NEW YORK STATE SENATOR

BRAD HOYLMAN

322 Eighth Avenue, Suite 1700, New York, NY 10001
Phone: (212) 633-8052 Fax: (212) 633-8096
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COMMUNITY BOARD FOUR
October 2014

Dear Neighbor:

The following is a summary of some of my activities since my last report to Community Board Four (CB4). Many of my attached letters, testimonies, and press releases may also be found on my website at **www.hoylman.nysenate.gov**.

If you have any ideas, questions, or concerns, please feel free to contact me or Robert Atterbury in my office at **212-633-8052** or via email at robert@bradhoylman.com. Visit my website for updates on my activities and other information you may find of interest

Best regards,

Brad Hoylman
State Senator
27th District

Pied-à-Terre Tax
Earlier this week I introduced legislation that would enable New York City to impose a so-called "pied-à-terre tax" on ultra-luxury, non-primary residences with a market value of $5 million or more. The non-profit Fiscal Policy Institute has estimated that the surcharge would raise $665 million a year with the bulk of that coming from residences worth $25 million or more. Please see Crain's Insider's coverage of my legislation attached.

Rally Against Tenant Displacement and Landlord Harassment
On September 14, I joined residents of 222/224 West 21st Street, Assembly Member Richard Gottfried, Manhattan Borough President Gale Brewer, Council Member Corey Johnson, neighbors, CB4 members and housing advocates in demanding that the building's new owner, Slate Property Group, remedy the multiple violations and unsafe living conditions in the building and stop trying to displace tenants. I've personally

inspected the premises of 222/224 West 21st Street and witnessed first-hand the deplorable conditions these tenants are experiencing because of the gut renovation of this building. These tenants are living in a construction zone and often don't have hot water or cooking gas. Enough is enough. The developer needs to address these serious issues of habitability immediately and stop trying to force the tenants out through legal gamesmanship.

Share Better Coalition to Stop Illegal Hotels

On September 12, I helped launch the Share Better coalition, which includes over 100 elected officials, housing groups, and community activists united in the fight against illegal hotels. We cannot sit by while illegal hotel operators and unscrupulous landlords further exacerbate New York City's housing crisis by taking units off the market to rent to travelers, while NYC residents are priced out of the neighborhoods they call home. Illegal hotels place residents and visitors at risk and must be stopped. As I said at the launch event, we're all are in favor of the share economy but what about the fair economy?

Apply for Senior/Disability "Rent Freeze" – Friday, October 10

At my September 17 workshop on New York City's Senior Citizen Rent Increase Exemption (SCRIE) and Disability Rent Increase Exemption (DRIE) programs here in CB4 we helped more than 100 constituents determine their eligibility and apply for these critical rent freezes. Interest in the programs has been so high that I'm partnering with The Legal Aid Society and other elected officials to host another SCRIE/DRIE Workshop on Friday, October 10 from 3 to 5 p.m. at the Greenwich House - Our Lady of Pompeii Senior Center, 25 Carmine Street (corner of Bleecker Street). Please see the attached flyer for more information, including event co-sponsors, eligibility guidelines and what documentation to bring. Contact me at 212-633-8052 or hoylman@nysenate.gov with any questions or to RSVP. This is the fifth in a series of these workshops I've helped bring to our senate district.

Renovations at Geffner House

After hearing complaints from residents of Geffner House, located at 341 W 42nd Street, I joined Council Member Johnson and Assembly Member Gottfried in writing to Project Renewal, which operates the supportive housing, to express our concern about the renovation and consistently broken elevators. I am continuing to follow up with management to ensure the residents' concerns are addressed. Please see our letter attached.

New Jersey's Gay Conversion Therapy Ban is Upheld by the Third Circuit

The U.S. Court of Appeals for the Third Circuit issued a ruling today upholding New Jersey's law prohibiting licensed therapists from attempting to change the sexual orientation or gender expression of patients under 18 years old. Today's ruling further underscores New York's obligation to follow California and New Jersey's bipartisan lead and outlaw the dangerous, discredited practice on young people. Just this week we were reminded that conversion therapy is being practiced in New York when the

Brooklyn-based Jewish Press featured an advertisement from a well known conversion therapy provider. I call upon the leadership of the New York State Legislature to make passage of the legislation I carry with Assembly Member Deborah Glick a top priority when we reconvene in Albany this January.

Free Flu Shots – Tomorrow, Thursday, October 2 in my Office

Tomorrow from 10 a.m. - 1 p.m. in my office in Chelsea, Visiting Nurse Service of New York will be providing free flu shots to adults and kids nine years and older with parental consent. Space is limited and appointments are recommended to guarantee your shot. For more information or to make an appointment, call my office at (212) 633-8052 or email hoylman@nysenate.gov with your complete contact information and the time you would like to schedule your shot.

NYS Comptroller's Audit on New York's Hate Crimes Law

Last year, I requested that State Comptroller Thomas DiNapoli audit the oversight and management of New York's Hate Crimes Law. The request was part of a report I released in the wake of a 30% surge in bias crimes across the state against religious and ethnic minorities and LGBT people. Last week, the Comptroller released the results of the audit and found that in several important areas the New York City Police Department and New York State Division of Criminal Justice Services can do a better job handling these serious crimes. This is first the time our Hate Crimes Law has been audited in its 14-year history and I'm grateful to Comptroller DiNapoli for his leadership. Please see Comptroller DiNapoli's press release attached.

eWaste Recyling Event in Chelsea

The Lower East Side Ecology Center is hosting an electronic recycling day in Chelsea on Saturday, October 18. Unclutter your home and office by bringing your unwanted electronics to Tekserve at 119 West 23rd Street between 6th & 7th Avenues from 10 a.m. to 4 p.m., rain or shine. Please see the attached flyer to find out what types of electronics you can bring and answers to other frequently asked questions.

Manhattan High School Fair in October

On October 18 and 19, the New York City Department of Education will host a Manhattan High School Fair at the Martin Luther King, Jr. Educational Complex at 122 Amsterdam Avenue from 11AM to 3PM. Each fall, eighth grade students must submit an application listing up to 12 programs ranked in order of preference. Applicants are then matched to one of their ranked schools according to admissions priority, method, and available seats. There are more than 400 public high school programs in New York City, and the DOE encourages parents to make use of the available resources to help explore programs and learn more about High School Admissions. For more information, please see the DOE's flyer attached or to prepare for the fair please go to www.nyc.gov/schools/highschool.

Heat Season Begins

In New York City, from October 1 through May 31, landlords are legally required to maintain an inside, daytime temperature of at least 68° F if the outside temperature falls below 55° F , and a nighttime, inside temperature of at least 55° F if the outside temperature outside falls below 40° F. If you are not receiving adequate heat in your apartment, you should call 311 and be sure to write down your complaint number. Please contact me at (212) 633-8052 so that I can follow up with the appropriate agency on your behalf.

CRAIN'S
insider

Manhattan Democrat to introduce pied-à-terre tax bill

Andrew J. Hawkins
September 22, 2014 2:47 p.m.

If Mayor Bill de Blasio pursues the Fiscal Policy Institute's recommendation for higher taxes on ultraluxury apartments owned by foreigners, he'll need Albany to do it. And Sen. Brad Hoylman has just the bill.

On Monday, the institute recommended raising taxes on apartments worth more than $5 million owned by noncity residents. An annual surcharge of 0.5% to 4% would raise $665 million a year for the city. The left-leaning think tank says wealthy foreign buyers, often shielded by limited-liability corporations, have been buying up property in Manhattan as vacation homes but pay no income taxes and low property taxes thanks to exemptions and the city's outdated tax code. It points to a report by the Independent Budget Office that found that in some of the newer residential developments in Manhattan, the portion of pieds-à-terre could approach 50%.

Mr. de Blasio, who earlier this year failed to persuade Gov. Andrew Cuomo to allow him to raise taxes on wealthy city residents to pay for universal prekindergarten, says he is reviewing the proposal. But if Democrats win control of the state Senate in November, the issue could require his attention when the state legislative session begins in January.

Mr. Hoylman, a Manhattan Democrat, plans to introduce a bill Tuesday that would essentially accomplish what the think tank recommended.

Ultrarich property owners from beyond New York "aren't paying income taxes, and are utilizing city services, everything from our infrastructure to our police force, and aren't contributing," said Mr. Hoylman, who noted that several such properties, including 15 Central Park West and several high-rises on 57th Street, are in his district.

"A lot of these individuals are using New York as a tax haven," he added.

The bill would "bring New York in line" with other global cities that have similar surcharges, he said, citing London as one. "This isn't viewed as punitive."

Mr. Hoylman would have an easier time passing legislation if his party controlled the Senate. Democrats are hoping to regain control of the chamber this year, especially after Mr. Cuomo agreed to push for that outcome and the breakaway Independent Democratic Conference said it

would caucus with the regular Democrats. (The governor has yet to campaign for Democratic Senate candidates, though.)

Mr. Hoylman said he hopes to work with Mr. Cuomo, Assembly Democrats and the business and real estate communities to hammer out the particulars of the bill.

The Partnership for New York City, a powerful business lobby, supports the concept floated by the Fiscal Policy Institute so long as it is attached to broader tax-code reform that reduces business taxes, said the group's president, Kathryn Wylde. However, Mr. Hoylman's bill does not include the other reforms that the Partnership is seeking. The Partnership does not support the Hoylman bill.

"A pied-à-terre tax is one example of how we can broaden our tax base, but the question is what happens to the proceeds of such a tax," Ms. Wylde said via email. "We would support a new tax only if proceeds went first to pay for any cost of conforming the city's business tax code to match the state, in order to simplify and reconcile these conflicting tax regimes. Second, we would like to see proceeds go toward eliminating or reducing taxes that discourage job creation. One example is the unincorporated business tax, where small entrepreneurs are paying both the city income tax and a 4% unincorporated business tax on their personal earnings."

Mr. Hoylman, who once served under Ms. Wylde as executive vice president for the Partnership for New York City, said tax reform should be on the table during the negotiations.

"An intuitive proposal might be contributing to the mayor's plan to preserve or build 200,000 units of affordable housing within the next 10 years," he said. "I think there are a lot of possibilities on how such a tax surcharge could benefit the public while not hurting business."

The real estate lobby swiftly knocked down the proposal.

"This proposal is lacking in its understanding of the current property tax system and at best would be an administrative nightmare," said Steven Spinola, president of the Real Estate Board of New York. "It raises serious legal questions and ignores the potential impact of taxing apartment owners an additional one to two million dollars annually on top of their existing real estate taxes and maintenance costs. It would send an unwelcoming message to people around the world who we want to invest in New York City, and who generate a significant amount of economic activity that New Yorkers depend on."

Mr. Hoylman's bill wouldn't be the only controversial legislation involving real estate to come up next year. Democrats are also considering Mr. de Blasio's request to give the city control of the city's rent-regulated apartments, a proposal landlord groups vigorously oppose.

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in cooperation with
the Legal Aid Society
invites you to a

Senior and Disability Rent Freeze Workshop

(Senior Citizen Rent Increase Exemption and Disability Rent Increase Exemption)

We changed the law to raise the SCRIE/DRIE household income cap to $50,000. Come see if you qualify to have your rent frozen and sign up!

Friday, October 10, 2014
3 – 5 p.m.
Greenwich House – Our Lady of Pompeii Senior Center
25 Carmine Street (corner of Bleecker Street)

Co-Sponsored by:
Congress Member Jerrold Nadler • Borough President Gale Brewer
State Senator Daniel Squadron • Assembly Member Deborah Glick
Council Member Corey Johnson • Community Board 2
Department of Finance • Greenwich House *(list in formation)*

You qualify if you:

- Are at least 62 years old or receive SSI, SSDI, a VA disability pension or compensation, or disability related Medicaid if you have received either SSI or SSDI in the past.
- Have a total annual household income of $50,000 or less.
- Pay more than one-third of the household's total monthly income for rent.
- Live in a rent-controlled, rent-stabilized or Mitchell-Lama apartment, Redevelopment Company development, or HDFC or federally-assisted coop.
- Do not live in NYCHA, Section 8 or similar housing.

What you should bring in order to apply:

- Proof of your date of birth (driver's license, birth certificate, passport, government ID, etc.)
- Proof of income for yourself and all household members for 2013, including any W-2 forms, 1099 forms, pension or SSI/SSDI statements, etc.
- Your 2014 Social Security benefits statement if you live in a Mitchell-Lama, Redevelopment Company development, or HDFC or federally-assisted co-op.
- Your prior and current lease, signed by both you and your landlord. If you are a rent-controlled tenant without a lease, bring a Notice of Maximum Collectible Rent, and Certification of Fuel Cost Adjustment for 2013.
- Any notices of Major Capital Improvement charges you received in the past 2 years.
- A tax statement if you filed taxes for 2013.

For more information or to RSVP, contact Senator Hoylman at 212-633-8052 or hoylman@nysenate.gov.

Mitchell Netburn
President & CEO
Project Renewal
200 Varick Street, 9th Floor
New York, NY 10014

September 9, 2014

Re: Geffner House, 351 West 42nd Street

Dear Mr. Netburn:

As the elected officials who represent Geffner House residents, we write to express serious concern about the current construction happening at 351 West 42nd Street. In particular, we are very concerned by the frequency with which the elevators breakdown, and by reports of bedbugs and rodents throughout the building. We request that Project Renewal immediately fix these issues.

The elevators are a lifeline to seniors and the disabled who depend on them for access to a variety of daily necessities. It is imperative that every effort is made to ensure that all three elevators are fully operational, especially during this construction period.

While we understand that there is often an increase in vermin associated with construction, all efforts must be made to eradicate them from the building.

Please know that we support this renovation project and we believe that the renovated apartments will improve living conditions for tenants.

Project Renewal's commitment to providing permanent affordable housing to some of our most vulnerable populations is commendable. We look forward to learning about the steps Project Renewal will take to ensure the elevators are functioning properly and about the proactive actions being taken to prevent the spread of vermin in the building. Should you have any questions or wish to discuss this issue, please contact Matt Green in Councilmember Corey Johnson's office at 212-564-7757.

Sincerely,

Corey Johnson	Brad Hoylman	Richard Gottfried
NYC Council Member	NYS Senator	NYS Assembly Member

CC: Kiltie Bedford, Director, Geffner House

NEWS
From the Office of the New York State Comptroller
Thomas P. DiNapoli

September 25, 2014, Contact: Press Office (518) 474-4015

DiNapoli Finds Opportunities for Improved NYPD Hate Crimes Reporting

State auditors examining New York City Police Department (NYPD) records were unable to confirm that all hate crimes in the city are properly recorded and reported by the department. They also found the NYPD conducted no centralized analysis on how to best use its resources to fight these crimes, according to a report released today by New York State Comptroller Thomas P. DiNapoli.

The Comptroller released a separate audit on how the Division of Criminal Justice Services (DCJS) monitors hate crimes statewide.

"Criminal acts involving violence, intimidation and destruction of property based on bias and prejudice cannot be tolerated," DiNapoli said. "We need to make sure police departments across the state are reporting these incidents correctly so they can direct resources where they will have the greatest impact. While the NYPD has made a good faith effort to accurately report these insidious crimes, there are several areas where improvements are needed."

"It's extremely disturbing that hate crimes are increasing in New York among a cross-section of different victims, including religious minorities, people of color, and LGBT individuals," state Sen. Brad Hoylman, who requested the audits, said. "I commend State Comptroller DiNapoli for undertaking the first-ever audit of New York's Hate Crimes Act, which is a crucial tool for understanding why these insidious crimes are on the rise. I'm extremely pleased, too, that the DCJS and NYPD have both accepted the Comptroller's recommendations and are working to implement them. Only with the proper training, reporting and review mechanisms will we be able to stamp out bias crimes."

Police Commissioner William J. Bratton said, "New York City is a place that celebrates diversity. A hate crime is an offense against all we stand for as a city – and the NYPD will do everything possible to stop these types of crimes, whether the hatred is based on race, gender, sexual orientation, religion, or ethnicity. The NYPD is committed to protecting every community."

The state Hate Crimes Act of 2000 (Act) requires all New York law enforcement agencies to collect and report statistics on hate crimes to DCJS, which compiles hate

crime data in an annual statewide report and submits summary data to the Federal Bureau of Investigation (FBI) for its collection and publication.

The NYPD is responsible for capturing, recording, and reporting hate crimes occurring in New York City. DCJS reported a statewide total of 720 hate crime incidents for calendar year 2012, including 374 incidents (52 percent) that reportedly took place in New York City. The NYPD's data is drawn from incident reports that are prepared by its Hate Crimes Task Force.

DiNapoli's auditors found that from 2010 through 2012, there were data disparities between the NYPD's individual incident reports and summaries of bias-related crimes reported. In 2010, for example, individual incident reports indicated that there were 371 bias-related crimes in the city. However, because of misreporting by the NYPD, DCJS's annual report stated that there were 350 such crimes.

DiNapoli's auditors also found the NYPD had no formal central office analysis of, or corresponding action plan for, the bias-related crime data that was collected. Thus, such data was not used for central office management decision-making purposes.

Auditors identified improvement opportunities to enhance the NYPD's training program regarding bias incidents. They recommended the NYPD:

- Develop a document tracking system to properly account for all bias-related incidents to ensure that all official summary records of hate crime-related data are reconciled and supported by properly accounted for incident reports;
- Periodically analyze the captured hate crime-related summary data to make tactical and strategic decisions on community outreach, staff deployment and budgeting;
- Develop a training-related record keeping system that can be easily accessed by NYPD management to ensure that all officers receive required training; and
- Consider requiring periodic hate crime-related training as part of the regular NYPD training curriculum.

NYPD officials generally agreed with the audit's recommendations and have begun taking steps to implement them. For a copy of the report, visit: http://osc.state.ny.us/audits/allaudits/093014/14n2.pdf

In the audit of DCJS, auditors found the agency adequately monitors hate crime reporting and accurately reports hate crime data that it receives to federal authorities.

However, auditors found DCJS only reports its data associated with a single bias, even when an agency reports multiple biases involved in a crime. For example, in one case,

an agency reported multiple biases on its hate crime incident report: both anti-male homosexual and anti-Arab. Because its system allows staff to only record one bias per incident, the division reported the case only as an anti-male homosexual incident.

DCJS stated that police agencies rarely report more than one bias, but the usual process in such instances would be to contact the agency to determine which bias should be recorded. In this case, auditors found no evidence the division contacted the reporting department. The same department also stated it had another multiple-bias incident and had to report that incident as only a single bias.

As a result of this system limitation, stakeholders may not be fully aware of the number of incidents where multiple-bias motivations have been reported and may therefore be relying on skewed data.

DCJS officials told auditors they will work with the Office of Information Technology Services to assess the options to modify the database to collect multiple-bias types. For a copy of the report, visit:http://osc.state.ny.us/audits/allaudits/093014/13s67.pdf

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Lower East Side Ecology Center

presents

E-WASTE RECYCLING

FREE

Saturday 10/18/14 10am-4pm • Rain or Shine

Drop Off Site: Tekserve
119 W 23rd Street
Between 6th & 7th Avenues
Chelsea

WE ACCEPT: Working & non-working computers, monitors, printers, scanners, keyboards, mice, cables/cords, TVs, VCRs, DVD players, phones, audio/visual equipment, cell phones, & PDAs

For more information, contact:
the Lower East Side Ecology Center
www.lesecologycenter.org
212.477.4022

We would like to thank Corey Johnson and Assembly Member Gottfried for hosting this event.

The electronic waste collection program is made possible by: TEKSERVE | Apple Specialist

2014 CITYWIDE HIGH SCHOOL FAIR

10am - 3pm

SATURDAY	SUNDAY
September 20	September 21

Brooklyn Technical High School
29 Fort Greene Place
Brooklyn, NY 11217

Subway: Q, R to DeKalb Avenue; C to Lafayette Avenue; G to Fulton Street; 2, 3, 4, 5 to Nevins Street

Bus: B25, B26, B37, B38, B52

Prepare for the fair! Learn more at nyc.gov/schools/highschool
Sign up for emails at nyc.gov/schools/subscribe

NYC Department of Education
Carmen Fariña, Chancellor

2014 BOROUGH HIGH SCHOOL FAIRS

11am - 3pm

SATURDAY	SUNDAY
October 18	October 19

Bronx
Theodore Roosevelt Educational Campus
500 East Fordham Road, 10458

Brooklyn
Sunset Park High School
153 35th Street, 11232

Manhattan
Martin Luther King, Jr., Educational Campus
122 Amsterdam Avenue, 10023

Queens
Francis Lewis High School
58-20 Utopia Parkway, 11365

Staten Island
New Dorp High School
465 New Dorp Lane, 10306