# Single Room Occupancy Dwellings in CD7

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### **Guiding Questions**

- What are SRO units and why are they important?
- How many SRO units in CD7?
- How many SRO units have we lost?
- How are SRO units used?
- How many are used as tourist hotels?
- How many are used for city social service placement?

#### What are SROs?

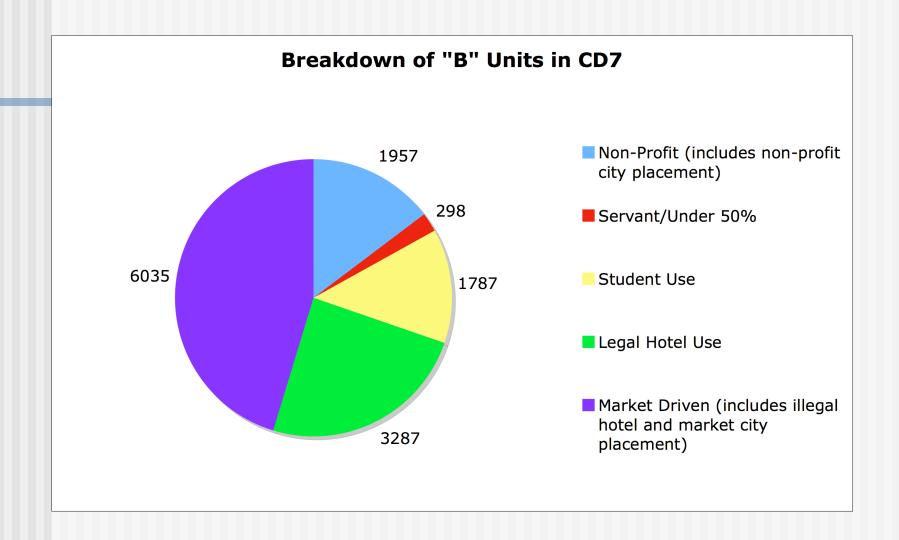
- Single Room Occupancy units
- Bathroom and kitchen outside unit
- Section 248 of Multiple Dwelling Law
- Mid- to long-term housing
- Generally considered lowest level of housing
- HPD classifies as "B" units

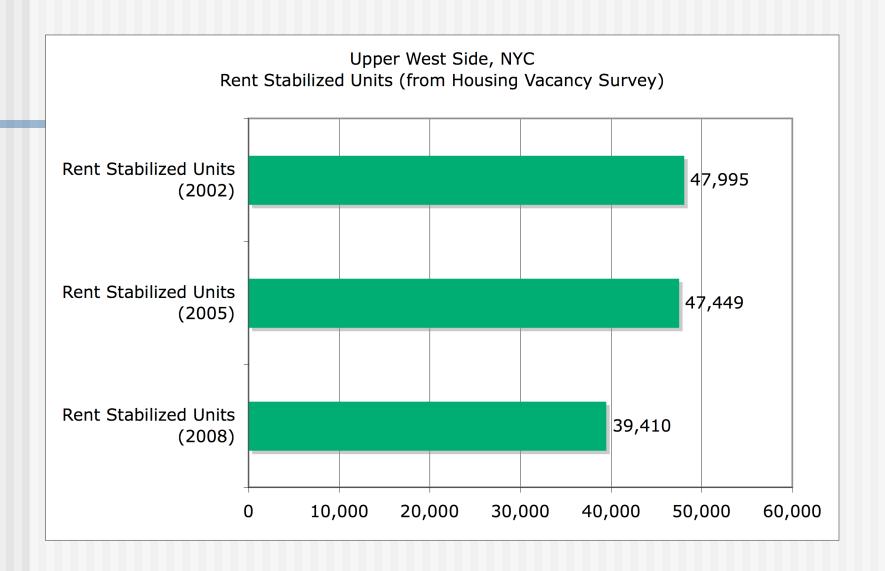
## Benefits and Drawbacks of SROs

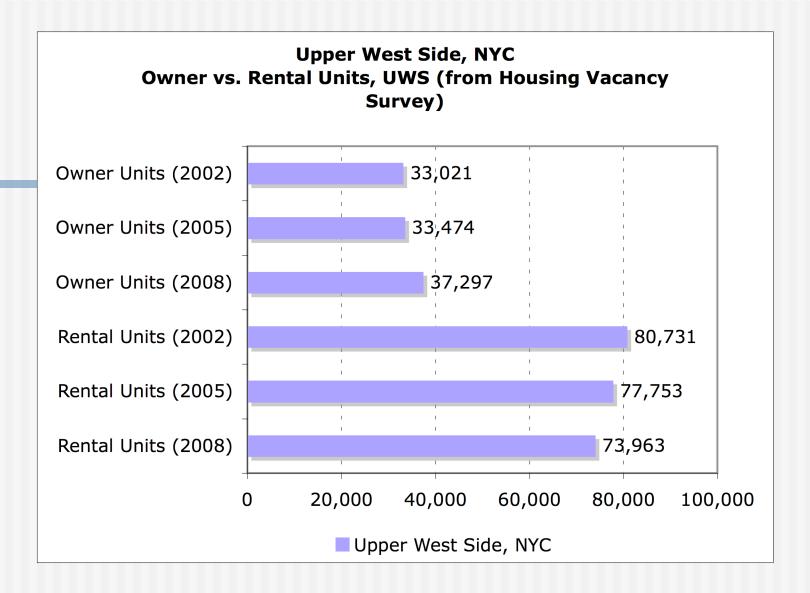
- Benefits of SROs
  - Prevent homelessness
  - Increases variety of housing stock
  - Provides workforce housing
- Drawbacks of SROs
  - Concentrates poverty and social problems
  - Building conditions
  - Harassment related to alternate uses

#### Breakdown of SROs in CD7

- 13,364 "B" units, includes:
  - Hotels
  - Student Housing
  - Servant's quarters in luxury buildings
  - Non-profit supportive housing
  - Traditional SROs







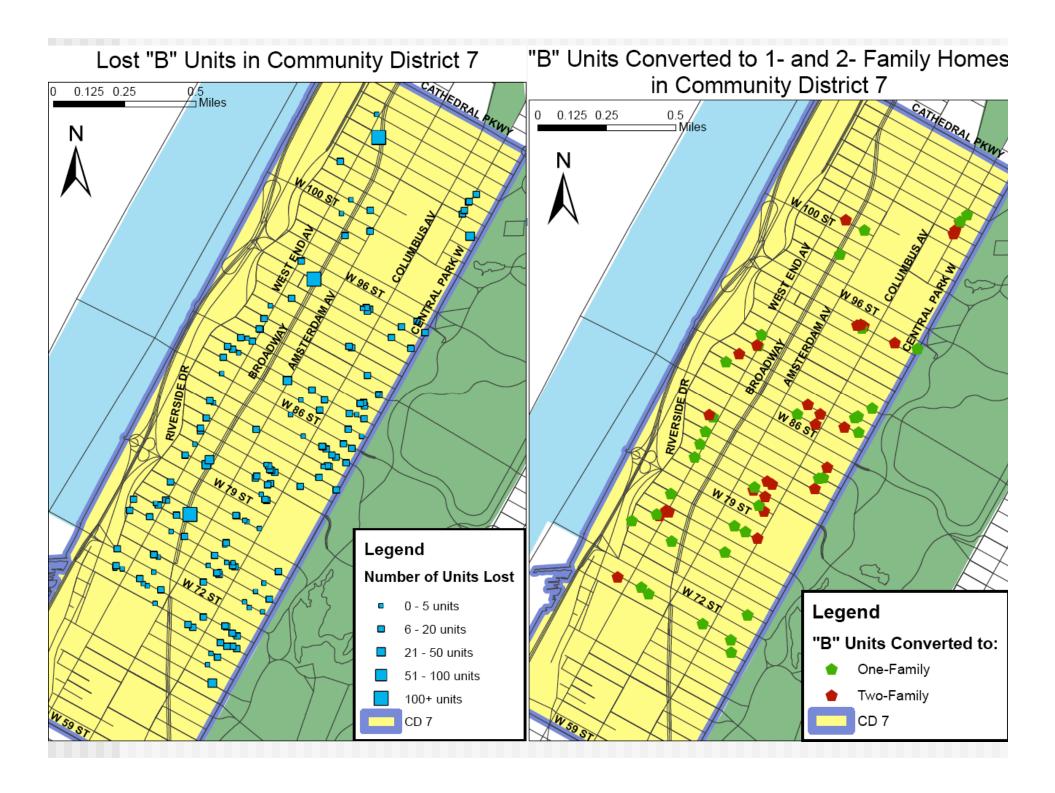
As of 2008, market-driven SROs made up an estimated 8.1% of rental housing stock.

#### **Lost SRO Units**

- At least 1,997 units lost
- 1,336 lost since 1996
- Local Law 19 and Certificates of Non-Harassment
- Many SRO buildings converted to oneand two-family homes

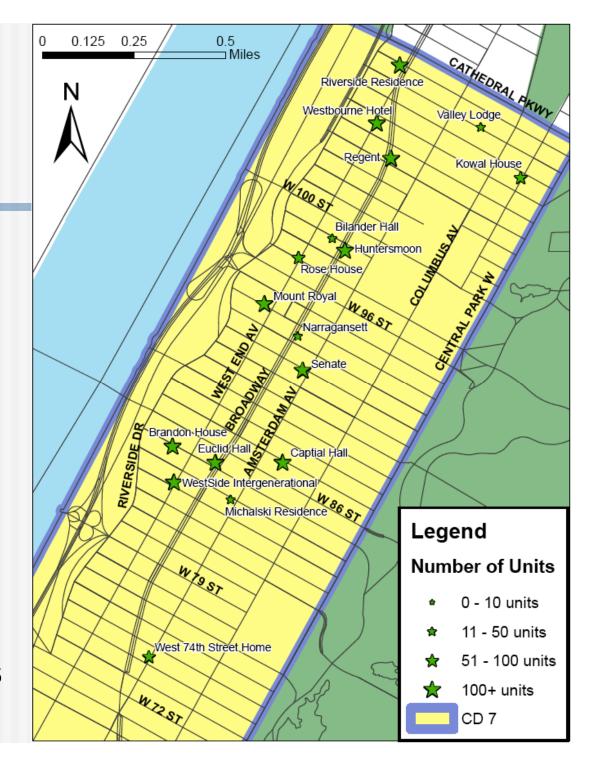
#### **Lost SRO Units**

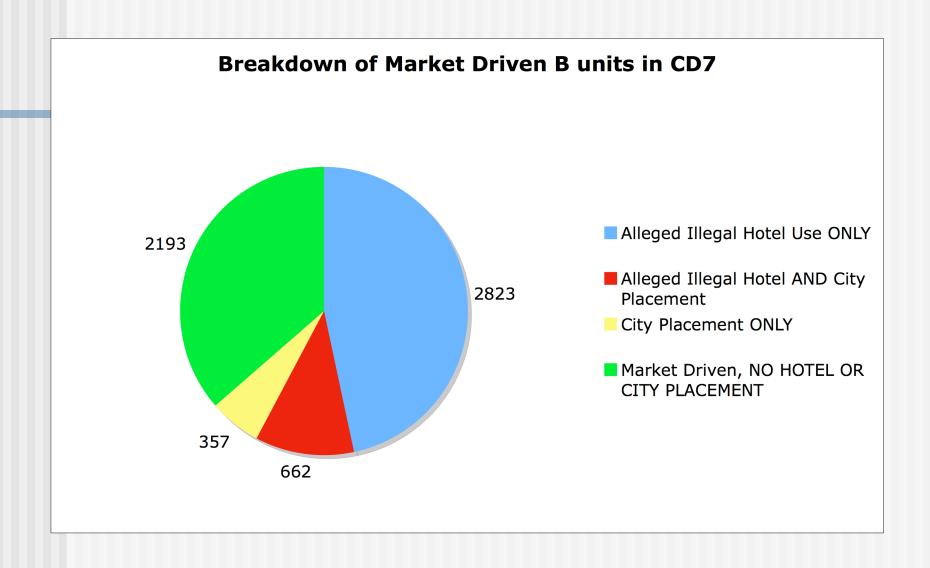
- Difficult to determine number of lost units
  - At least 31 buildings with substantial work permits and NO NEW C of O
  - Many buildings with no C of O at all
  - HPD Registration and Violation Database out of date



## Non-Profit SROs

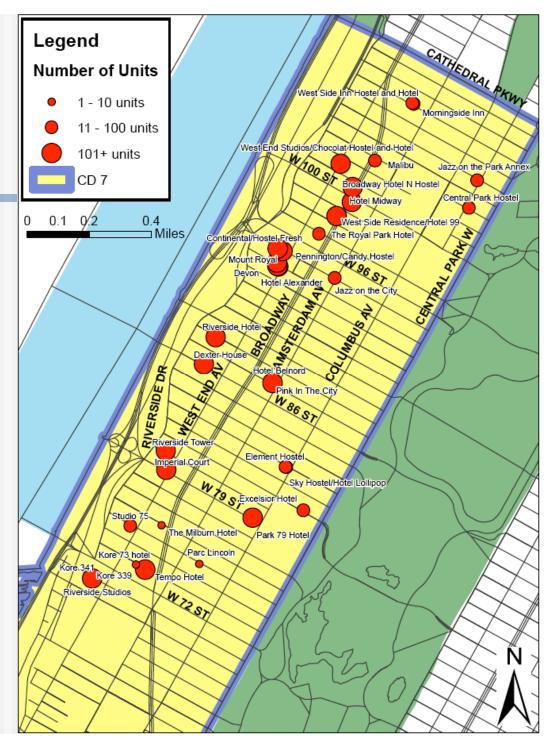
- 1,957 units in 17 buildings
  - WSFSSH
  - Goddard Riverside
  - Volunteers of America
  - LanternOrganization
- On-site supportive services
- Recent renovations





#### Illegal Hotels

- Estimated between 1,700 and 3,500 "B" units used for illegal hotels
- Up to 57% of market driven SRO units
- Difficult to determine exact numbers or define "illegal hotels"



### Problems With Illegal Hotels

- Drives out long-term tenants
- Nuisance to long-term tenants
- Safety concerns fire codes and egress
- Damaging to tourism industry

#### Illegal Hotels - Classification

- No consistent classification for hotels/SROs
- Multiple Dwelling Law
  - Class A long-term use (30 days or more)
  - Class B short-term use
- 1968 Building Code
  - J-1 short-term
  - J-2 long-term
  - Not consistently found on C of O
- 2008 Building Code
  - R-1 short term, including hotels
  - R-2 long term, including apartment hotels

### Illegal Hotels - Classification

- Department of Finance
  - H classification for hotels
  - Tax purposes
- Zoning Resolution
  - Apartment hotels permitted in residential zoned area
  - Transient hotels NOT permitted in residential zoned area, only in commercial
- Transient Use not defined in any statute
  - How long constitutes "permanent residency"

### Illegal Hotels - Classification

- 34 alleged illegal hotel buildings
  - 22 Class A Multiple Dwelling, 2 Class B Multiple Dwelling, 10 unknown
  - One J-1 classification, no J-2
  - 21 with H classification for DOF
  - 9 in commercially zoned area, 25 in residential

## Legal v. Illegal Hotels - Examples

- Jazz on the Park, 34 W. 106th Street
  - Class B Hotel, J-1, H9, zoned R8
- Jazz on the Park Annex, 54 W. 105th Street
  - Old Law Tenement/SRO, C of O says "residential,"
     DOF class C4, zoned R8B
- Excelsior Hotel, 45 W. 81st Street
  - HPD: 98 A units, 69 B units, C of O says "Class A Apartment/Hotel," DOF class H9, zoned R10A, impressive website
- WHICH OF THESE ARE ILLEGAL??

### City of New York v. 330 Continental LLC

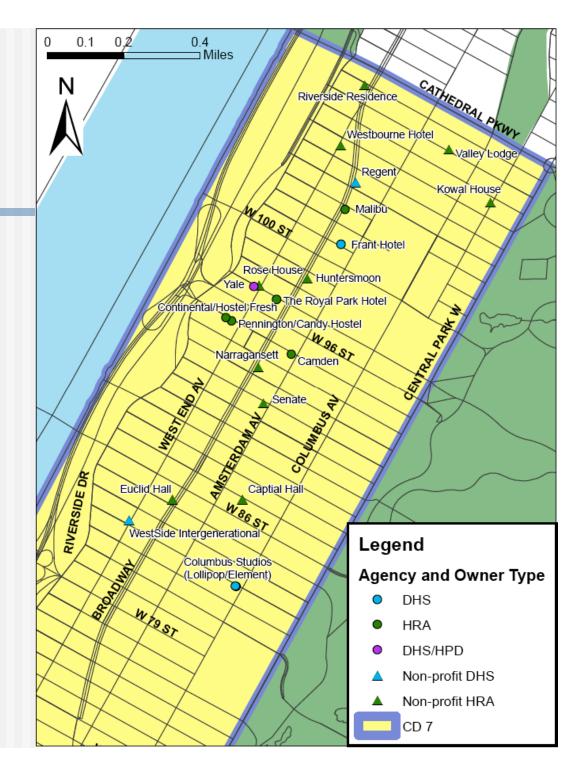
- The Continental, The Montroyal, The Pennington
- Stallman Decision Enjoined defendants from using building for short-term rental
- Overturned by appellate division
- Multiple Dwelling Law: Class A Multiple Dwelling defined as "occupied, as a rule, for permanent residence purposes"
- Zoning Resolution: Apartment Hotels defined as buildings in which "dwelling units or rooming units are used *primarily* for permanent occupancy"
- Court ruled that buildings could have secondary use up to 50% of units

# Proposed Legislation - Gottfried and Krueger

- Clarifies occupancy rules for Class A Multiple Dwellings
- Eliminates terms "as a rule" and "primarily" from MDL and zoning resolution
- Requires occupancy by natural person no more corporate occupancy
- Allows exceptions for roommates and short-term use at discretion of occupant (vacations, etc.)
- Provides opportunity for illegal hotels operating since prior to 1968 to obtain updated Certificate of Occupancy

### City Placement

- Nine buildings
- Up to 1,019 units
- Short term
- Government subsidies
- DHS Housing Stability Plus (HSP)
- HRA HIV/AIDS
   Services
   Administration (HASA)
- Also long-term supportive housing placement



#### Problems With City Placements

- Drives out long-term tenants, creates nuisance
- Building conditions issues
- Use of buildings for city placement and illegal hotel
- Illegal use of subsidies continuing to receive subsidies while forcing out HSP/HASA tenants

#### Recommendations

- Work to develop more supportive housing with on-site services
- Encourage upgrade of "B" units without displacement of tenants
- Provide incentives to keep SROs viable using partnerships with non-profits
- Improve government agency recordkeeping and SRO classification

## Recommendations - Illegal Hotels and City Placements

- Pass proposed illegal hotel legislation
- Improve enforcement and increase fines
- Consider independent hotels bureau and certification process
- Prevent city placement into buildings with multiple housing code violations