



January 7, 2020

Honorable Andrea Stewart-Cousins
New York State Senate Majority Leader
188 State Street, Room 907 Legislative Office Building
Albany, NY 12247

Honorable Carl Heastie
New York State Assembly Speaker
LOB 932
Albany, NY 12248

Dear Senate Majority Leader Stewart-Cousins and Assembly Speaker Heastie,

We, the undersigned legislators, urge you to consider amendments to Section M of the Housing Stability and Tenant Protection Act that would address possible, unintentional adverse impacts placed on cooperative shareholders. We represent thousands of co-op shareholders across New York City, many of whom have expressed concerns about how the Housing Stability and Tenant Protection Act will affect them.

Our constituents believe that several of the new regulations extend beyond tenants to existing co-op shareholders and individuals looking to become shareholders. Some issues that were highlighted include:

- Inability to seek escrow deposits from potential shareholders that allow them to accept individuals with limited financial qualifications;
- Inability to review a potential shareholder's legal history or charge for fees associated with a rigorous application process;
- Inability to recoup cost of legal fees in the event of a defaulting shareholder

The nature of cooperatives requires shareholders to share the costs of maintaining and managing their buildings. Financial burdens are felt by individual members and cannot be easily absorbed as with corporate landlords. This structure is what makes co-ops more accessible to working and middle-income families than traditional home ownership. Mitchell Lama co-ops and HDFCs in particular have served as the last bastions of permanent affordability in rapidly gentrifying neighborhoods.

We believe that many of the issues raised by our constituents have been addressed by the Co-op Clarification Bill S6770/A8718 (Liu/Braunstein), which clarifies that the new laws do not apply to co-op shareholders. We are all cosponsors of this legislation.

We hope that this bill will be considered early in the Session in order to secure the position of shareholders statewide.

We look forward to continuing conversations about how to support and expand the many unique forms of homeownership that exist throughout New York State.

Sincerely,



State Senator Velmanette Montgomery
25th Senate District



State Senator John C. Liu
11th Senate District



Assemblymember Tremaine S. Wright
56th Assembly District



Assemblymember Walter T. Mosley
57th Assembly District

cc: Senator Brian Kavanagh, Chair of Housing, Construction and Community Development Committee
Assemblyman Edward C. Braunstein, Chair of Cities Committee
Senate Majority Conference Members
Assembly Majority Conference Members