

NEW YORK CITY
DEPARTMENT OF CONSUMER AND WORKER PROTECTION

DCWP RULES HEARING
HOTEL LICENSING

VIRTUAL PUBLIC HEARING

REMOTE - VIA TELECONFERENCE

February 3, 2025

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1 MS. REINA REVINA: Good morning, everyone.
2 My name is Reina Revina. I have been designated as
3 the Hearing Officer for the public hearing of the
4 Department of Consumer and Worker Protection on the
5 proposed rules to implement Local Law 104 of 2024,
6 which requires that hotel operators obtain a license
7 to operate a hotel in the City of New York.

8 This hearing is being held by
9 teleconference. It is now 11:00 a.m. on Monday,
10 February 3, 2025, and I am hereby convening the public
11 hearing on this proposed rule. The proposed rule was
12 published in The City Record on January 3, 2025. The
13 published notice and rules are available online, on
14 the NYC Rules website and the Department's website.

15 The Department has proposed these rules
16 pursuant to the authority vested in the Commissioner
17 of the Department of Consumer and Worker Protection by
18 sections 1043 and 2303(c) of the New York City
19 Charter, and section 20-104 of the New York City
20 Administrative Code.

21 This hearing affords the public the
22 opportunity to comment on all aspects of the rules the
23 Department has proposed. The Department will
24 carefully review all testimony and written comments
25 received at this hearing and will give due weight and

1 consideration to proposals and recommendations that
2 are submitted for the record at this hearing.

3 [OFF MIC CONVERSATION]

4 Once more, like I mentioned earlier, please
5 do mute your line until you are called for testimony,
6 please. Thank you.

7 To ensure that everyone who is seeking to
8 testify will have an opportunity to do so, I will ask
9 that we all follow these ground rules. During the
10 hearing, all participants should give due respect and
11 consideration to the folks offering their testimony
12 and to please mute their lines if they are not
13 speaking.

14 There will be time limits on testimony.
15 Each witness will have a maximum of three minutes to
16 provide oral testimony. If your comments takes longer
17 than three minutes, synthesize your oral testimony and
18 please leave a written copy for the record. Unlike
19 the limit on the time for oral testimony, there is no
20 limit on the number of pages you can submit as written
21 testimony or as documents for the record. The written
22 submission will be made part of the public record.
23 And if you are looking to testify today and you have
24 not yet let me know, please do so in the chat.

25 Now, before we begin, I'll remind folks to

1 mute their lines until called to provide testimony.
2 Thank you. I will now call the first witness. You
3 will have three minutes for testimony, and you may
4 begin whenever you're ready. We received Robert
5 Clements from the American Resort Development
6 Association. Is Robert present?

7 MR. ROBERT CLEMENTS: Yes, yes, sorry. I
8 was still muted.

9 MS. REVINA: No problem. And you may begin
10 whenever you are ready.

11 MR. CLEMENTS: Great. Thank you,
12 Commissioner Mayuga and other members of the
13 Department of Consumer and Worker Protection. My name
14 is Robert Clements and I represent the American Resort
15 Development Association, or ARDA. ARDA is the trade
16 association for the timeshare industry. Our
17 membership comprises over 350 companies, both
18 privately-held firms and publicly-traded corporations.
19 ARDA's active and engaged members have extensive
20 experience and shared ownership interest in leisure
21 real estate.

22 The current version of the proposed hotel
23 licensing rules, Local Law 104 of 2024, would apply to
24 timeshare properties in New York City. We do not
25 believe the New York City Council intended for the

1 hotel license legislation to apply to timeshare. We
2 be-, we believe it would negatively and
3 disproportionately impact our industry, as overlap in
4 regulator oversight creates more confusion for our
5 operations than anything else.

6 When Council was considering this
7 legislation, Councilmembers recognized the fundamental
8 differences between timeshares and hotels and assured
9 us that it was not the intent of Council to include
10 timeshare within the definition of hotels for the
11 purposes of this legislation.

12 While there are many hotels in New York
13 City, there are less than 12 timeshare properties. It
14 is currently, and will likely remain, a very small
15 percentage of accommodations in the City. Timeshare
16 properties are already highly regulated by the New
17 York Attorney General's office. Before opening,
18 operating, marketing, or selling units in a timeshare
19 property in New York, a timesharing plan must be
20 filed, registered, and approved by the New York
21 Attorney General's office. The submission and
22 consequent review of a timeshare offering plan is
23 highly complex and lengthy. Offering plans for
24 timeshare are typically several hundred pages long,
25 cost up to \$30,000.00 in filing fees to submit, plus,

1 of course, legal fees, and can take several months for
2 the New York Attorney General's office to review.

3 In addition, Zoning and Department of
4 Buildings approvals will likely be required in most
5 cases. A timeshare developer which violates the
6 timeshare regulations are subject to penalties and
7 enforcement actions by the New York Attorney General's
8 office. Because of this, we believe that duplicative
9 regulatory efforts will confuse owners and create the
10 potential for future issues.

11 The well-established policies of our
12 international brands, as well as our longstanding
13 collective bargain agreements -- bargaining agreement
14 -- with our teams on property are providing the level
15 of service and safety that our unit owners expect and
16 demand. Once a timeshare property is sold out, it may
17 still be managed by the hospitality brand, but it is
18 overseen by an owner's association, which is
19 responsible --

20 MS. REVINA: Please wrap up.

21 MR. CLEMENTS: I'm sorry?

22 MS. REVINA: You're, you're, you're at time.
23 So, if you have any more last thoughts, please wrap
24 up. Thank you.

25 MR. CLEMENTS: Yes, okay. Finally, I would

1 just say that, given that timeshare is already highly
2 regulated by the New York Attorney, Attorney General's
3 office, presents a different business model, and
4 represents a very small percentage of accommodations
5 in New York City, their proposed rules regarding hotel
6 licensing should not apply to timeshare.

7 MS. REVINA: Thank you, Robert.

8 MR. CLEMENTS: Thank you.

9 MS. REVINA: The next testimony is Laura Lee
10 Blake from the Asian American Hotel Owners
11 Association. Is Laura present? Okay. Well, if she
12 is coming, then we can circle back. The next
13 testimony is from Hayden Ridori, from also the Asian
14 American Hotel Owners Association. Is Hayden present?

15 MR. HAYDEN RIDORE: Yes.

16 MS. REVINA: Yes? Oh, okay. Well, whenever
17 you're ready, you can begin. Thank you.

18 MR. RIDORE: Sure. Good morning. My name
19 is Hayden Ridore. I'm the Chief Legal Officer and
20 Director of Government Affairs for AAHOA. As an org-
21 organization representing hundreds of small business
22 owners in New York, I want to emphasize the
23 significant operational and practical concerns our
24 members have with the proposed regulations and we'd
25 like to offer some suggestions to improve them.

1 First, We ask that the DWCP incorporate
2 additional criteria for small hotel designation or a
3 waiver process to account for market segmentation.
4 Many of our members are independent operators managing
5 facilities in discrete market segments that tailor to
6 different customer needs. At economy, extended stay,
7 and non-luxury hotels where customers prioritize cost,
8 staffing and cleaning needs would be significantly
9 less than those of luxury facilities, regardless of
10 size, or a hotel with large ball- ballrooms or in-room
11 dining.

12 I'd also like to, I'd also like, we would
13 also like these rules to provide some additional
14 clarity in regards to operating requirements under the
15 Local Law 104. For example, does the requirement for
16 continuous front desk staffing under section 20-
17 565.4(a) allow for brief periods of uninterrupted
18 service for meals or ba- bathroom breaks?

19 Another consideration, can our members use
20 self-service check-in options? For example, cell
21 phone apps or on-premise kiosks allow for rapid
22 identifi- identity confirmation, letting customers
23 check in faster.

24 Further, can our members satisfy the
25 requirements to replace linens by providing them at

1 the front desk? And, additionally, will the DWCP
2 issue cleanliness standards, or can the rules refer to
3 existing brands or industry standards?

4 Those are a few of the things that we'd like
5 for the DWCP to consider. And our hundred of members
6 in the New York City area appreciate the opportunity
7 to present our concerns this morning. Thank you.

8 MS. REVINA: Thank you. And next up is --
9 excuse me if I mispronounce this, but it's Jagruti
10 Panwala from also the Asian American Hotel Owners
11 Association. Are you present?

12 MS. JAGRUTI PANWALA: Yeah, I'm right here.
13 Thank you so much.

14 MS. REVINA: Yes.

15 MS. PANWALA: Good morning, and thank you
16 for the opportunity to speak. My name is Jagruti
17 Panwala and I'm a former chair of Asian American Hotel
18 Owner Association, which is AAHOA. AAHOA is the
19 largest hotel owner association in the United States.
20 I also serve on the board of directors of the American
21 Hotel and Lodging Association, which is AHLA. I'm
22 here on behalf of our members in New York City who own
23 over 4- 43 percent of hotels statewide. I'm also here
24 as a first generation hotelier with over 26 years of
25 experience. I have spent my entire adult life in the

1 hotel business. And as an owner of many properties,
2 including a 60-room hotel in Bronx, New York, I will
3 be personally impacted by the proposed rules. It will
4 impact how my hotel must be run and staffed. And it
5 will increase our expenses and hurt our bottom line
6 and, ultimately, the pockets of our customers.

7 While AAHOA members understand the need of
8 increased safety, we have significant concerns over
9 the several of the proposed rules. With Local 104 and
10 these rules enforce several recordkeeping and
11 submission requirements that could lead to substantial
12 penalties for owners. I respectfully ask that you
13 please clarify exactly which records or documents are
14 sufficient to demonstrate compliance with the
15 Administration [sic] Code. With thousands of dollars
16 of penalties, possibly every single day, and operators
17 like myself have a right to know what is required of
18 us upfront, not a surprise years from now in form of
19 huge financial penalties.

20 Let me provide some concrete examples. The
21 severe penalty structure does not account for the
22 severity of a particular violation and will subject
23 smaller hotel owners to crippling penalties that could
24 exceed \$1.8 million per year. The license revocation
25 procedures also do not differentiate between major and

1 minor non-compliance. Failing to have a front desk
2 employee miss the start of a shift would be treated
3 the same as actually facilitating human trafficking.
4 Those two certainly are nowhere near compatible. So,
5 why do they have the same severe penalty? Please
6 consider clarifying this by using tiered approach for
7 violations to account for severity.

8 AAHOA members will be submitting written
9 comments providing further details. We welcome
10 additional dialogue to ensure that New York City
11 visitors can continue to choose family-owned hotel
12 options. Thank you.

13 MS. REVINA: Thank you so much. And that is
14 all the testimony list that I've been given prior to
15 this hearing. If you would like to provide testimony,
16 please put, either raise your hand or put it in the
17 chat and I'll call you up and we'll begin then. And,
18 okay, I see a couple of hands up, so give me one sec
19 so I could bring everyone together. But, yeah, so
20 please do so right now and I'll bring forth people. I
21 see there was another hand up, but they lowered it
22 down. So, if you would like to provide testimony --
23 okay. Okay, thank you so much. We'll begin with
24 Sarah Bratko. You may begin whenever you're ready,
25 and you'll have three minutes. Thank you.

1 [CROSSTALK]

2 MS. SARAH BRATKO: Thank you. My name is
3 Sar-, my name is Sarah Bratko, here --

4 UNIDENTIFIED MALE 1: I'm listening to this
5 hearing. Sarah Bratko. That's the woman from AH-,
6 yeah, she's speaking now. So, there was only a few
7 people --

8 MS. REVINA: Can you, can you -- excuse me,
9 Skip? Thank you so much.

10 MS. BRATKO: Okay. My name is Sarah Bratko,
11 here on behalf of the American Hotel and Lodging
12 Association. We are the national trade association
13 representing the hotel industry. We know our time is
14 limited, so we have submitted written comments which
15 go into detail on our specific concerns. But AHLA's
16 primary concern with the rollout of this legislation
17 is to ensure that the licensing process is fair,
18 transparent, and implemented in a timely fashion.

19 The New York City hotel industry is one of
20 the largest and most important in the world, and it is
21 so imperative that hotels be able to obtain and,
22 crucially, maintain a hotel license without any
23 disruption of services. While we would direct the
24 DCWP to our written comments for specific areas of
25 concern, we, we feel -- we also ask the Department

1 provide some clarity on how hotels should apply for
2 the initial license as the law goes into effect.
3 We've received several questions from our industry
4 members as to kind of what the initial rollout of the
5 license is going to look like. So, thank you very
6 much. I appreciate the time.

7 MS. REVINA: Alright. Thank you so much,
8 Sarah. We've noted that. And next up is -- again, so
9 I apologize if I mispronounce this, but it's Purvi
10 Panwala. You may begin whenever you're ready.

11 MS. PURVI PANWALA: HI. Good morning. My
12 name is Purvi Panwala. I am a lifetime member of the
13 Asian American Hotel Owners Association we call AAHOA.
14 My colleagues and co-owners in the hotel industry
15 appreciate the scale of hotel operations, so I'd like
16 to share that with you.

17 One tiny change in the operations can have
18 an exponential impact. New York City is estimated to
19 have over 120,000 hotel rooms, and that translates to
20 over 40 million nights that can be sold and times a
21 room can be cleaned each year. To require operational
22 changes that result in just one towel change, on
23 average, per night or only two sets of sheets, on
24 average, per week can mean hundreds of millions more
25 pieces of laundry, and that can create a huge waste.

1 For us, specifically, we are very eco-friendly with
2 our brand, and that's the way we market it to our
3 customers, and that's the reason our customers stay
4 with us.

5 So, laundry is a resource that's intensive
6 and carbon heavy. Most laundry is done off-site, so
7 this means burning more fuel and more trucks.

8 Laundry, of course, takes immense amounts of water and
9 commercial laundry dryers are often run on natural gas
10 that are operated at night when renewables are a
11 smaller part of the power mix.

12 The hospitality industry is driven by giving
13 guests what they want and allowing them the freedom to
14 choose the type of hotel and service that fits their
15 needs. Many times, that choice is driven by budget,
16 where guests book hotels that offer a different
17 schedule or different type of housekeeping than the
18 li-, than the licensing requirement states. That
19 alone should be enough. They're making a choice to
20 spend less and they should have the freedom to request
21 housekeeping. Under these licensing requirements, a
22 hotel operator cannot even offer a donut in exchange
23 for a guest making a green choice for foregoing
24 housekeeping. At a time when New York City does so
25 much to encourage or require businesses of all kind to

1 be good stewards of the environment and conserve
2 energy, conserve resources, and reduce carbon
3 footprints, many of these licensing requirements go
4 against that. And, personally, it goes against our
5 business ethics.

6 As the owner of hotels in Brooklyn, New
7 York, of course I'd love to save money, you know, keep
8 lower costs and expenses. I think this body shares in
9 that objective, but it is disheartening to have both
10 higher bills and be generating waste because the
11 government says that it must. There's a way to avoid
12 this by continuing to seek our input, working with us,
13 and coming up with a win/win solution for everyone.
14 We want what's best for our guests and we want what's
15 best for the great city of New York City.

16 Thank you for your time.

17 MS. REVINA: Thank you so much. And that is
18 the current testimony list so far. Again, if anybody
19 would like to provide testimony, please do so right
20 now by raising your hand or put it in the chat, and
21 I'll bring you up to our queue. If not, we do take
22 in, again, written comments, and you can provide as,
23 as long as you want, however many pages, at our
24 RuleComments@DCWP.nyc.gov and/or the NYC Rules
25 website. I've seen some people that have sent in

1 comment to the NYC Rules website and that will be
2 noted. And if there is no one else to provide
3 testimony, I will go off camera until somebody would
4 like to provide testimony. Thank you.

5 [OFF THE RECORD] [00:19:18]

6 [ON THE RECORD] [00:20:50]

7 UNIDENTIFIED FEMALE 1: ...thank God that
8 I'm able to still do what I love after so many years.
9 Oh, my God.

10 MS. REVINA: Good afternoon, Ms. Bruckner.
11 Would you like to provide testimony?

12 MS. YVETTE BRUCKNER: What? No, thank you.

13 MS. REVINA: Okay. Yeah, if you could just
14 mute your mic, then. If anybody else would like to
15 provide testimony, please let me know. Thank you.

16 [OFF THE RECORD] [00:21:21]

17 [ON THE RECORD] [00:26:04]

18 MS. REVINA: Good morning. This is a Rules
19 hearing regarding the hotel licensing. Would you like
20 to provide testimony? Okay. If you would not like to
21 provide testimony, would you be able to mute yourself,
22 please? Thank you.

23 [OFF THE RECORD] [00:26:30]

24 [ON THE RECORD] [00:27:04]

25 MS. REVINA: Is number 34667121692? Okay.

1 [OFF THE RECORD] [00:27:14]

2 [ON THE RECORD] [00:28:24]

3 MS. REVINA: Hi. Good morning. For those
4 who have just gotten in, this is a Rules hearing
5 regarding hotel licensing for the New York City
6 Department of Consumer and Worker Protection. If you
7 would like to testify, please let me know. You will
8 have three minutes to do so. If not, I will go off
9 camera until 12:00 p.m. to adjourn, whichever comes
10 first. Thank you.

11 [OFF THE RECORD] [00:28:48]

12 [ON THE RECORD] [00:31:08]

13 MS. REVINA: Hi. Good morning. This is a
14 Rules hearing regarding hotel licensing in New York
15 City with the Department of Consumer and Worker
16 Protection. If you would like to testify, please let
17 me know. You'll have three minutes. If not, I will
18 go off camera until someone provides a testimony.
19 Thank you.

20 [OFF THE RECORD] [00:31:29]

21 [ON THE RECORD] [00:32:08]

22 MS. REVINA: And also, if you could mute
23 your mic, please? Thank you so much.

24 [OFF THE RECORD] [00:32:12]

25 [ON THE RECORD] [00:33:08]

1 MS. REVINA: Excuse me. Those calling in
2 from 34871 -- okay.

3 [OFF THE RECORD] [00:33:21]

4 [ON THE RECORD] [00:38:41]

5 MR. DAVID WROBEL: Okay, I'm in, I'm in.
6 Let me --

7 MS. REVINA: Hi, good morning.

8 MR. WROBEL: Hi. I'm, I'm sorry. I will go
9 quiet.

10 MS. REVINA: Yeah. So, if you would like to
11 provide testimony, please let me know. You'll have
12 three minutes.

13 MR. WROBEL: Yes, I'd like to participate.

14 MS. REVINA: Okay, give me one second.
15 Okay. You can begin whenever you're ready.

16 MR. WROBEL: Reina, are you connecting me?

17 MS. REVINA: Yes, you're able to provide
18 your testimony whenever you're ready. Thank you.

19 MR. WROBEL: Oh, this is just for people to
20 provide testimony? That's what this -- oh, okay. I,
21 I had been given a different explanation of what this
22 is. I'm sorry, I thought this was a conference
23 regarding the new, the new hotel law and I was going
24 to hear -- I thought it was going to be educational,
25 rather.

1 MS. REVINA: Yeah, that will be later on in
2 the year.

3 MR. WROBEL: Oh, it --

4 MS. REVINA: This is regarding the rules
5 that we published last month, in January, --

6 MR. WROBEL: Okay.

7 MS. REVINA: -- providing clearer
8 definitions and, and that will, and this is the
9 testimony part where external stakeholders can provide
10 comments, which can be also written or in this rules
11 hearing.

12 MR. WROBEL: Okay. I do not have any
13 testimony at this time, but I could listen to others?

14 MS. REVINA: Yeah, others have provided
15 testimony earlier today. And this hearing will end at
16 12:00, and this transcript will be pro-, available
17 online. So, if you missed it, you can -- there will
18 be chances to look through it.

19 MR. WROBEL: Excellent. I understand better
20 now. Thank you. I was referred by a third party, so
21 I didn't understand. Thank you.

22 MS. REVINA: Okay. No problem.

23 MR. WROBEL: I'll just stand by here. Okay,
24 bye.

25 MS. REVINA: Okay. Seeing that no one is

1 here to provide testimony, I will go off camera until
2 somebody provides testimony or 12:00 p.m., where we
3 are adjourning the meeting. Thank you.

4 [OFF THE RECORD] [00:41:48]

5 [ON THE RECORD] [00:49:16]

6 MS. REVINA: Hi. Good morning. To David,
7 so this transcript will be available on our website
8 under our Laws and Regulations. I would like to note
9 that it would take some time to get through it. So,
10 if you would like to see other people's com- comments
11 or written testimony, it is under the NYC Rules
12 website, and those are all public, also. But the oral
13 testimony, in terms of the transcript, it will be
14 available in, I would say, two, three weeks from now,
15 due to having the process of transcription.

16 MR. WROBEL: Thank you.

17 MS. REVINA: Thank you.

18 [OFF THE RECORD] [00:50:08]

19 [ON THE RECORD] [00:59:52]

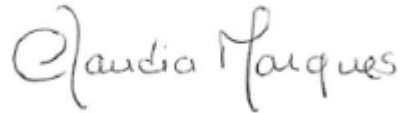
20 MS. REVINA: Alright. Seeing that it is
21 12:00 right now, this will be, I will be adjourning
22 this hearing. Thank you, everyone, for participating.
23 If you have any questions, you can please send them
24 over to RuleComments@dcwp.nyc.gov. Thank you.

25 [END OF PUBLIC HEARING]

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of DCWP Rules Hearing - Hotel Licensing on February 3, 2025, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Handwritten signature of Claudia Marques in cursive script.

Date: March 7, 2025

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