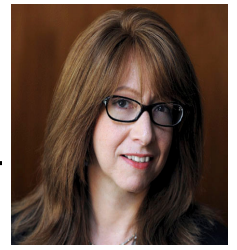


# Assemblymember Linda B. Rosenthal

## Community Report February 2014



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### Assemblymember Linda B. Rosenthal Legislative Update

#### Giving Localities the Power to Regulate Pet Dealers and Help Stop Puppy Mills

January represented a watershed moment for animal protection in New York State when that my bill A.740-A, also known as the 'puppy mill bill,' was signed by Governor Cuomo and became law. The law allows municipalities to enact local laws to regulate pet dealers that are stricter than current State law.

Municipalities from Buffalo to New York City, the North Country to Long Island will now be able to pass tough new laws to crack down on puppy mills and bad breeders who place profit above the health and safety of animals. They will also be able to prevent situations like the one that recently occurred in Sprakers, NY, where nearly 100 dogs were left outside for days to freeze to death in arctic-like weather conditions. This is a victory for animals, and for everyone who loves them and fought so long and hard to see this bill finally become law.

#### Reforming the Senior Citizen Rent Increase Exemption (SCRIE)

Created in 1970 by State law, SCRIE protects low-income seniors, aged 62 and over against rent increases. In 2005, New York State passed the Disability Rent Increase Exemption (DRIE) program to provide a similar benefit to eligible, low-income disabled individuals. While tremendous improvements have been made in both programs over the years, gaps in eligibility requirements that prevent many otherwise eligible seniors or disabled individuals from qualifying for these vital programs still exist.

To address some of the deficiencies in the law, I have introduced several pieces of legislation that would seek to make modest changes to the SCRIE and DRIE programs. Bill A.8642 would prevent increases in an individual's pension or Social Security from being considered as incomes for the purposes of determining eligibility. Bill A.8700 would stop the City from raising the frozen rents of SCRIE and DRIE recipients when their income increases if they remain eligible for their exemption. Finally, bill A.8641 would include union dues, court-ordered support payments and business and capital losses as deductions for the purposes of determining income eligibility.

#### Reforming Animal Care and Control of New York City

Animal Care and Control of New York City (AC&C) is the largest municipally run shelter system on the east coast. Last year alone, AC&C took in more than 31,000 animals and adopted out more than 21,000 companion animals in 2013. However, AC&C is in an abysmal state of affairs. With shelters in only three of the five boroughs due to the passage of Local Law 59 of 2011, AC&C continues to lack the necessary funding and infrastructure support it so desperately needs. Years of chronic underfunding and the attendant lack of space resulted in AC&C euthanizing more than 4,500 innocent and loving animals last year.

Because all attempts to reform AC&C have been rebuffed, and because we all know that too many innocent, healthy and perfectly adoptable animals are euthanized for no reason other than that AC&C could do no better, I have introduced legislation that will overhaul the AC&C. From its shelter standards to its oversight, this legislation will signal a new day for AC&C and the thousands of cats, dogs and other animals in its charge.

### Assemblymember Linda B. Rosenthal Commends HCR on New Regulations Enacted to Protect Tenants

After years of advocacy, I am pleased that New York State Homes and Community Renewal (HCR) has finally enacted new rent regulations which cover a myriad of issues that tenant advocates and elected officials like me have been championing for years. Many of the new regulations will enhance transparency and empower tenants to challenge illegal rent increases.

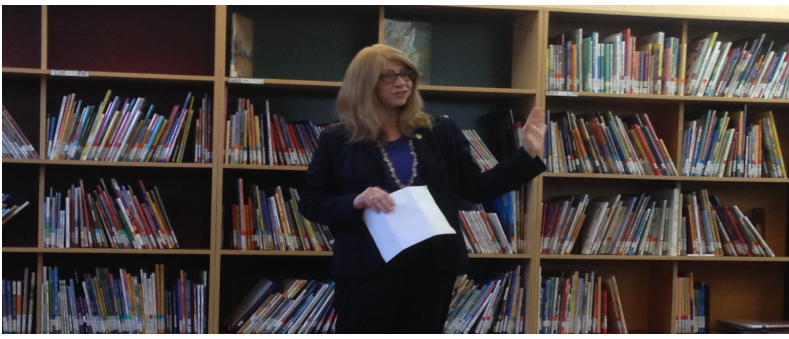
Among some of the strongest regulations, HCR will now deny major capital improvement (MCIs) for: metering conversions; if any immediately hazardous violations exist; or if a rent reduction order is in place. In addition, it has codified some exceptions to the four-year-lookback rule, expand the definition of harassment to include certain false filings and false statements and strengthen rules regarding preferential rents. With respect to individual apartment improvements, HCR now requires landlords to provide rent-stabilized tenants with lease riders documenting any individual apartment improvement (IAI) rent increases and also allows tenants to challenge rent increases based upon them.

HCR's new regulations represent a big step in the right direction, but tenants who are under near-constant siege from unscrupulous landlords need far more protection. I will continue not only to push for tenant protection legislation in the Assembly, including overhauling rent-control and repealing vacancy decontrol, but also to call on HCR to consider new amendments to protect tenants. In my testimony on the new regulations when they were proposed, I called on HCR to address misuse of the J-51 tax abatement program, fraudulent demolition applications and the blatant abuse of owner-occupancy regulations. I hope that the regulations enacted in January are but the first of many sets of new tenant protections that protect the City's dwindling affordable housing stock.

If you have any questions about HCR's new regulations or are having any issues in your apartment, please contact my office at 212.873.6368 or [rosenthal@assembly.state.ny.us](mailto:rosenthal@assembly.state.ny.us).



*Assemblymember Linda B. Rosenthal presents a resolution to the Lustgarten Foundation commemorating November as Pancreatic Cancer Awareness Month.*



*Assemblymember Linda B. Rosenthal attends Community Education Council District 3's 2014 Legislative Breakfast.*

**Assemblymember Linda B. Rosenthal Fights Intimidation Tactics of Imperial Court Owner Trying to Reopen Illegal Hotel**

The Imperial Court Hotel on West 79<sup>th</sup> Street has been well known for persistent harassment of Single Room Occupancy (SRO) tenants, and the illegal hotel that operated in the building for many years until 2012. The harassment has continued unabated for years, and now Grand Imperial, the owner, is once again trying to reopen its illegal enterprise.

The City issued numerous violations to the Imperial Court for its transient rentals in 2006, 2008, 2009, 2011 and 2012. I even booked a room online for two nights to refute the owner's false claims that units were never rented for less than a week. The majority of these violations predated a State law, of which I was a co-sponsor, that was passed in 2010 clarifying that all class A buildings like the Imperial Court must be occupied for no less than 30 days. The law helped facilitate the City's enforcement of existing occupancy requirements, and violations continued mounting against the owner until the transient rentals were discontinued in 2012.

Rather than rent the vacated units for permanent tenants, as has been done at other shuttered illegal hotels throughout my district, Grand Imperial is now applying to the New York City Board of Standards and Appeals (BSA) for a waiver to rent its SRO units on a weekly basis. Grand Imperial has also decided to wage a campaign of misinformation, writing to tenants and neighbors that they have been unable to rent the vacated units and instead will site a homeless shelter in the building if BSA rejects their application.

I have written to Mayor de Blasio and the New York City Department of Homeless Services (DHS) asking that they ensure that this slumlord is not rewarded for bad behavior, and DHS not expressed any interest in this proposal. It is imperative that Grand Imperial be shown that it must return these units to permanent, affordable housing units, and it is reprehensible to use the threat of shelter services to promote an illegal enterprise.

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**Assemblymember Linda B. Rosenthal Fights for Responsible Development at T.F. Cornerstone Site**

I testified before the New York City Planning Commission in January on T.F. Cornerstone's proposal for a mixed-use development at 606 West 57<sup>th</sup> Street. While I am pleased that the project will create 237 new, permanently affordable housing units for the Clinton/Hell's Kitchen community, critical changes must be made before this project is approved.

T.F. Cornerstone has proposed to include a significant commercial component in its building, which would limit the amount of affordable housing that could be built. The City should not provide incentives for reducing the amount of new affordable housing, especially when market-rate commercial tenants already ensure substantial profit to developers. The total floor area of the building should be used to determine the amount of affordable housing to be built on-site in order to maximize the number of affordable units.

The proposal also would place a substantial strain on existing infrastructure and services available to residents, including local public schools and transportation. A proposed 500-space parking facility likely will lead to additional traffic congestion in the area. The number of parking spaces should be limited to 400 spaces, or 295 spaces if there is an automotive use in the commercial space. Additionally, the City must take any possible steps to mitigate the development's impact on community infrastructure and neighborhood services. A thorough review of the applicant's draft environmental impact statement is also in order.

The explosion of development on 11<sup>th</sup> Avenue following its rezoning makes it even more critical that all development be done responsibly and produce the least impact on the surrounding community. This project should not move forward until all community concerns are fully addressed.

**Assemblymember Linda B. Rosenthal Protects Clinton/Hell's Kitchen from Bud Lite Hotel During Super Bowl Week**

After learning that the Intrepid Air, Sea & Space Museum would be host to a series of parties on and around the Bud Lite Hotel on the days leading up to the Super Bowl, my office reached out to the City and the event organizers to ensure that they were taking all necessary steps to reduce the negative impacts on the surrounding community.

Though the Bloomberg Administration had been planning Super Bowl week events for more than 18 months, community input was not solicited. I worked closely with Community Board 4 and the Intrepid, whose representative attended a Quality of Life Committee meeting to provide a briefing on the event to board members and neighbors. In addition, I reached out to the Mayor's Office of Special Events, which then convened a briefing for affected elected officials and community boards and agreed to create a hotline for individuals to report Super Bowl-related problems.

Though the previous Administration failed to involve the community in planning these events, I am pleased to report that my office received very few complaints. In the future, I look forward to working in partnership with the City to ensure that all major outdoor events are planned with the community concerns in mind.