

**Community Board 12, Manhattan**  
**Minutes for the Housing and Human Services Community Meeting**  
**October 1st, 2015 – Conference Meeting space**  
**530 West 166<sup>th</sup> Street – 6<sup>th</sup> Floor**  
**New York, NY 10032**

**Committee Members Present (7):** Richard Lewis (Chair), Ayisha Ogilvie, Jay Mazur, Katherine Diaz, David Mattera, Barbara Frazier and Felipe Wityk Sanchez (Assistant Chair).

**Committee Members Absent (1):** Estevan Nembhard.

**Board Member (1):** Osi Kaminer

**Public Member (1):** Christina Burgess.

**Public (3):** Kathy Kim (City Harvest), Joel Yoffie and Trevor Arnett (Columbia University Global Centers).

**Staff:** Paola M. Garcia

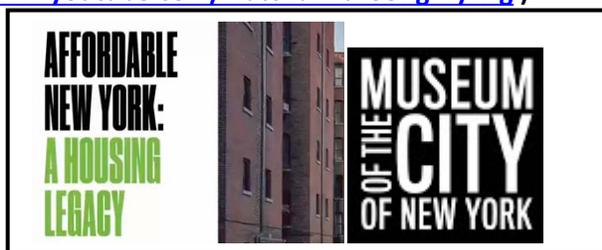
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**Welcome, Opening Remarks and the Agenda.** Richard Lewis, HHS Committee Chair, called the meeting to order at 7:15 pm. Arrangements were made to record the meeting to a digital audio file on an OLYMPUS © handheld device. Board members introduced themselves, as did members of the public present. A quorum was present for the meeting. Topics for the evening's agenda were outlined. Felipe Wityk Sanchez was introduced as the new Assistant Chair.

**HHS Committee Chair's Report.**

The Chair attended several meetings: On September 16<sup>th</sup> – The Green Housing Meeting at Isabella; On September 17<sup>th</sup> the Affordable housing symposium and exhibit at the museum of the City of New York The symposium that brought together housing advocates, developers, community leaders, and city officials. The group discussed how to embrace subsidized housing as a way to achieve diversity and neighborhood stability, and, not least, as a critical investment in the city's workforce into the 21st century. (see <https://www.youtube.com/watch?v=bh95KgMy-wg> ).

Later that day I attended a tenant's meeting at 476 West 141<sup>st</sup> Street. On September 24<sup>th</sup> Local law 84 Meeting at the NYC Association of the Bar – On September 28<sup>th</sup> – Meeting with Project Renewal at The Fort Washington Men's Shelter (discussed later in these minutes.



**Source Documents Released at the Meeting.**

The following source documents (27) were distributed or made available at the meeting:

- Tenant Harassment - <http://www1.nyc.gov/site/hpd/renters/harassment.page>
- Acoso Inquilino - <http://www1.nyc.gov/site/hpd/renters/harassment.page>
- Emergency Responders Called to Chelsea Shelter Nearly 1,900 Times This Year – <http://www.dnainfo.com/new-york/20141215/chelsea/emergency-responders-called-chelsea-shelter-nearly-1900-times-this-year>
- DHS Assigns Two Dozen Peace Officers to BRC - <http://chelseanow.com/2014/10/dhs-assigns-two-dozen-peace-officers-to-brc/>
- City Will Spend \$12M to Provide Lawyers for Tenants Facing Eviction - <http://www.dnainfo.com/new-york/20150928/civic-center/city-will-spend-12m-provide-lawyers-for-tenants-facing-eviction>
- ATTENTION NYC RENTERS: THANKS TO A NEW RULING, YOUR APARTMENT MIGHT BE RENT-STABILIZED AFTER ALL - [http://www.brickunderground.com/blog/2015/09/rent\\_stabilization\\_ruling](http://www.brickunderground.com/blog/2015/09/rent_stabilization_ruling)
- Altman v 285 W. Fourth, LLC - <http://law.justia.com/cases/new-york/appellate-division-first-department/2015/14968-155942-14.htm>
- The Rent Law of 2015 - [http://www.huffingtonpost.com/adam-leitman-bailey/the-rent-law-of-2015\\_b\\_7772956.html](http://www.huffingtonpost.com/adam-leitman-bailey/the-rent-law-of-2015_b_7772956.html)
- Landlord's Rent Demand Rule 'Deceptive' Under GBL 349 - <http://www.rosenbergestis.com/In-the-News/070081515Rosenberg-2.pdf>
- Construction in Buildings Declared Vacant Surprises Some: The Tenants - <http://www.nytimes.com/2015/09/19/nyregion/construction-in-buildings-declared-vacant-surprises-some-the-tenants.html?partner=rssnyt&emc=rss>

- New York City housing violations tracker: August 2015 - <http://www.capitalnewyork.com/article/city-hall/2015/09/8576736/new-york-city-housing-violations-tracker-august-2015>
- The Rent Crisis Is About to Get a Lot Worse - <http://www.bloomberg.com/news/articles/2015-09-21/the-rent-crisis-is-about-to-get-a-lot-worse> and <http://www.jchs.harvard.edu/sites/jchs.harvard.edu/files/jchs-sonhr-2015-full.pdf>
- Mayor and Catholic Church join to welcome homeless - <http://www.eldiariony.com/2015/09/23/alcaldia-e-iglesia-catolica-se-unen-para-acoger-a-desamparados/>
- NYC to Target Evictions in Bid to Curb Homelessness - <http://www.wsj.com/articles/nyc-to-target-evictions-in-bid-to-curb-homelessness-1443401502>
- Child Poverty: Negative Impact on Brain Development - <http://www.medscape.com/viewarticle/848725>
- Poverty Disturbs Children's Brain Development and Academic Performance - [www.scientificamerican.com/article/poverty-disturbs-children-s-brain-development-and-academic-performance/](http://www.scientificamerican.com/article/poverty-disturbs-children-s-brain-development-and-academic-performance/)
- What Poverty Does to the Young Brain - <http://www.newyorker.com/tech/elements/what-poverty-does-to-the-young-brain>
- Bills Aim to Protect Renters During Construction Work - <http://www.nytimes.com/2015/09/30/nyregion/bills-aim-to-protect-renters-during-construction-work.html?partner=rssnyt&emc=rss&r=0>
- CNYCN Testimony City Council Oversight Hearing: Vacant Properties in New York City: How many are there and what is the City doing about them-2/28/2014- Office Copy Available with due notice.
- CYCN Testimony - City Council Hearing Regarding "Housing New York", the Mayor's Affordable Housing Plan - 11/17/2014 - Office Copy Available with due notice.
- Final HHS Committee and Board FY 2016 Capital and Expense Budget Rankings - Office Copy Available with due notice.
- Association of Child Poverty, Brain Development, and Academic Achievement – JAMA Pediatr. i:10.1001/jamapediatrics.2015.1475
- Poverty's Most Insidious Damage The Developing Brain – [www.archpedi.jamanetwork.com/article.aspx?articleid=2381540](http://www.archpedi.jamanetwork.com/article.aspx?articleid=2381540)
- Poverty May Hinder Kids' Brain Development, Study Says - Reduced gray matter, lower test scores reported for poor children - [https://www.nlm.nih.gov/medlineplus/news/fullstory\\_153680.html](https://www.nlm.nih.gov/medlineplus/news/fullstory_153680.html)
- Heat and Hot Water - <http://www1.nyc.gov/site/hpd/renters/important-safety-issues-heat-hot-water.page>

- The first topic discussed was a news article “**New York City housing violations tracker: August 2015 Report**”. A discussion ensued over the very high number of HPD Housing Maintenance code C” violations in Northern Manhattan, considered serious and immediately and need to be cured. The Committee discussed the four zip codes in WAHI which isolated the highest number of these violations. In an effort to provide more constituent services the committee will seek methods to identify these buildings so affected, help them to organize Tenants’ Associations and follow-up on the repairs of all their building and apartment violations.

Barbara Frazier proposed using Dropbox or Warehouse to store and share files for all of the information generated and associated with the HHS Committee. The chair will investigate this option to see if it violates the state’s open meeting law and other administrative problems.

- A discussion of the article “**The Rent Crisis is About to get a Lot Worse,**” was mulled over. A recent Harvard University Study stating that the rent increases in New York City are outstripping the renters’ wage increases on an escalating basis. 65% of New York City residents are renters. Millions of households could join the ranks of those spending more than half of their income on rent, the Harvard Study warns in the next fifteen years.
- On November 5<sup>th</sup> HHS meeting will hold two public hearings on OPWDD Placements from:
  - The Lantern Organization
  - Cerebral Palsy Association

We are sending questionnaires to these agencies with responses requested in a timely manner for consideration and review by the committee. We discussed the potential issues of over-saturation and violations/hazardous building codes in the proposed residences for their placement requests. The Committee will question these agencies regarding these issues and others as we do our due diligence.

- The Chair requested the committee to review at their own leisure the recent court case **Altman vs. 285 W. Fourth, LLC** and another legal case abd article appearing in the New York Law Journal Real Estate Trends “**Landlord’s Rent Demands Ruled ‘Deceptive’ Under GBL 349**”. These are very complicated technical cases and their precedence setting for tenants will require an attorney, if one chooses to seek legal relief.

*The ruling in Altman might open the floodgates of market-rate tenants seeking to get their apartments brought back under rent-stabilization. The reason is based on a controversy back in July surrounding Albany's new rent regulation deal, and its language specifying that an apartment had to actually be rented by the departing stabilized tenant before a vacancy at the de-regulation limit—which is currently \$2,700—in order for a landlord to legally take it market-rate.*

*“Previously, if a landlord could raise an apartment's rent up to \$2,700 (or up to \$2,500 on or after June 15, 2015; or up to \$2,000 on or after June 24, 2011) in between tenants—usually through a combination of vacancy increases and renovations to the apartment, known as Individual Apartment Improvements (IAIs)—they'd be able to legally take the apartment market-rate, and charge the next tenant whatever they liked.” Now, an apartment has to hit that limit while a tenant is still in place, which is much more difficult to do (especially given the current freeze on raising stabilized rents)*

*This means that thousands of rent-stabilized apartments will stay regulated for longer, and that de-regulated ones can potentially become stabilized once again. If you're in a market rate apartment in a building with six or more apartments, you should question whether you are actually a market tenant and need to get a rent registration history from the DHCR. “Landlords generally stop filing an apartment's rent history after it goes market-rate. If the apartment's rent history suddenly stops and the apartment's rent was under \$2,700 before that time (or \$2,500 or \$2,000 depending on the date), there's a good chance that, under the new rules, it shouldn't have been de-stabilized.*

New York Business Law Section 349 (GBL 349), titled “*Deceptive Acts and practices Unlawful*”, provides in subsection (a) that *[d]eceptive acts or practices in conduct of any business, trade or commerce or the furnishing of service in this state are hereby declared unlawful.”*

In the case **Bryant v Casco Bay Realty** the court held that the landlords three day notices served on a Section 8 tenants as predicates prior to nonpayment summary proceedings were “deceptive” within the meaning of **GBL 349**. The landlord sought to recover amounts in a rent demand that they were not entitled to such as lump sums listed that included non-specific charges and hidden charges for late fees (excluded for Section 8 tenants), court costs and attorney fees.

- A discussion ensued on the research article “**Medical Studies: Delays in Brain Development in low Income Poor and the Strong Neurological Association with Living Conditions**” (repairs, evictions, homelessness, income inequality). Similar articles distributed supported the discussion. A PowerPoint presentation was shown of CAT Scans of brains and changes.
- **The significance of these studies is now we can trace anatomical and functional changes through CAT Scans. that was once only conjecture or even conclusions based on qualitative studies can now be quantified between and among individuals. This is a significant breakthrough in pediatrics studies to measuring critical thinking areas and other brain performance in adults. The study was also a longitudinal one so groups could be followed during their neurological development and measured with both qualitative standards and quantitative methods.**

**IMPORTANCE** *Children living in poverty generally perform poorly in school, with markedly lower standardized test scores and lower educational attainment. The longer children live in poverty, the greater their academic deficits. These patterns persist to adulthood, contributing to lifetime-reduced occupational attainment.*

**OBJECTIVE** *To determine whether atypical patterns of structural brain development mediate the relationship between household poverty and impaired academic performance.*

**DESIGN, SETTING, AND PARTICIPANTS** *Longitudinal cohort study analyzing 823 magnetic resonance imaging scans of 389 typically developing children and adolescents aged 4 to 22 years from the National Institutes of Health Magnetic Resonance Imaging Study of Normal Brain Development with complete sociodemographic and neuroimaging data. Data collection began in November 2001 and ended in August 2007. Participants were screened for a variety of factors suspected to adversely affect brain development, recruited at 6 data collection*

sites across the United States, assessed at baseline, and followed up at 24-month intervals for a total of 3 periods. Each study center used community-based sampling to reflect regional and overall US demographics of income, race, and ethnicity based on the US Department of Housing and Urban Development definitions of area income. One-quarter of sample households reported the total family income below 200% of the federal poverty level. Repeated observations were available for 301 participants.

**EXPOSURE** Household poverty measured by family income and adjusted for family size as a percentage of the federal poverty level.

**MAIN OUTCOMES AND MEASURES** Children's scores on cognitive and academic achievement assessments and brain tissue, including gray matter of the total brain, frontal lobe, temporal lobe, and hippocampus.

**RESULTS** Poverty is tied to structural differences in several areas of the brain associated with school readiness skills, with the largest influence observed among children from the poorest households. Regional gray matter volumes of children below 1.5 times the federal poverty level were 3 to 4 percentage points below the developmental norm ( $P < .05$ ). A larger gap of 8 to 10 percentage points was observed for children below the federal poverty level ( $P < .05$ ). These developmental differences had consequences for children's academic achievement. On average, children from low-income households scored 4 to 7 points lower on standardized tests ( $P < .05$ ). As much as 20% of the gap in test scores could be explained by maturational lags in the frontal and temporal lobes.

**CONCLUSIONS AND RELEVANCE** The influence of poverty on children's learning and achievement is mediated by structural brain development. To avoid long-term costs of impaired academic functioning, households below 150% of the federal poverty level should be targeted for additional resources aimed at remediating early childhood environments.

- HHS Chair Richard Lewis presided over the second meeting on the Fort Washington Men's Shelter with Project Renewal CEO, the Center's Director, PRI staff, FHC Security, CBO's, DHS, 33<sup>rd</sup> Pct, Manhattan Borough President's office, Columbia University and NYPH, the Mayor CAU, the DA's Office, other city agencies, board members, council member Ydanis Rodriguez staff, community residents and commercial establishments. What was presented was a report on progress on issues and problems exchanged at the last meeting on August. A discussion ensued by the committee about the Shelter and its impact on the community. Project Renewal manages 200 men who stay one year. About 30 men a year are able to transition out of the shelter to supportive housing. Tracking the same cohorts on a 200 facility max is next to impossible as clients can come and go at any time. 200 as a maximum number then is dispositional due to daily client flux, but real in physical counts for available client beds.

*There are some 27 clients who have proven difficult and disruptive at the FWMS. 6 of them have been moved to other facilities and this process will continue. Procedures to process this removal involve heavy staff documentation of incidents and this information is sent to a DHS safety data hub for evaluation.. These are clients that PRI can't do anything with their programs to help them. There have also been monthly warrant sweeps by the 33rd pct and 7 people were arrested. The Project renewal staff is now constantly patrolling areas outside the facility and encouraging clients encountered not to pan handle or hang out. They cannot make arrests. The six Peace Officers now inside the shelter have that authority as do the NYPD now on an eight hour five day shift at West 168<sup>th</sup> Street and Broadway.*

*There have been reports of an uptick of homeless people coming from other areas who are not Project Renewal clients. Often PRI has been blame for this population hanging out and causing community problems. One incident at Coogan's Restaurant involved one of their customers being slapped outside by a known homeless person, but the customer also refused to press charges. The meeting gave some hope that some progress has been made, but we still have a long road to travel.*

*The HHS Committee will consider the need to pass a resolution at a later date on homeless in our community and the need for more peace officers and police. These issues and others will be discussed at the Armory's next meeting, which will be held on October 26<sup>th</sup> or October 28<sup>th</sup> at 6:00 PM at the Board's offices.*

- The Committee discussed the article "NYC to Target Evictions in Bid to Curb Homelessness." The article covers the mayor's attempts to handle the city's rising homeless populations with some \$60 million dollars in legal aid and services in housing court to prevent nearly 30,000 evictions a year. Washington Heights is one of the districts targeted for this relief.
- There was a discussion of the De Blasio administration's new 'Open Door Policy and New Homestretch Shelter/Supportive Housing Model Programs' and funding nonprofits that open their doors for some 500 units of housing, e.g., the Archdiocese of NYC acceptance of this challenge.
- Kathy Kim of City Harvest gave a presentation of their free mobile pop-up pantry and the farmers' market located on 155<sup>th</sup> Street and St. Nicholas Avenue.  
Suggestions were made by the Committee that the farmers' market needs to do better outreach and advertisement to the community and additionally visit senior centers. An observation was made that the pop-up pantry distributes produce that is not fresh. The confusion was later clarified that the appearance of distorted produce was not an indication of any significant change in nutritional value.

#### **Preliminary Discussion on HHS Committee FY 2017 Budget Ranking.**

The committee discussed and ranked the FY2017 HHS Committee CB12, M budget needs for both capital and Expense funding. A summary of the rankings appears in an addendum at the end of these minutes.

- The committee discussed Not for Profits that are being priced out of Washington Heights and Inwood. A discussion ensued about creating a HUB or common space for them. The Committee suggested revisiting the Armory, GW/Port Authority space, RKO Coliseum, United Palace, Churches and Temples, and creating a list of available spaces.
- There was a discussion for a proposed Human Services/Resource Festival to occur in February or March 2016. Date and place to be determined.

The meeting adjourned at 10:00 pm.

**Respectfully Submitted by**

**Felipe Wityk Sanchez (Assistant Chair)**

Edited by **Richard Lewis – HHS Committee Chair**

**October 1st, 2015**

## Final HHS Committee and Board FY 2017 Capital and Expense Budget Rankings\*

### HHS COMMITTEE AND BOARD CAPITAL BUDGET RANKINGS – FY 2017

COMMITTEE RANKING	BOARD RANKING	ITEMS (New and Old) - DESCRIPTION	EXPLANATION
1		<b>Permanent Long Term Affordable Housing (Construction)</b> - Build a high number of these apartments/housing units with <u>immediate priority</u> given to CB12M in the Mayor's Ten Year Plan as no new affordable housing of this type have been constructed in this district since 2001.	This item was ranked Number <u>One</u> by the Committee and the Board for FY 2016, 2015, FY 2014 and FY 2013. Since 2001, 228 Nagle Avenue, 440 West 163 <sup>rd</sup> Street and 2142 Amsterdam Avenue are the only new affordable housing built in this district. <b>BUDGET CODE: 31220120C</b>
2		<b>Affordable Housing (Rehab)</b> <u>Immediate priority</u> needs to be given in CB12M for the rehabilitation and preservation efforts and funding of some 2,000 units in current rent regulated and aged properties (TIL, Third Party Transfer, HDFC, and DAMP programs) with excessive and long standing code violations through the expansion and increase funding of HPD's AEP, PPS and similar private or city owned multi-family Class A building rehabilitation programs.	Most residential buildings in CB12M were built after the early 1900's. Many have not been maintained well are in rapid decay. <u>CB12M has 40% of the code violations in Manhattan according to the recent 2014 Worst Landlord's List and the fewest number of housing units rehabbed in the Alternative Enforcement Program since its inception in 2007.</u> 552 Academy Street is one of the few apartment buildings preserved by NY C in Washington Heights-Inwood. There is a strong need to expand HPD's Alternative Enforcement Program (AEP) , PPI and other rehab programs. <b>BUDGET CODE: 312201627C</b>
3		<b>NEW ITEM Permanent Supportive Housing (Construction/Rehab)</b> Immediate priority needed to build or rehab units of more supportive housing for veterans, seniors, homeless/shelter transitioning families and adults, HIV AID's individuals, and groups homes for OPWDD and aged out youths.	There is an emergency need for more supportive housing due to an increase in our senior citizen populations and homeless populations trying to transition from our city shelter systems. The Article XI Tax Incentive Program and long term sustained funding needs to be used and expanded for these purposes by HPD.
4		<b>Vertical Urban Farms.</b> Funding to build these hydroponic, agroponic, aquaponic or standard gardening structures in new buildings or incorporating them into affordable housing units or other buildings in CB12M as part of a long term planning initiative or the construction of a demonstration project as a first step.	It is estimated that by the year 2050, close to 80% of the world's population will live in urban areas and the total population of the world will increase by 3 billion people. A very large amount of land may be required depending on the change in yield per hectare. There is a scientific concern and forecasts that not enough farmland may be available to farm <b>BUDGET CODE: 312201628C</b>

### HHS COMMITTEE AND BOARD EXPENSE BUDGET RANKINGS – FY 2017

COMMITTEE RANKING	BOARD RANKING	ITEMS (New and Old) - DESCRIPTION	EXPLANATION
1		Provide <u>sufficient</u> funding for mandatory "right to counsel" and CBO's for HOUSING COURT and the new Office of Civil Justice to provide legal, social services and or administrative assistance, heavy attorney representation, advocacy or intervention beyond the pro bono or current non-attorney <i>Guardian Ad Litem</i> programs, and one stop HRA/LINC programs for all tenant litigants in CB12,M .	There is extremely limited funding to help clients in housing and human services who need legal assistance with filing documents as well as direct attorney representation or advocacy. Recent studies on <u>pro se</u> representation have shown a heavy eviction rate for families in housing courts. <b>BUDGET CODE: 312201401E</b>
2		<b>NEW ITEM:</b> Funding for more inspectors more building inspections, better monitoring, enforcement, and reporting by <b>HPD.</b>	CB12M has an aged and huge stock of buildings in constant need of repair. CB12M has too many uncorrected violations. We need better reporting mobile data gathering and reporting services like "MeWe ©" - See <a href="https://mewe.org/">https://mewe.org/</a>
3		Funding for more inspectors and more building inspections, better field/digital monitoring, enforcement, and reporting by <b>DOB.</b>	CB12M has an aged and huge stock of buildings in constant need of repair. CB12M has too many uncorrected violations. We need better reporting mobile data gathering and reporting services like "MeWe ©" - See <a href="https://mewe.org/">https://mewe.org/</a> <b>BUDGET CODE: 312201507E</b>

<b>4</b>	<p><b>NEW ITEM:</b> Funding for more “Peace Officers” . from <b>DHS</b> as they have the legal authority, to make arrests and maintain order both inside and outside the Fort Washington Men’s Shelter .</p>	<p>There is a need to the district fair share of “Peace Officers” given the 200 individuals serviced at the Fort Washington Men’s Shelter where some of this responsibility has been assumed by the 33<sup>rd</sup> Precinct . This has significantly reduced their limited police patrols in other district areas.</p>
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**HHS COMMITTEE AND BOARD EXPENSE BUDGET RANKINGS – FY 2017**

COMMITTEE RANKING	BOARD RANKING	ITEMS (New and Old) - DESCRIPTION	EXPLANATION
<b>5</b>		Funding to <u>expand</u> Online Agency Information Systems, make their databases more user friendly, for searches, apps, or visual mapping of data with community drill downs. to permit joint certification of violations cured for transparency and public oversight, and provide seamless linkage to DOB, HPD, DOF, EPA, Planning and ACRIS databases.	At present there is no online means for a global search of all buildings in our community district with a certain number of violations in agency databases – only one building at a time can be searched or viewed. There is no ability to achieve joint certification of violation removals by both the tenant and the landlord online. Finally, the Public Advocate’s Office has long requested some kind of interconnectivity between city agency databases for better data analytics. <u>BUDGET CODE: 312201610E</u>
<b>6</b>		Funding to help initiatives lower energy costs, produce savings through weatherization, efficient boiler/heating systems and retrofits.	This is part of the greater greener urban movement towards sustainable and more energy efficient systems and to better accommodate unfunded city mandates. <u>BUDGET CODE: 312201509E</u>
<b>7</b>		<b>NEW ITEM:</b> Pilot Study for a Large Centralized Non Profit Facility. Pilot study to fund the establishment a large multi-story space in a centralized building for existing and legacy Housing and Human Service Organizations and CBO’s in CB12M so that their support services can be housed, shared and operate in one location or hub thereby reducing costs and duplication and afford community access.	Sufficient space for many of these types of organizations is a very scarce resource. The cost and time spent to move and relocate due to organization growth or even funding to lease current space is a serious hardship. Today, the movement is towards Non Profit Clusters akin to popular Info Tech Hubs where capital resources are shared and leasing is low cost. <u>This is a new item and requires a new budget code since it was changed from capital to expense for the current FY2017 budget cycle. See old code: BUDEGT CODE: 312201512C</u>

**\*Prepared by Richard Lewis – Chair –HHS Committee/CB12, M – October 1, 2015.**