



## Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166<sup>th</sup> St. 6<sup>th</sup> Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Website: [www.nyc.gov/mcb12](http://www.nyc.gov/mcb12)

George Fernández Jr. - Chairman  
Ebenezer Smith, District Manager

June 8, 2015

Ms. Rachel D. Godsil - Chair  
Rent Guidelines Board  
51 Chambers Street #202  
New York, NY 10007

Dear Ms. Godsil:

Please be advised that at the General Meeting, Tuesday, May 26, 2015 Community Board 12 Manhattan passed a resolution by a vote of (30) In favor, (0) Opposed, (0) Abstain, recommending that the NYC Rent Guidelines Board not grant any rent increases for any rent stabilized apartments for all renewal leases commencing October 1<sup>st</sup> 2015.

**Whereas**, At a scheduled public hearing on May 7<sup>th</sup>, 2015 the NYC Rent Guidelines Board proposed a range of rent changes ) the current "base rent" for rent stabilized apartments that will be finalized as **Rent Guideline Board Order #47** and together with such further adjustments as may be authorized by law the following proposed ranges of annual adjustment to be used for a determination of the new rent order are:

- For a **one-year** renewal lease commencing on or after **October 1, 2015** and on or before **September 30, 2015: 0% - 2%**
- For a **two-year** renewal lease commencing on or after **October 1, 2015** and on or before **September 30, 2015: 0.5% - 3.5%; and**

**Whereas**, Study after study and year after year has shown that NYC is still in an affordable housing crisis, including studies and reports by the Furman Center, the National Low Income Housing Coalition, the NYC Alliance to Preserve Public Housing, the Coalition for the Homeless, the NYS Controllers Office, the NYC Comptroller's Office and the NYC Mayor's "Five Borough Ten Year Plan"; and

**Whereas**, More than one million households in New York City are increasingly rent-burdened, which means they are paying 30 percent or more of household income on rent and almost 50 percent of households in our community are severely rent-burdened, which means they spend more than 50 percent of their income on rent; and

**Whereas**, Previous NYC Rent Guidelines Board orders since 1968 have failed not only to protect communities where affordability is disappearing, but failed to lessen the burdens imposed by our nation's slow recovery from a recession in the past seven years, or the effects of lingering unemployment, heavy government budget cuts or sequestration, neighborhood income inequality, the highest rate of homelessness and high eviction rates, and recovery from a rent substantial increase in the 2013 rent guidelines order of 4.45% and 7.75% for one and two years leases -- many rent burden households renters will be coming off that older order; and

**Whereas**, Research from this year's US Census Bureau Housing and Vacancy Survey showed that rent-stabilized tenants paid a median monthly rent of \$1,200 (after inflation-adjustments) there have been rent increases of 6.3 percent from 2011 to 2014; and

**Whereas**, There should be no desire to prevent landlords from making a profit in the real property marketplace or lament or ignore losses that comes with the risks of operating an enterprise; the burden of spending on operating costs and tenants paying successive and cumulative rent increases needs to be shared better than it has been in the past forty-eight years; **now therefore be it**

**Resolved**, Community Board 12, Manhattan strongly recommends that the NYC Rent Guidelines Board not grant any rent increases for any rent stabilized apartments for all renewal leases commencing October 1<sup>st</sup> 2015.

Sincerely,



George Fernandez, Jr.  
Chair - Community Board 12 Manhattan

cc: Mayor Bill de Blasio  
Commissioner Vicki Been - HPD  
Hon. Letitia A. James - Public Advocate  
Hon. Gale A. Brewer - Manhattan Borough President  
Hon. Scott M. Stringer - Comptroller  
Senator Adriano Espaillat  
Senator Bill Perkins  
Assemblyman Herman D. Farrell, Jr  
Assemblyman Guillermo Linares  
Council Member Mark Levine  
Council Member Ydanis Rodriguez  
Council Member Jumaane D. Williams

Mr. Steven Flax  
Ms. Cecilia Joza  
Mr. K. Sabeel Rahman  
Ms. Helen Schaub  
Mr. J. Scott Walsh  
Ms. Sara Williams Willard  
Mr. Harvey Epstein  
Ms. Sheila Garcia  
Mr. Andrew McLaughlin



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George Fernández Jr. - Chairman  
Ebenezer Smith, District Manager

June 8, 2015

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Hon. Shola Olatoye  
Chair/CEO NYCHA  
250 Broadway - 12th Floor  
New York, NY 10007

The Honorable Bill de Blasio  
Mayor of the City of New York  
City Hall  
New York, NY 10007

Mr. Raymond Ribeiro - NYCHA  
Executive Vice President, Capital Projects  
250 Broadway - 12th Floor  
New York, NY 10007

Dear Gov. Cuomo, Mayor de Blasio, Chairperson Olatoye & Ex. VP Ribeiro:

At the General Meeting on Tuesday, May 26, 2015, Community Board 12, Manhattan passed the following resolution with a vote (30) In Favor, (0) Opposed, (0) Abstain that supporting the inclusion of budgetary commitments with a priority of relief given to public housing in our community in the City's budget - given the challenges of a 21<sup>st</sup> century economy.

**Whereas**, There have been considerable NYC public meetings held, mass visits to legislative offices in Albany, position papers written, and testimony given to the Housing and Human Services Committee on the \$15 billion dollar capital deficits forestalling massive repairs needs and the current \$99 million dollar expense deficits of the New York City Housing Authority (NYCHA); and

**Whereas**, Some relief has been granted by the City's termination of the annual payments for police services that NYCHA had been required to make since 1995 and \$100 million dollars allocated in the new fiscal year budget by New York State there is more to be done; and

**Whereas**, In May, 2015 a 'Next Generation' NYCHA Plan has been put forward by the City that proposes to restore and sustain public housing and address some of NYCHA's ongoing capital and operating needs; and

**Whereas**, This is a critical moment for NYCHA the following budgetary commitments are essential also for long term fiscal sustainability and growth:

- *Commit \$100 million annually in NYC capital funds over the next 10 years to major improvements in NYCHA buildings. The state's capital commitment of \$100 million this year should be matched. However, both the state and the city will need to make a long-term capital investment in restoring NYCHA back to fiscal health.*
- *Dedicate \$400 million in projected Battery Park City excess revenues over the next 10 years to help restore NYCHA buildings. This will mean forging an agreement with the Governor to direct those revenues,*

*which were originally intended to address affordable housing needs across the city. For at least the next ten years, they need to be directed to NYCHA.*

- *Support the termination of the \$32 million PILOT payments (in lieu of property taxes) as per the Mayor's recent budget request that NYCHA would otherwise had been required to make each year to the city. NYCHA would then be included among nonprofit housing providers, hospitals, houses of worship, museums, universities and other institutions that are exempt from property taxes. These funds will augment the limited and inadequate operating resources NYCHA receives from Washington.*

**Whereas,** The City's adoption of these items and goals in its new budget would help NYCHA and restore decent living conditions its residents desperately need; **now therefore be it**

**Resolved** Community Board 12, Manhattan supports the inclusion of these commitments with a priority of relief given to public housing in our community in the City's budget - given the challenges of a 21<sup>st</sup> century economy.

Sincerely,

  
George Fernandez, Jr.  
Chair - Community Board 12M

cc: Commissioner Darryl C. Towns – DHCR  
Hon. Alfonso I. Carney, Jr. - Chair, DASNY  
Commissioner - Vicki Been - HPD  
Thomas P. DiNapoli - NYS Comptroller  
Hon. Letitia A. James - Public Advocate  
Hon. Gale A. Brewer - Manhattan Borough President  
Hon. Scott M. Stringer – NYC Comptroller  
Senator Adriano Espaillat  
Senator Bill Perkins  
Senator John A. DeFrancisco  
Senator Catherine Young  
Hon. Carl B. Heastie – NYS Assembly Speaker  
Assembly Member Keith L.T. Wright  
Assembly Member Herman D. Farrell, Jr  
Assembly Member Guillermo Linares  
Melissa Mark-Viverito – Speaker NYC City Council  
Council Member Mark Levine  
Council Member Ydanis Rodriguez  
Council Member Jumaane D. Williams  
Council Member Ritchie Torres



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George Fernández Jr. - Chairman  
Ebenezer Smith, District Manager

June 8, 2015

The Honorable Bill de Blasio  
Mayor of the City of New York  
City Hall  
New York, NY 10007

Council Member Mark Levine  
Legislative Office  
250 Broadway - Room 1816  
New York, NY 10007

Hon. Melissa Mark-Viverito  
Speaker – NYC Council  
Legislative Office  
250 Broadway - Room 1856  
New York, NY 10007

Council Member Vanessa Gibson  
Legislative Office  
250 Broadway - Room 1770  
New York, NY 10007

Dear Mayor de Blasio, Speaker Mark-Viverito, Council Members Levine & Gibson:

At the General Meeting on Tuesday, May 26, 2015, Community Board 12, Manhattan passed the following resolution with a vote of (30) In Favor, (0) Opposed, (0) Abstain that supporting Office of Civil Justice headed by a Civil Justice Coordinator and City Council Bill Intro 736 itself so as to centralize, organize and oversee the distribution of a complex array of legal services, funding and programs in our courts and legal systems.

**Whereas**, On April, 2015 a public hearing was held by the NYC City Council Committee on Courts and Legal Services on Intro 736 -- a bill that calls for the establishment of an Office of Civil Justice; and

**Whereas**, The primary purpose of the bill introduced by Council Member Levine with City Council Speaker Melissa Mark-Viverito is to insure that there is a central administrative office that has the authority to effectively assess the entire spectrum of needs for civil legal services throughout the city; and

**Whereas**, Civil proceedings often cover life changing events, such as child custody, deportation and the loss of housing establishing an Office of Civil Justice, headed by a Civil Justice Coordinator appointed by the Mayor, would centralize efforts to understand, analyze and identify the legal representation needs of city residents and oversee the effectiveness of civil legal services funding and programs in the Human Resources Administration (now with a FY'15 \$42 million dollar legal services budget), the Department of Homeless Services, the Offices of Immigrant Affairs and the Right to Counsel bill pending with Intro 214; and

**Whereas**, The Office of Civil Justice, modeled after the now successful Mayor's Office of Criminal Justice, would coordinate with the Mayor and the City Council to develop a comprehensive strategy for expanding low cost or free legal services to low-income city residents given the significant funding increases for civil legal services across the City; and

**Whereas**, Intro 736 has the support of Gale Brewer (Manhattan Borough President), Commissioner Steven Banks (HRA), The Legal Aid Society, Legal Services/ NYC, New York Legal Assistance Group (NYLAG), NYC Bar Association, NY Lawyers for the Public interest, the Urban Justice Center, MFY Legal Services, and the growing support from others including more Council Members who have signed on; **now therefore be it**

**Resolved**, Community Board 12, Manhattan recommends the establishment of the Office of Civil Justice headed by a Civil Justice Coordinator and City Council Bill Intro 736 itself so as to centralize, organize and oversee the distribution of a complex array of legal services, funding and programs in our courts and legal systems.

Sincerely,



George Fernandez, Jr.  
Chair - Community Board 12 Manhattan

cc: Commissioner Darryl C. Towns – DHCR  
Commissioner Steven Banks, Esq. – HRA/DSS  
Commissioner Gilbert Taylor - DHS  
Commissioner Gladys Carrión, Esq. -- ACS  
Zachary W. Carter - Corporation Counsel – Law Dept.  
Hon. Letitia A. James - Public Advocate  
Hon. Gale A. Brewer - Manhattan Borough President  
Hon. Scott M. Stringer – NYC Comptroller  
Senator Adriano Espaillat  
Senator Bill Perkins  
Assembly Member Keith L.T. Wright  
Assembly Member Herman D. Farrell, Jr  
Assembly Member Guillermo Linares  
Council Member Ydanis Rodriguez  
Council Member Jumaane D. Williams  
Council Member Ritchie Torres  
Commissioner - Vicki Been - HPD



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George Fernández Jr. - Chairman  
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June 8, 2015

Hon. Keith L.T. Wright - Chair  
Committee on Housing – NYS Assembly  
163 W 125th Street  
New York, NY 10027

Hon. Carl B. Heastie - Speaker  
NYS Assembly  
Legislative Office Building-room 932  
Albany, NY 12248

Hon. Catherine Young  
Chair - Committee on Housing - NY State Senate  
Legislative Office Building – Room 307  
Albany, NY 12247

Hon. John Flanagan - Majority Leader  
NYS Senate  
Legislative Office Building - Room 805  
Albany, NY 12247

Dear Elected Officials:

At the General Meeting on Tuesday, May 26, 2015, Community Board 12, Manhattan passed the following resolution with a vote of (30) In Favor, (0) Opposed, (0) Abstain supporting the extension and strengthening of the rent regulation laws with all the reforms listed in this resolution.

**Whereas**, The NYS Emergency Tenant Protection Act (a/k/a/ the rent regulation laws) will expire or sunset on June 15<sup>th</sup>, 2015 unless renewed; and

**Whereas**, Tenant organizations, housing advocates, elected officials, unions, and many rent regulated tenants themselves have called for the extension, reform and strengthening of these rent-regulation laws with rallies, marches, publications, and speeches; and

**Whereas**, The latest US Census Housing Vacancy Report released in March 2015 determined that the rental vacancy rate was 3.45% or less than the 5% threshold that would have signaled a non-emergency for the need of tenant rent protections and was certified by the City Council and the Mayor as required by law; and

**Whereas**, There are over one million rent regulated units in NYC (1,029, 918 rent stabilized units and 27,089 rent control units) that account for 48.7% of all NYC rentals and Community Board 12, Manhattan ranks #1 in Manhattan and #2 in the city with highest number of these units, according to the Furman Center's 2014 Statement of the City and Neighborhood Report, released in May 2015; and

**Whereas**, The NYC City Council has passed nonbinding legislation in support of rent regulation restructuring that has in common elements of the tenant movement's agenda and the following reforms:

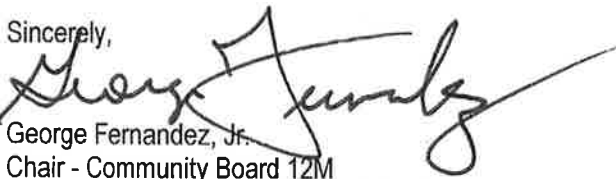
- *Ending Vacancy Decontrol, all vacancy allowance increases and the \$2,500 monthly threshold for de-controlling rent regulated units.*

- Ending tying Individual Apartment Improvements (IAI) as a permanent part of the monthly rent and instead making it a separate charge that ends when paid off, greater accountability to prevent fraudulent costs related to IAI's on vacant apartments, and preferential leases renewals be offered based on the lower rate; not the legal rent.
- End tying all Major Capital Improvement (MCI) as a permanent part of the monthly rent that is compounded with rent guidelines board increases and instead making it a separate charge that ends when paid off and is not compounded on lease renewals and keeping the current 6% maximum rate of annual pay off charges.
- Ending the surcharges on apartment air conditioners, washing machines and dryers.
- Making ordinary repairs or agency validated housing maintenance code violations not subject to a major capital improvement.
- Placing the remaining and approximately 30,000 rent control units under the jurisdiction of the rent guidelines board for all rent adjustments as are rent-stabilized units and the elimination of the maximum base rent (MBR) and fuel cost adjustment (FCA) increases.
- Disallow 'double dipping' in state and federal tax credits for MCI depreciation for the same item or the item replaced.
- Extending the ETPA for more than a three year period.

**Whereas**, There is a significant loss of over 200,000 rent-regulated units in NYC that it is believed to have contributed to the current affordable housing crisis, higher rents, high eviction rates and homelessness and a loss of these units that is still continuing; **now therefore be it**

**Resolved** Community Board 12, Manhattan supports the extension and strengthening of the rent regulation laws with all the reforms listed in this resolution.

Sincerely,



George Fernandez, Jr.  
Chair - Community Board 12M

cc: Governor Andrew M. Cuomo  
Mayor Bill de Blasio  
Commissioner - Vicki Been - HPD  
Commissioner Darryl C. Towns - DHCR  
Deputy Commissioner Richard R. White - TPU  
Thomas P. DiNapoli - NYS Comptroller  
Hon. Letitia A. James - Public Advocate  
Hon. Gale A. Brewer - Manhattan Borough President  
Hon. Scott M. Stringer - NYC Comptroller  
Senator Adriano Espaillat  
Senator Bill Perkins  
Senator John A. DeFrancisco  
Assembly Member Herman D. Farrell, Jr  
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Legislative Office Building – Room 307  
Albany, NY 12247

Hon. John Flanagan - Majority Leader  
NYS Senate  
Legislative Office Building - Room 805  
Albany, NY 12247

Dear Chairman Wright, Chairperson Young, Speaker Heastie, Majority Leader Flanagan:

At the General Meeting on Tuesday, May 26, 2015, Community Board 12, Manhattan passed the following resolution with a vote of (28) In Favor, (1) Opposed, (1) Abstain recommending that the 421-a partial Tax Exemption law be allowed to expire.

**Whereas**, Development and new construction is active and vibrant in New York City; and

**Whereas**, The 421-a Partial Tax Exemption Law (421-a) was enacted in 1971 to stimulate construction when the city's housing market was stagnant; and

**Whereas**, Despite several extensions and renewals of the 421-a program developers still built primarily luxury housing such that even the rentals of "affordable units" were beyond the income range or means of most residents in Community District, 12 Manhattan, if not the city at large; and

**Whereas**, The 421-a program has never served the needs for affordable housing in Community District 12, Manhattan evidenced by the facts that out of the 16 new building constructed here not one affordable unit has been built and only 12,748 of the 153,000 units built city-wide since 1971 were affordable with tax loses to the city estimated at 1.1 billion dollars in FY2013/14 (only 8.6 percent affordable) and the cost for the last five years to the city was \$5 billion dollars; and

**Whereas**, The current 421-a Partial Tax Exemption Law has been an abject failure in this community; **now therefore be it**

**Resolved** Community Board 12, Manhattan recommends that the 421-a partial Tax Exemption law be allowed to expire.

Sincerely



George Fernandez, Jr.

Chair - Community Board 12M

cc: Governor Andrew M. Cuomo  
Mayor Bill de Blasio  
Commissioner - Vicki Been - HPD  
Commissioner Darryl C. Towns – DHCR  
Deputy Commissioner Richard R. White – TPU  
Thomas P. DiNapoli - NYS Comptroller  
Hon. Letitia A. James - Public Advocate  
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