

VILLAGE EAST TOWERS, INC
411 East 10th Street
New York, NY 10009

December 2013

Hon. Carolyn B. Maloney
U.S. Representative
12th Congressional District
2308 Rayburn House Office Building
Washington, DC 20515

1651 Third Avenue
Suite 311
New York, NY 10128-3679

Hon. Nydia M. Velázquez
U.S. Representative
7th Congressional District
2302 Rayburn House Office Building
Washington, DC 20515

266 Broadway, Suite 201
Brooklyn, NY 11211

Help Lead the Passage of H.R. 2887 (Rep. Israel) to End Prohibition
Against Cooperative Housing from Receiving Federal Disaster Assistance.

Dear Representatives Carolyn B. Maloney and Nydia M. Velázquez:

The undersigned are your constituents. We are residents of Village East Towers, Inc., a Mitchell-Lama Co-op comprising three buildings of 434 units which are located on the Lower East Side, specifically on Avenue C, East 10th and 11th Streets.

Our building complex sits two blocks from the East River in Manhattan and is in a class "A" (re-designated "1") flood zone. The designation accurately places us in the most vulnerable flooding category. During Sandy we were inundated by flood waters reaching 3-5 feet. Avenue C became a literal estuary of the East River. During the flooding caused by Sandy hundreds of thousands of dollars in damage was done to our complex which is home for nearly one thousand residents who are mostly working class families or retirees on fixed incomes. Our demographics approximate the definition of a "naturally occurring retiring community." Our co-op is based on Mitchell-Lama laws that ensure it remains working and middle class housing.

We write as representatives of our neighbors to urge you to turn your attention to the goal of H.R. 2887 (Senate Bill S. 1480, Charles Schumer) which will amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for housing cooperatives and condominiums damaged by a major disaster.

Superstorm Sandy was a disaster. It caused major human and infrastructure harm. We appreciate that you have signed on as co-sponsors of H.R. 2887. We also seek your leadership in helping the bill obtain more sponsors and having it receive greater public awareness in order to improve its chances of getting out of committee and eventually enacted.

The impact of the disastrous loss of hundreds of thousands dollars spread among a couple hundred households is a profound hardship. We are a last bastion of affordable housing in Manhattan. Unlike private home owners, who were eligible for FEMA assistance in the form of grants to mitigate damages, we have been unfairly classified as a *'business'* and therefore are only eligible to receive a FEMA loan, not a grant. This distinction is arbitrary, discriminatory and ludicrous to say the least. Federal disaster aid can know no artificially imposed distinction between people residing in co-ops, owned (non-condo) housing or rental. The Stafford law is offensive. It discriminates based on status and must end.

Thank you for your co-sponsorship of H.R. 2887. Thank you for your kind attention to this matter.

Sincerely,

Print Name	Signature
1.	
2.	
3.	
4.	
5.	
6.	

7.	
8.	
9.	
10.	

113TH CONGRESS
1ST SESSION

H. R. 2887

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for condominiums and housing cooperatives damaged by a major disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2013

Mr. ISRAEL (for himself, Mr. ENGEL, Ms. MENG, Mr. SIRES, Mr. CROWLEY, Mr. KING of New York, Mr. NADLER, Mr. PALLONE, Mrs. MCCARTHY of New York, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, and Mr. PASCRELL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for condominiums and housing cooperatives damaged by a major disaster, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITIONS.**

4 Section 102 of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5122) is
6 amended by adding at the end the following:

1 “(11) CONDOMINIUM.—The term ‘condo-
2 minium’ means a multi-unit housing project in which
3 each dwelling unit is separately owned, and the re-
4 maining portions of the real estate are designated
5 for common ownership solely by the owners of those
6 units, each owner having an undivided interest in
7 the common elements, and which is represented by
8 a condominium association consisting exclusively of
9 all the unit owners in the project, which is, or will
10 be responsible for the operation, administration, and
11 management of the project.

12 “(12) HOUSING COOPERATIVE.—The term
13 ‘housing cooperative’ means a multi-unit housing
14 project in which each dwelling unit is subject to sep-
15 arate use and possession by one or more cooperative
16 members whose interest in such unit, and in any un-
17 divided assets of the cooperative association that are
18 appurtenant to such unit, is evidenced by a member-
19 ship or share interest in a cooperative association
20 and a lease or other document of title or possession
21 granted by such cooperative as the owner of all coop-
22 erative property.”.

1 **SEC. 2. CONDOMINIUMS AND HOUSING COOPERATIVES**
2 **DAMAGED BY A MAJOR DISASTER.**

3 (a) INDIVIDUALS AND HOUSEHOLDS PROGRAM.—
4 Section 408(b)(1) of the Robert T. Stafford Disaster Re-
5 lief and Emergency Assistance Act (42 U.S.C. 5174(b)(1))
6 is amended—

7 (1) by striking “The President” and inserting
8 the following:

9 “(A) IN GENERAL.—The President”; and

10 (2) by adding at the end the following:

11 “(B) CONDOMINIUMS AND HOUSING CO-
12 OPERATIVES.—For purposes of providing finan-
13 cial assistance under subsections (c)(2) and
14 (c)(3) with respect to residential elements that
15 are the legal responsibility of an association for
16 a condominium or housing cooperative, the
17 terms ‘individual’ and ‘household’ include the
18 association for the condominium or housing co-
19 operative.”.

20 (b) MAXIMUM AMOUNT OF ASSISTANCE.—Section
21 408(h) of such Act (42 U.S.C. 5174(h)) is amended by
22 adding at the end the following:

23 “(3) SPECIAL RULE FOR CONDOMINIUMS AND
24 HOUSING COOPERATIVES.—

25 “(A) IN GENERAL.—In lieu of the limit es-
26 tablished under paragraph (1), the maximum

1 amount of assistance that an association for a
2 condominium or housing cooperative may re-
3 ceive under this section with respect to a single
4 disaster shall be an amount to be determined by
5 the President by regulation.

6 “(B) ADJUSTMENT OF LIMIT.—The
7 amount determined by the President under sub-
8 paragraph (A) shall be adjusted annually in ac-
9 cordance with paragraph (2).”.

10 (c) APPLICABILITY.—The amendments made by this
11 section shall apply to a major disaster or emergency de-
12 clared by the President under the Robert T. Stafford Dis-
13 aster Relief and Emergency Assistance Act (42 U.S.C.
14 5121 et seq.) after the date of enactment of this Act.

○