sorry, forgive me, and Tamie Hollins as well, who  
20 I believe is not an elected official, but is joining  
21 this panel.

22 ANTHONY GRICE: So, first, I want to thank  
23 everyone for having this hearing, I greatly  
24 appreciate it.

25 It is a critical time here for us, especially

1 in the city of Newburgh.

2 I did not prepare any statement, so I do  
3 apologize for that.

4 SENATOR KAVANAGH: (Inaudible.)

5 Thank you.

6 ANTHONY GRICE: So my name is  
7 Councilman Anthony Grice for the city of Newburgh.

8 RAMONA MONTEVERDE: And I am  
9 Councilwoman Ramona Monteverde, Ward 2.

10 TAMIE HOLLINS: And I am Tamie Hollins, a  
11 resident here in the city of Newburgh.

12 ANTHONY GRICE: And so as I was saying, I am  
13 very fortunate to live in a house, and I do consider  
14 it fortunate.

15 When I talk to the people in the city of  
16 Newburgh, one of the things that strikes me is the  
17 amount that they're paying in rent.

18 I pay \$900 for my mortgage, which includes my  
19 taxes.

20 Many people are paying way more than that,  
21 sometimes almost twice as much as that, for  
22 conditions that I wouldn't put my dog in. They are  
23 horrible conditions.

24 And then the situation in the city of  
25 Newburgh is, when they do go complaining to our

1 codes department or some other entity, what is  
2 happening is, they are then quickly sent out of  
3 their house, out of their apartment, and then it's a  
4 scramble for them to find places to live.

5 For sure, all -- not all of our landlords are  
6 slumlords, but a majority of them do have serious  
7 code violations on their buildings.

8 A lot of our buildings in the city of  
9 Newburgh were built before -- built in the early  
10 1900s. I think about 60 percent of our buildings  
11 were built before the 1900s.

12 And so they definitely do have some issues  
13 with them. They have lead, they have asbestos, they  
14 might have a leaky roof, or some other situation  
15 that comes along with old houses.

16 But when the landlords buy those properties,  
17 they do not buy them sight unseen. They are very,  
18 very aware of what is going to be in that building  
19 and what it incurs, and they are definitely making a  
20 profit on that.

21 So we do need all nine of those bills signed,  
22 even though some of them, what seems like it only  
23 affects New York City right now, there is going to  
24 be, especially in the city of Newburgh, as we're  
25 revitalizing, there might be the opportunity that we

1 might have those same kind of housing units here in  
2 the city of Newburgh.

3 So it's important that we pass all nine of  
4 them.

5 The other thing that I wanted to mention is,  
6 our codes department right now in the city of  
7 Newburgh, I believe we only have four staff members.

8 We -- that's not enough to sustain us. We  
9 really need to have about fifteen to really do a  
10 great job with codes enforcement.

11 One of the issues, though, is, when we do go  
12 in for codes enforcement, and we tell a -- the  
13 property owner that his building is condemned, or  
14 whatever the case, and now we have just made a  
15 family homeless. And so then it puts us in a  
16 scramble of trying to find some place for them to  
17 go.

18 And, you know, we, as a city, we don't have  
19 those resources to say, you know, you're out of your  
20 place, and now we're going to transport your whole  
21 family to some other place.

22 I do work for the Newburgh Enlarged City  
23 School District, and I work very closely with the  
24 our homeless liaison, Mr. Morgan.

25 And so when I know about a situation that's

1 coming up, I'll call him to his cellphone, sometimes  
2 a late Saturday night, and say, you know, Heads-up,  
3 we have this family that's coming. And can we --  
4 under the McKinney-Vento law, can we ensure that at  
5 least the children have a smooth transition, as far  
6 as getting to school, and getting the meals, and  
7 getting them meals on the weekends.

8 But it still really puts us in a tough  
9 situation.

10 And I heard how the other gentleman, how his  
11 time was cut short, so I'm going to yield my time,  
12 and let (motions)...

13 RAMONA MONTEVERDE: Thank you for letting me  
14 speak.

15 I actually came because I wanted to come, and  
16 I wanted to thank you for actually holding these  
17 hearings.

18 It's extremely important in the city of  
19 Newburgh that we start to work on improving the  
20 housing stock.

21 I have been working in the city of Newburgh  
22 since 2001.

23 I actually have 26 years in affordable and  
24 supportive housing.

25 I started out in Yonkers, and Yonkers is way

1 ahead, and the work that we were doing with  
2 affordable housing in Westchester.

3 And then I came to Orange County and actually  
4 was shocked to see that tenants are not protected  
5 here. There's no rent-control regulations in the  
6 city of Newburgh.

7 And today, as a councilwoman, working in  
8 supportive housing, I'm seeing that the housing  
9 condition is deplorable.

10 We have 128 apartments where I work,  
11 supportive housing, low-income, and that is not  
12 enough.

13 128 apartments, and we have a waiting list  
14 of, probably, about 500 people that are needing to  
15 get in at 30 percent.

16 The housing stock in the city of Newburgh,  
17 for a very long time, because we don't have the  
18 staff in the codes department to inspect these  
19 apartments and to stay on top of these landlords,  
20 is, really, as my colleague here, Councilman Grice,  
21 mentioned, it's, just, again, it's deplorable, and  
22 people should not be living in these apartments and  
23 paying rent.

24 And, unfortunately, what we're seeing in the  
25 city of Newburgh is the rents are going up, they're

1 not affordable. People are being pushed out.

2 At the same time, we are trying to hold the  
3 landlords accountable, but, in doing that, we're  
4 condemning buildings and we're closing them down,  
5 and people are being homeless and displaced.

6 So, therefore, we need to build more  
7 affordable housing that is suitable.

8 So thank you again for letting me speak.

9 I will pass this on to my colleague,  
10 Tamie Hollins.

11 Thanks.

12 TAMIE HOLLINS: Hi.

13 SENATOR KAVANAGH: Thank you.

14 TAMIE HOLLINS: I want to bring light to  
15 another piece of the housing stock here in the city  
16 of Newburgh, and it's called "the multi-family  
17 housing," and the multi-family housing is governed  
18 by HUD regulations.

19 Senator Skoufis, and constituents, since the  
20 new management personnel took over Varick Homes,  
21 which is a multi-family housing property funded by  
22 HUD, the residents and myself have been experiencing  
23 emotional stress, displacement leading to  
24 homelessness, and harassment, because the policies  
25 and procedures of the HUD Handbook, 4350.3, are not

1 being followed.

2 Working people, many of them at Varick Homes,  
3 cannot go to work and focus on our jobs -- or, focus  
4 on their jobs because of the emotional stress of  
5 being harassed.

6 We have seniors, who are our most precious  
7 but fragile assets, who have worked all their lives,  
8 and they didn't make a lot of money, but they did  
9 work, they are being worn out daily, mentally,  
10 emotionally, and physically, and are in fear for  
11 their livelihood, wondering, where they are going to  
12 go because they're going to be homeless.

13 What's even more astonishing is, our seniors,  
14 they don't qualify to be evicted, not when it comes  
15 to the regulations of the HUD Handbook, 4350.3.

16 Senators, it's been bad, but now it's getting  
17 worse.

18 It's like, no one is monitoring, no one is  
19 watching.

20 Newburgh is rebuilding, redeveloping, from  
21 the fragility of the deterioration of poverty of the  
22 years past.

23 Local and state officials and this  
24 administration has stated numerous times, that we  
25 are not doing business as usual anymore in New York

1 State and in the city of Newburgh, but, there are  
2 some businesses who are still set on doing business  
3 as usual.

4 Senators, we cannot allow, we cannot allow  
5 this, if we plan to redevelop the city of Newburgh,  
6 or New York State, because, if so, it won't happen.

7 Someone has to say something.

8 Someone has to not be fearful enough to be  
9 quiet.

10 Someone has to not be scared to come up and  
11 speak, pertaining to our housing, and that's where  
12 I am, and that's why I'm here.

13 Somebody has to speak up.

14 Everybody can't be fearful. Everybody can't  
15 stay scared.

16 We have to worry every day down in  
17 Varick Homes housing about coming home and finding a  
18 note on our door, a letter in our mailbox, a phone  
19 call coming in, or a message -- or, a phone message,  
20 that we need to come to the office, for something,  
21 or to do something, that does not line up with the  
22 HUD regulations, again, of the HUD Handbook, 4350.3.

23 So this evening, Senators, I'm asking,  
24 Varick Homes is asking, please, let's not give any  
25 more passes or power to the property owners who are

1 defrauding HUD and the tenants, who are mismanaging  
2 the properties, and who are grossly negligent in the  
3 city of Newburgh anymore.

4 Let's stand up together against the  
5 entrapment tactics that plague our city residents  
6 daily from the housing stock owners.

7 Thank you.

8 SENATOR KAVANAGH: Thank you.

9 Any questions or comments from the panel?

10 Senators Skoufis.

11 SENATOR SKOUFIS: Thank you, Mr. Chairman.

12 And it's a pleasure to see all three of you.

13 And, in my first five months, it's been a  
14 delight working with both of you, Council Members,  
15 and your colleagues.

16 And I think that, you know, we've made some  
17 progress on a lot of issues.

18 You know, I know specific to what we are  
19 talking about now, we're working together on funding  
20 the housing-needs assessments, and, there's a lot  
21 more work to do.

22 And, certainly, we have an opportunity on  
23 this side of the table to bring some tenant  
24 protections to Newburgh that you all need.

25 And that, more importantly, your constituents

1 need. Right?

2 And, Tamie, I know, you know, that we've  
3 gotten to know each other a little bit over the past  
4 year or two.

5 There's a reason why you're the  
6 sergeant-at-arms in the Democratic Committee; right?

7 And this is the first I'm hearing about what  
8 you just read.

9 And, off-line, let's have a conversation  
10 right after you're all done with your testimony, and  
11 I'm willing to help whoever I possibly can.

12 You and your neighbors, you shouldn't be  
13 harassed. You shouldn't be going through what  
14 you're going through, as you described.

15 So, I will be happy to join you and your  
16 neighbors in fighting back wherever we can.

17 But thank you for your testimony.

18 And, we've got a lot more work to do.

19 SENATOR KAVANAGH: Thank you.

20 I'll join you in thanking.

21 Thank you for your testimony.

22 Next up, is Bob Braunclich still here, from  
23 Kingston Tenants?

24 Thank you for your patience.

25 And next up, I'm glad to see, I think some of

1 the CVH folks have returned, so we will have the  
2 rest of the CVH crew up next.

3 I appreciate it.

4 BOB BRAUNCLICH: Hello, everyone.

5 I really appreciate you taking some time to  
6 listen to me today.

7 I'm new to the Hudson Valley. I just moved  
8 back to New York from Texas seven months ago.

9 I was renting in Texas.

10 I've lived in Rhode Island prior, I've rented  
11 there; Massachusetts, New Mexico, Callie for a  
12 little while.

13 But in New York where I'm from, I've never  
14 rented, and this is my first experience here.

15 And I just wanted to share my story with  
16 everyone here, so far. It's been interesting.

17 When I first looked for my apartment, and  
18 found the one that I have, the building I was shown  
19 had multiple issues with it.

20 The front door was missing a literal  
21 two inches off the front of it. It was -- it was  
22 interesting that an apartment could be shown with a  
23 door that didn't have a complete bottom to it.

24 The windows didn't stay up. There were no  
25 screens in there.

1           There was black mold in the bathroom.

2           The breaker panel seemed to have a hum to it,  
3           which I later discovered, after plugging things into  
4           outlets in the apartment after I had signed the  
5           lease.

6           The showing process was a very rushed  
7           process. It was done by a leasing agent who was  
8           contracted by the company that manages the property.

9           And, it was just a very rushed process.

10          And I was promised during this process that  
11          all of these issues would be fixed.

12          My door would be, you know, completely  
13          replaced. There would be molding replaced. I would  
14          have things -- the apartment would be put back in  
15          working order.

16          So, okay, I believed it, I signed the lease.

17          I've signed many leases before. There really  
18          never were issues in the apartments I looked at in  
19          the past. They were all taken care of prior to.  
20          And any ones that did exist were taken care of, as  
21          promised.

22          But with this particular situation, after  
23          signing the lease, nothing was done.

24          The apartment was left as is.

25          I was continually told for the following

1 four months, Yeah, we'll fix your issues. Don't  
2 worry, we'll fix your issues. Just make sure you  
3 submit the issue through our online portal, or get  
4 in touch with whoever the maintenance person was.

5 And no matter how many requests I made, it  
6 just continued to stay in the state that it was.

7 It was surprising to me that, in New York  
8 State, that a landlord could rent an apartment that  
9 was, one, in that condition, and, two, just  
10 continued to seem to not really fix it after renting  
11 it.

12 So, anyways, fast-forward, I've been there  
13 for seven months. I finally got my door replaced,  
14 that's pretty nice. The drafts went away a little  
15 bit.

16 I guess I missed my front-door mail slot,  
17 though, two inches off the bottom of the door, but,  
18 that's not a big deal.

19 And, I've noticed some things since I've been  
20 living there.

21 It's a 575-square-foot apartment, it's small.

22 It has a fireplace in it, which is in a state  
23 of disrepair. It's not capped. And it also is  
24 missing the flue part. So it's just open. It's --  
25 you -- I hear things fall through there

1 occasionally. And if I'm, I guess, unlucky enough,  
2 I can see something fall through there.

3 So, that's just an interesting thing with it  
4 too.

5 The doors; the windows; the bathroom with the  
6 black mold; the pipes freezing in the winter and I'm  
7 not able to take showers or use my toilet; I mean,  
8 that's -- those are just common conveniences I think  
9 would be allowed to everyone who rents an apartment.

10 Well, looking into it a little more, talking  
11 to my neighbors, my apartment, my 575-square-foot  
12 apartment, costs me about 1200 a month to rent.

13 My neighbors who have apartments which are  
14 two times, three times, the size of what I rent,  
15 they pay the same amount of money I do.

16 That sort of struck me as odd. Why do I rent  
17 an apartment that costs me the same amount of money  
18 with much less space?

19 And when I brought it up to the landlord,  
20 they just told me that, all the units are unique and  
21 individual, and they have their own charm to them.

22 And that's interesting. I didn't know black  
23 mold was a charming feature to an apartment.

24 Also, along with this landlord, I've heard  
25 many stories from many people who lived there,

1 similar to mine, but, also, that the deposits don't  
2 get returned.

3 And I guess from talking to more people, this  
4 is a larger issue in New York State, where, there is  
5 a law for it, from what I understand, but landlords  
6 don't very commonly follow it.

7 And I'm not aware of the route that needs to  
8 be taken to actually get your deposit back legally,  
9 if that becomes the case.

10 But, yeah, I've shared -- I did print out an  
11 article, and a copy of my lease agreement, which  
12 I shared with Senator Salazar.

13 I apologize for not having more copies here.

14 But, anyways, I wanted to share my story, and  
15 I really appreciate you guys listening to this.

16 And, you know, I hope something comes of it.

17 SENATOR KAVANAGH: And thank you again for  
18 your testimony, and for your patience.

19 Any questions or comments?

20 Okay.

21 We really do appreciate it.

22 BOB BRAUNCLICH: Thank you.

23 SENATOR KAVANAGH: Next up we have, this is  
24 handwritten here, but, Patrick Cousins, and  
25 Omari Shakur.

1           And I have another, Cynthia Maria from CVH,  
2           but I don't think she's here?

3           Okay.

4           If the two of you could come up.

5           Okay, if you want to...

6           OMARI SHAKUR: Omari Shakur, new voters --  
7           New Voices Heard.

8           PATRICK COUSINS: My name is Pat Cousins.  
9           I'm a resident and a landlord in Newburgh.

10          OMARI SHAKUR: So, basically, why we're here  
11          today, we're here for the tenants protection,  
12          tenants' rights.

13          We recently attended a protest up in Albany,  
14          where we want to pass the nine bills. We wanted to  
15          get that passed.

16          So why we're here today, just to bring some  
17          information about the city of Newburgh.

18          And one of the reasons why Newburgh has been  
19          like it has been, because code compliance, before  
20          Chief Horton has taken over in, like, the last year,  
21          the landlords, they ran code compliance.

22          So that's why we're having a whole bunch of  
23          problems in the city of Newburgh, because, code  
24          compliance, they weren't enforcing the codes,  
25          because the landlords, basically, they ran code

1 compliance.

2 So we have -- in fact, I know you heard all  
3 of the problems that are happening in Kingston, and  
4 stuff.

5 The same stuff is happening in Newburgh, the  
6 mold in the buildings, stuff like that.

7 But we just recently ran -- I'd like to show  
8 you some pictures.

9 We were passing out flyers the other day for  
10 people to come out here, and there was some people  
11 who approached us.

12 A landlord, somebody had just bought a  
13 building at 54 Johnson Street. They bought this  
14 building, like, two days, and whoever was in there,  
15 they had put them out. They put somebody else in  
16 there. They took all the stuff out and threw it on  
17 the ground.

18 They told the new tenant not to come in the  
19 front door.

20 She has a baby. She has to go through a  
21 alley and climb over a refrigerator to get in her  
22 house, because this building hasn't been inspected,  
23 or whatever, and he don't want nobody to know that  
24 there's a -- that he's renting it out already.

25 So these are some of the problems that we're

1       having, and we need tenant protection in the city of  
2       Newburgh.

3               We need tenant protection because, like  
4       I said, you have houses that are full of mold.

5               And people, as you see, there are not many  
6       tenants out here today because they're scared of  
7       retaliation.

8               Soon as you complain, then the landlord comes  
9       to your house the next day and says, you're being  
10      evicted.

11              And I know, I was -- somebody bought my house  
12      approximately a year ago, and they bought it on a  
13      Monday, and Tuesday I was being evicted.

14              So there are no -- most of -- 75 percent of  
15      our tenants in the city of Newburgh are living in --  
16      are renting without leases. They need leases,  
17      because that was -- that would be your first form of  
18      protection right there, when you have a lease.

19              So 75 to 80 percent of the renters in the  
20      city of Newburgh are renting without leases.  
21      They're renting month to month.

22              So that's one of the reasons why there's no  
23      protection, because there's no leases in the city of  
24      Newburgh.

25              So, we have a bunch of problems right now.

1           But this a landlord, and he's a landlord, and  
2 he's an owner-occupied landlord.

3           And that's what we want to see in the city,  
4 owner-occupied landlords, or, we want to see some of  
5 these tenants.

6           I lived in Newburgh, seven generations, seven  
7 generations we have lived in Newburgh.

8           When I (indiscernible) -- when I was raised  
9 in Newburgh, 60 years ago, most of the people in my  
10 community were homeowners.

11           But after urban renewal came through, now  
12 mostly the descendants of them homeowners are  
13 renters now, and we don't have no type of  
14 protection.

15           So, this is why we're in this fight for, now,  
16 for tenants' protection. And we want to make sure  
17 the good-cause is passed.

18           We definitely want some type of protection  
19 put in place because, outside of New York City and  
20 Westchester County and Long Island, there's no rent  
21 stabilization, or no type of rent protection for  
22 renters.

23           So, that's why we're here today.

24           And this is, like I say, he's the  
25 owner-occupied landlord, and he has a story.

1           SENATOR KAVANAGH: Thank you.

2           PATRICK COUSINS: Hi, thank you for staying  
3 all day.

4           I'm going read something I wrote, if that's  
5 okay.

6           The good-cause eviction bill introduced by  
7 Julia Salazar and Pamela Hunter is the right bill  
8 for Newburgh.

9           We in Newburgh have a community of property  
10 owners that have purchased distressed properties in  
11 a multitude of ways, either through the land bank or  
12 from the City itself, or various short-sale  
13 opportunities offered throughout the financial  
14 community.

15           We are dedicated property owners, dedicated  
16 to the city of Newburgh, that has made these  
17 transactions possible.

18           And, we are dedicated to the people of  
19 Newburgh who are our neighbors, and dedicated to the  
20 tenants we help.

21           New boilers, new roofs, upgrades of plumbing  
22 and electrical are all par for the course.

23           Taking these hulking piles of bricks and  
24 lumber, resuscitating them, cleaning them up,  
25 clearing them of their code violations, getting them

1 back on the tax rolls, is a considerable task.

2 This is an investment we need to protect.

3 Good-cause eviction bill, and enforcing  
4 building-code laws that are already on the books,  
5 help us protect that investment.

6 There is a business model in Newburgh that is  
7 detrimental to all concerns here in Newburgh.

8 We hear of situations where tenants go  
9 without heat in the coldest months of the year.

10 We see families living in decay and squalid  
11 conditions in buildings routinely flagged for code  
12 violations.

13 We hear of tenants getting evicted for  
14 pointing out these various unsafe conditions they  
15 live in.

16 And while we scrape away the years of neglect  
17 and provide clean, safe housing for all of Newburgh  
18 residents, there is a group of investors that  
19 ignores the building codes, and pay the fines, small  
20 fines, as a condition of doing business.

21 We need an even playing field, and all  
22 landlords must be held to the same standards.

23 Newburgh must hold us all responsible and  
24 enforcement is paramount.

25 This good-cause bill is designed to take on

1 the corporate landlords that perpetuate the filth  
2 that we must endure.

3 In fact, good-cause is actually good for the  
4 smaller investors by slowing the speculation. It  
5 will help first-time home buyers compete in the  
6 housing market.

7 Thank you.

8 OMARI SHAKUR: And not only are our tenants  
9 endangered, like you said, the firefighters, when  
10 they were talking earlier, the phenomenon now in  
11 Newburgh is there are a lot of single- or two-family  
12 homes.

13 These landlords have taken these  
14 single-family homes and these two family-homes and  
15 have made them into, like, 20 sing -- they're  
16 20 rooms.

17 So now, when these firemen go in there, like  
18 they said, you don't know what you going -- you  
19 going -- you think you're going into a single-family  
20 house, and now you got 20 rooms in there, walls,  
21 that were not in there before, and stuff like that.

22 So, I can take you to 10 buildings right now,  
23 where there were single-family homes, and now you  
24 got, like, 30 families living in them, in rooms,  
25 because these landlords are taking these houses and

1 turning them into apartments and turning them into  
2 rooming houses.

3 Basically, turning them into rooming houses.

4 So houses being done as code compliance is  
5 doing their job.

6 How -- so we need to make sure that these  
7 protections are put in place, and our code -- our  
8 code and compliance is doing their job, because,  
9 like I said, I know 10 buildings, I know  
10 10 buildings right offhand.

11 In fact, what that landlord was talking about  
12 today, where the car ran into his building, or  
13 whatever, when they went in there, they found out  
14 there was, like, 20 rooms in there, or something  
15 like that, in a building that was supposed to be --  
16 I guess it was supposed to be, like, apartments,  
17 like, two or three rooms.

18 But it has turned into 20 rooms.

19 So this is what's going on in the city of  
20 Newburgh, and this is why we need tenant protection  
21 outside of New York City.

22 Thank you.

23 I am not going to keep going, because I got  
24 1,000 more stories to tell you about landlords and  
25 tenants.

1           But, we need -- landlords need tenants, and  
2 tenants need landlords, so we'd like to build that  
3 relationship, and make sure we fix that relationship  
4 first.

5           Thank you.

6           SENATOR KAVANAGH: Thank you.

7           If you could hold up?

8           Senator Myrie.

9           SENATOR MYRIE: I just wanted to say thank  
10 you to both of you for your testimony.

11          Thank you for staying all day.

12          You know, I think a lot of times people  
13 forget, when we talk about tenant protections, and  
14 we talk about speculation, the people who have made  
15 these communities attractive in the first place are  
16 the ones that are bearing the brunt of the crisis  
17 right now.

18          And for you, as someone who is a seventh  
19 generation Newburgh resident, you know, you should  
20 be the one reaping the benefits from staying in this  
21 community, not the one being pushed out.

22          And I want to thank you, as a property owner,  
23 for your courage to talk about the need for tenant  
24 protections, because we -- you know, you don't have  
25 the benefit of a large, well-funded organization

1 that gets to send fancy representatives to come to  
2 these.

3 But you come as someone who is invested in  
4 this community.

5 You know, we heard from a Newburgh landlord  
6 earlier today who called his tenants "animals," and  
7 it was a disgrace.

8 And to have you represent the best of  
9 Newburgh, and to come forward and to talk about the  
10 need for tenant protections, is incredibly  
11 important.

12 So I just wanted to really thank you for your  
13 testimony today.

14 OMARI SHAKUR: And also one more known fact.

15 60 to 70 to 80 percent of the renters, at  
16 least 75 percent of their income is paying rent.

17 So we have to change those numbers because,  
18 when 75 percent of your income is paying rent, you  
19 have no money left over for nothing else; for your  
20 children, or for anything else.

21 So, thank you for listening.

22 SENATOR KAVANAGH: Thank you.

23 So next up, we are going to have the folks  
24 from Sullivan Agencies Leading Together,  
25 Thomas Bosquet and Martin Colavito.

1 Thank you, both.

2 MARTIN COLAVITO: This is kind of new to me,  
3 so you'll have to forgive me.

4 My name Martin Colavito, and I am a part of  
5 something called Sullivan Agencies Leading Together,  
6 called "SALT."

7 We're a community coalition, probably about a  
8 couple hundred strong in Sullivan County. It's  
9 non-funded.

10 So, our mission is to compassionately engage  
11 people, and to remind people that hope is always in  
12 the room. And, that, through a human contact and a  
13 human touch, you know, people cannot only get  
14 service, but turn hopelessness into hopefulness.

15 All right?

16 One of the things -- I can tell you  
17 stories -- I don't need to tell you stories.

18 What I can talk about is, systematically,  
19 what's going on in Sullivan County, and how it  
20 affects the person who's trying to feed their  
21 families.

22 All right?

23 And one of the things that are happening in  
24 Sullivan County is that, there is -- there is --  
25 we've all heard of this lack of affordable housing,

1 and, everybody, it's been a steady thread throughout  
2 the time I've been here.

3 And every community is unique.

4 And what makes Sullivan County very unique,  
5 is that we're above and beyond a rural county.  
6 We're a very impoverished county, and we're 61 out  
7 of 62 in regard to New York health indicators.

8 I met my wife in Appalachia in 1979, and was  
9 lucky enough to love somebody very dearly since  
10 then.

11 And when I was working in Appalachia, and,  
12 Lynn, my wife, was working in Appalachia, at the  
13 time, it was probably the most impoverished area in  
14 the country.

15 And when Lynn and myself walk around  
16 Sullivan County now, it puts us in mind of  
17 Appalachia in 1979.

18 Part of that is because, again,  
19 systematically, we have an affordable-housing  
20 crisis, I would say, in Sullivan County.

21 And because of that, the trauma that's  
22 inflicted upon people because of lack of housing is  
23 systemic in nature.

24 So what landlords can do, possibly -- and  
25 there's a lot of good landlords, I want to point

1 out.

2 I've also been a community organizer for  
3 40 years.

4 All right?

5 And -- so there's a lot of really good  
6 landlords.

7 But what happens is, is that landlords  
8 realize, or people realize, who are not operating  
9 correctly, that they kind of have an upper hand in  
10 regard to code compliance.

11 One of our strong partners in  
12 Sullivan County, it is the County itself and the  
13 code-compliance officers.

14 But sometimes I go home at night and say to  
15 myself, if they do their jobs, who feeds and houses  
16 the people, who -- who -- you know, there are no  
17 other resources. There is no plan B.

18 Right?

19 There is no -- there is no chance for that  
20 person to find even the slightest bit of housing  
21 anywhere else in Sullivan County.

22 So there's that -- there's that dynamic  
23 happening in the county that has all of us on our  
24 heels. Has the County on its heels who's trying to  
25 do the right thing.

1           So people in the community, you know, because  
2 they believe it's an investment that's their  
3 lifelong 401(k), as opposed to, you know, the things  
4 you're getting every week in -- you know, as part of  
5 their paycheck.

6           You know, I want to invest in my county, I  
7 have three grandchildren in my county.

8           So as a result of that, now people in our  
9 county are afraid.

10          They're afraid, you know, Omari had said,  
11 brought up a really good point, in regard to leases,  
12 you know, leases are nonexistent to a lot of people  
13 in Sullivan County.

14          If I ask you for a lease in Sullivan County,  
15 you're not going to rent to me.

16          All right?

17          So what's happening, especially in the town  
18 of Fallsburg, is that -- and this is epidemic in  
19 proportion now, because SALT being a volunteer  
20 agency, one of the things we do, is we have a  
21 telephone number, that if you call that number  
22 today, six phones ring at once, and that's our  
23 steering committee.

24          And whoever answers that phone first is  
25 charged with navigating that person to service, and

1 not just saying, hey, here, go there, but saying,  
2 hey, how can I bring you there?

3 Okay?

4 So one of the things that we're starting to  
5 hear in the phone calls we were getting regularly,  
6 are people who are saying, hey, look I'm paying \$800  
7 a month for rent. My rent is due next week. My  
8 landlord just told me I have to pay \$1400 next  
9 month, or I'm gone.

10 It's happening all over the place.

11 So I try to navigate them to one of our  
12 strong partners, Legal Services of the Hudson  
13 Valley.

14 They're afraid to go.

15 They're afraid to go, they don't know what to  
16 do.

17 So their only recourse then, especially  
18 people of color, and people of color who have been  
19 stigmatized because of their status in our country,  
20 who helped build our country, and now are  
21 stigmatized because they had the misfortune of  
22 building this country, you know, culturally, all  
23 right, these folks now end up living with other  
24 people. And then the housing then kind of tumbles  
25 and tumbles, it's like a domino effect.

1           So in Sullivan County, as a result of that,  
2           there is no hope.

3           Okay?

4           We often joke around and say that,  
5           Sullivan County, we wish, as a county, we had the  
6           resources that Newburgh had as a city, and we'll do  
7           fine, you can leave us alone.

8           Okay, but the reality of it is, we don't.

9           And the reality of it is, is our major,  
10          I guess, entity in Sullivan County is hopelessness.

11          It's trying to get a single woman, who has  
12          three children, who is making \$24,000 a year because  
13          she doesn't want to be on social services, who is  
14          living in a place where she's eligible for HEAP, but  
15          because of the nozzle on the gas tank, it's not  
16          code-compliant that the oil companies follow, they  
17          will not deliver it.

18          So she has to pay for her oil, even though  
19          she's eligible for HEAP.

20          You know, these are things that are  
21          happening.

22          And it's -- the thing I fear more than  
23          anything is somebody who -- who -- who loves my  
24          family, and loves my friends, and does want to  
25          invest in the people that invest in me, is, that

1 this is a problem, you know, housing is a problem,  
2 and it's fueled by issues, and the issues are the  
3 things we need to kind of start talking about as  
4 well.

5 And the issues are the things that are going  
6 to ultimately solve the problems, because we'll  
7 develop goals and meet objectives.

8 But right now, Sullivan County, the average  
9 person who's making \$30,000 a year, \$34,000 a year,  
10 in Sullivan County is hopeless.

11 The number-one employer in Sullivan County is  
12 health care.

13 All right?

14 Over the past four months I've doing focus  
15 groups and interviewing, (indiscernible) interviews  
16 with people. And I'm interviewing more and more  
17 people who are providing health care to people,  
18 substance-use disorders, you name it.

19 And what's happening is, is they're working  
20 jobs overnight so they can come and serve during the  
21 day, all right, because they can't afford to pay  
22 their rent, they can't afford to feed their  
23 families, and the cycle continues to spin.

24 And I don't want to waste your time, guys,  
25 because you've been here all day, but part of the

1 things -- I got to be honest with you, part of the  
2 thing that breeds hopelessness, and I know there's a  
3 reason, and I don't sit in judgment when I say this:  
4 When people in communities come to hearings like  
5 this, and I know that --

6 I missed the reason why it started late, so  
7 please forgive me. All right?

8 -- but when people on your side of the aisle  
9 walk out, it's telling.

10 It's telling.

11 And I would beg you, I would beg you, to  
12 consider that also, because we need you.

13 And we need you to be sitting there, and we  
14 need you to take a tour of our community.

15 And we need you to come to a SALT meeting,  
16 not because I want -- we're not political.

17 What, are you gonna fire me?

18 We're volunteer.

19 All right?

20 But I need you to be socially conscious, and  
21 open your hearts and minds to what we were going  
22 through.

23 And I don't want to -- okay?

24 SENATOR KAVANAGH: Thank you.

25 Do you --

1 THOMAS BOSKET: My stories are anecdotal.

2 SENATOR KAVANAGH: So let me just -- I mean,  
3 there's something called "preaching to the choir."

4 So telling folks they have to -- I used to go  
5 to a -- I used to go to a church on Sunday, right,  
6 Sunday, where the priest would say, you know, and  
7 You should go to church more.

8 We were all sitting there, saying, we were in  
9 church, we appreciate it.

10 But, also, I would just note that this is the  
11 fourth hearing on this topic, and the fifth hearing  
12 of the Housing Committee during the month of May.  
13 And this, I believe, is our 29th hour of taking  
14 testimony on this topic.

15 So -- and we have had -- you know, we had  
16 14 senators in Albany just yesterday, hearing  
17 testimony from around the state.

18 So --

19 MARTIN COLAVITO: I got to tell you, all  
20 right, one guy to another, all right, this is my  
21 35th year in Sullivan County.

22 All right?

23 This is my grandchildren here.

24 My daughter raised here, and if she didn't  
25 have a mother and father who loved her, would be

1 dead today.

2 All right?

3 So I got to remind you of that, that  
4 people -- that people talk about gentrification.

5 And I remember sitting in this room,  
6 (indiscernible) is the city councilperson saying to  
7 me, What's wrong with gentrification?

8 I said, Nothing's is wrong with  
9 gentrification as long as there's consideration  
10 behind it.

11 All right?

12 So I -- trust me when I tell you, I know you  
13 guys are doing yeomen's work with this.

14 I'm just telling you about the look.

15 That's all.

16 SENATOR KAVANAGH: I appreciate that.

17 And I guess, I just -- I just thought I would  
18 just note for the record how many hours many of our  
19 senators, you know, including Senator Skoufis who  
20 was here before 9 a.m., and, you know, left 9 hours  
21 later.

22 But, anyway, I will -- do folks on the panel  
23 have a question?

24 SENATOR MYRIE: Thank you.

25 Good work.

1           SENATOR KAVANAGH: Thank you, we really  
2 appreciate it.

3           SENATOR METZGER: I want to thank you guys  
4 for coming, and being here for Sullivan County, and  
5 talking.

6           I appreciate it.

7           SENATOR KAVANAGH: We appreciate it very  
8 much.

9           Next up, I think -- so I'm going to call  
10 Angel Estrada, or perhaps, Angel (different  
11 pronunciation) Estrada, and Liliana Cobo, both of  
12 Make the Road, and I believe there may be  
13 translators joining them.

14           Is there anybody else here who is expecting  
15 to testify today?

16           Okay.

17           So I believe -- I believe this will be our  
18 last panel, and we appreciate your patience.

19           Good afternoon.

20           LILIANA COBO: (Speaking Spanish.)

21           (Translated to English by a translator.)

22           Good morning.

23           Today I'm here supporting the good-cause  
24 legislation because I'm one of the 5 million people  
25 without protections in the state.

1 (Speaking Spanish.)

2 (Translated to English by a translator.)

3 I live in 8 Eastview Avenue, White Plains,  
4 New York. I live in a three-apartment house, and  
5 the owner does not live there.

6 So if this regulation were to pass, I would  
7 finally have protections.

8 I have lived in this place for 10 years with  
9 my 17-year-old son and my partner.

10 My son has grown up in this house and in this  
11 neighborhood.

12 (Speaking Spanish.)

13 (Translated to English by a translator.)

14 The house needs work.

15 We have a rat problem, and when I have warned  
16 the owner -- warned the owner many times before.

17 He does not -- he doesn't do anything.

18 My stove has not worked properly in a long  
19 time. And without this essential appliance, I can't  
20 cook for my family, and I have to spend more money  
21 buying food outside.

22 The sink in the bathroom is constantly moldy,  
23 and has not been repaired in years, although the  
24 owner knows about the issue.

25 I have had to invest a lot of my own money in

1 repairs, and still be paying rent, which seems  
2 unfair.

3 I'm still waiting for someone to come and fix  
4 the situation, but nobody ever comes.

5 (Speaking Spanish.)

6 (Translated to English by a translator.)

7 But since I do not have protections, I do not  
8 insist, because there is a possibility that, if the  
9 owner wants to, they can simply kick me out of the  
10 apartment.

11 And the truth is, that it is very difficult  
12 to find places to live in with the high prices that  
13 exist in the White Plains and the Westchester area.

14 If I keep asking for repairs, I may be  
15 homeless.

16 (Speaking Spanish.)

17 (Translated to English by a translator.)

18 This is the risk that many people like me  
19 have, and will continue to have, if the good-cause  
20 legislation is not passed.

21 We also see rent increases that are too high,  
22 and many families have to vacate places that have  
23 been their homes for years because they cannot  
24 afford these prices.

25 (Speaking Spanish.)

1 (Translated to English by a translator.)

2 We need you to support our renters because we  
3 all deserve protections and a decent place to live.

4 Thank you.

5 ANGEL ESTRADA: (Speaking Spanish.)

6 (Translated to English by a translator.)

7 Today I'm here to share my testimony in  
8 support of the good-cause legislation.

9 I hope that sharing my experience can help  
10 millions of people who, like me, are without  
11 protections in the state.

12 (Speaking Spanish.)

13 (Translated to English by a translator.)

14 My name is Angel Estrada, and I am living in  
15 107 Midland Avenue in Portchester, in a 10-family  
16 house, where we have no protections.

17 I have lived in this house for the last three  
18 years with my wife and 3-year-old daughter who has  
19 grown up in this house.

20 (Speaking Spanish.)

21 (Translated to English by a translator.)

22 The conditions of the apartment are not  
23 ideal, and even unsanitary, as there is an  
24 infestation of rats and cockroaches that has gone  
25 out of control.

1           The building is also missing lights in some  
2 parts of the outskirts of the house, which is  
3 dangerous at night. It is difficult to see and one  
4 can fall.

5           And although I have complained to the owner,  
6 he has ignored the matter.

7           I'm afraid that one day my daughter will get  
8 sick or bitten by this plague.

9           Much of her food shows holes and rat bites in  
10 the mornings, and it has to be thrown away. This is  
11 a big waste of food and money.

12           I think it is unfair that this has not been  
13 fixed and taken into account by the owner of the  
14 apartment, but my rent is still charged and  
15 continues to rise.

16           (Speaking Spanish.)

17           (Translated to English by a translator.)

18           During these three years that I have lived in  
19 the building, my rent has gone up \$200 once, and the  
20 owner has given me another increase just a few days  
21 ago of \$300.

22           That's already a \$500 increase in just  
23 three years.

24           With what I earn from my salary, it is  
25 impossible for me to pay this amount.

1           And when I look for help after this last  
2 increase from local government offices, the only  
3 thing they could tell me is that I cannot do  
4 anything because I did not have protections.

5           (Speaking Spanish.)

6           (Translated to English by a translator.)

7           Since I got the notice of the rent increase,  
8 I have been stressed, without sleep, and I do not  
9 know what to do.

10          I have searched for other places, but the  
11 prices of the rents are unattainable.

12          And if I rent another place without  
13 protections, this situation could be repeated again.

14          All renters need protections.

15          We all have families and we need a place to  
16 live.

17          Many of us are a rent increase away from  
18 being homeless.

19          (Speaking Spanish.)

20          (Translated to English by a translator.)

21          If I had protections, I would not be afraid  
22 to be here today, giving this testimony, or to  
23 report the conditions of the building.

24          (Speaking Spanish.)

25          (Translated to English by a translator.)

1           We ask for protections for all; we are  
2           5 million without protections.

3           The proposal of good-cause would give us the  
4           necessary protections.

5           Please support, and thank you.

6           SENATOR KAVANAGH: Thank you.

7           Questions? Comments?

8           Okay.

9           Again, we greatly appreciate your patience,  
10          and all of your testimony, and, you know, the  
11          courage and the commitment that it takes to being  
12          here today.

13          So, thank you very, very much.

14          Okay.

15          Thank you.

16          And that -- and with that, that concludes our  
17          testimony today.

18          And unless my colleagues have additional  
19          remarks, closing remarks, for today's hearing?

20          Seeing and hearing none, that adjourns this  
21          hearing of the Standing Committee on Housing,  
22          Construction, and Community Development, this public  
23          hearing on rent regulation and tenant protection  
24          legislation.

25          And, again, for those watching at home, we

1 have one more hearing.

2 It is Tuesday, the 28th, from 10 a.m. to  
3 2 p.m. in Greenburgh, New York.

4 It probably -- it is likely to be our last  
5 hearing on this topic, at least in this legislative  
6 season.

7 So we urge folks who might be listening, and  
8 may be interested in testifying, to contact us and  
9 join us on that day.

10 And with that, we adjourn.

11 Thank you so much.

12

13 (Whereupon, the public hearing held before  
14 the New York State Senate Standing Committee on  
15 Housing, Construction, and Community Development  
16 concluded, and adjourned.)

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