

Community Board 12, Manhattan
Minutes for the Housing and Human Services Committee Meeting
November 6th, 2014 – Office Meeting Space
530 West 166th Street – 6th Floor
New York, NY 10032

Committee Members Present (5): Richard Lewis (Chair), Lorena Jiménez-Castro, Jay Mazur, Ayisha Oglivie, and Felipe Wityk Sanchez.

Committee Members Absent, Excused (2): Yahaira Alonzo (Asst. Chair), and Alyce Smith,

Committee Members Absent, Not Excused (1): Christina Burgess (Public Member).

Board Members (1): Osi Kaminer.

Public (4): Ethan Jones, Joel Yoffie, Mariel de la Cruz, and David Twomey.

Staff: Paola Garcia.

Welcome, Opening Remarks, and the Agenda. Richard Lewis as Committee Chair called the meeting to order at 7:20pm. Meeting was set to record to a digital audio file. Board Members introduced themselves as did members of the public present. A quorum was present during the entire meeting. Topics for tonight's agenda were outlined.

HHS Committee Chair's Report/Announcements

- Tabled agenda item numbers 3, 5 and 8. Guest speaker from OPWDD not available to discuss several committee concerns in detail. So we still need more time to study and discuss the Mental Health Law and "minimum areas" issues, sometimes referred to as oversaturation.
- The RENTERS MARCH and rally for affordable housing on October 25th was a great success with heavy sponsorship by CB12,M, housing/tenant advocates, CBO's and many local , city and state electeds, and tenants. Marchers on the four mile route estimated to be about 400. The weather for this time of the year was great at about 65 degrees. CB12, M had a table set up at IS52 with the help of several board members who participated in the march or its organization (Ayisha Oglivie, Osi Kaminer, Elizabeth Ritter, Jay Mazur, Kelley Boyd, Lillian Sanneaux, and the HHS Chair).
- A brief presentation and analysis on the latest release of the NYC Public advocates 2016 enhanced Worst was given. Landlord's Watch List. CB12, M has some 72 buildings on the Manhattan list and has ten in the top 30. These 72 buildings represent some 36% of the total buildings with the highest code violations in Manhattan. (See Table 2 and a further discussion in these minutes).
- The Chair announced that Osi Kaminer who previously served on our committee had been given the position as Assistant Chair of the Parks and Cultural Affairs Committee. However, she will not entirely abandon us and continue at her own choice to attend our committee meetings and participate in projects. We are grateful.
- The Chair, with Board Chair George Fernandez and the District Manager had a successful meeting earlier in the day. Key members in Manhattan Planning and Code Enforcement earlier in the day. They were who were given a talking points document on our needs for affordable housing. We requested more timely and specified releases of cumulative code violations of buildings in our district and more information on progress of rehabilitation of the Arden Street and the Amsterdam Avenue building resolution that passed the board last month. We did find out that plans for placing these buildings in a design phase are being readied.
- As part of constituent services and outreach the Chair made a site visit at 20 Bogardus Place at the request of the tenant association there. He met twenty tenants and visited six apartments and other places in the building. He provided a voluminous amount of tenants rights documents, legal forms, folders we used for the Legal Empowerment Housing Forum last May and answered all their questions. He also reviewed documents, letters and leases they had assembled. The meeting lasted for four hours. The building is on the worst landlord's watch list for this year and ranks fifth in the district.

The Chair discussed this year's results of the board's ranking for the committee's ranking of the Expense and Capital Budget requests for FY2016. The HHS committee's requests did very well. Our fellow members heard us and we are thankful. The Board ranked number 1 and 2 Affordable Housing (Construction) and Affordable Housing (Rehabilitation or Preservation). In the expense budget request the need for legal advocacy was also ranked number one.

(See Table 4. NOTES: Capital Ranking: Only the top 40 ranked and accepted. ****Expense Ranking**: Only the top 25 budget items ranked and accepted. Some of these rankings may eventually include requests made from board conversations with city agencies held several months ago.)

Source Documents Released at the Meeting.

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

- Talking Points -Legislation Needs for Mental Health Laws (2014 – 2015) –(Available in the CB12, M Office)
- Talking Points - Legislation Needs for Housing (2014 – 2015) – (Available in the CB12, M Office)
- Some Affordable Housing Message Points - *Alliance for Tenant Power- Rent Law Renewal Talking Points (Renters March October 25, 2014)* (Available in the CB12, M Office)
- List of NYS Legislature 2013 Housing Bills Introduced - Run Date: 11/02/14 04:56 PM - <http://public.leginfo.state.ny.us/menugtf.cgi>
- Alliance for Tenant Power – 2014 Legislative Priorities- <http://www.tenantsandneighbors.org/pdf/2014LegPlatform.pdf>
- 2014 POVERTY GUIDELINES - ALL STATES <http://familiesusa.org/product/federal-poverty-guidelines#sthash.GeCX5Gpf.dpuf>
- CB 12, M Board Capital Budget - FY 2016 Ranking
http://www.nyc.gov/html/mancb12/downloads/pdf/FY_2016_Committee_Ranking_Capital.pdf
- CB 12, M Board Expense Budget - FY 2016 Ranking
http://www.nyc.gov/html/mancb12/downloads/pdf/FY_2016_Committee_Ranking_Expense.pdf

Talking points on the Legislative Needs for Housing in 2014 and 2015.

The committee discussed several talking points for the legislative session and the Rent Guidelines Board's new order next year. The NYS legislative process of bill introduction and passage was discussed. Some members were surprised about the number of bills introduced that are still in committee and held over from 2013. Since time was an issue and there were too many bills with merit it was agreed to revisit these talking points in our next meeting. The committee needs to spend more time thinking about them with some specifics and possible rankings. In addition, many tenant advocate groups and landlord special interest organizations will be introducing their platforms for the next legislative session. Here are some of the items:

- What are some changes that are needed in the Rent Regulation Laws that expire (sunset) on June 30th, 2015 unless renewed by the NYS Legislature?
- Should there be changes or the elimination of vacancy decontrol?
- Should there be changes in the Major Capital Improvement (MCI) Program?
- Should there be changes in property tax classifications?
- Should there be changes in Tax Abatement Programs, for example the 421a exemptions and its administration?
- Should there be changes in the Maximum Base Rents and Fuel Cost Adjustments levied on rent controlled tenants?
- Should there be local control over the rent regulation laws (Anti-Urstadt legislation)?
- Should there be legislation to define what is meant by "affordable housing"?
- Should there be legislation for HPD Tribunals to collect fines for housing code violations and have them used for rehab work in the district collected?
- How many of these suggested changes are realistic given the makeup of the NYS Legislature?
- Should there be a rent freeze from the Rent Guidelines Board in 2015?
- Given the bills introduced in 2013 and 2014 by the NYS Legislature what ones should the committee review further, rank, reject, offer no opinion or endorse?

Many of these questions are hot topics in special interest groups.

Talking points on Affordable Housing.

There has been no new construction of affordable housing in Washington Heights and Inwood since 2002. That's a very long time. As we look at what housing has been built in other areas of the city from 2001 – a map would clearly show that we are being walled in with residential construction in the other boroughs and districts around and below us. Our community leaders have brought this matter to the attention of the city with negligible results. We have had rallies, marches, forums, committee hearings, district need statements, budget rankings, and position papers. Our district is faced with many distressed properties, ranks for the past three years as number one in Manhattan on the Public Advocate's Worst landlord's Watch Lists. And 36% of Housing Code violations in Manhattan are located in our district (See Table 2). In the recently released the 2013 State of NYC Housing & Neighborhoods Report NYU Furman Center report we ranked number one compared to all community boards in these violations.

Given this fact, very few of our buildings have been placed in the Alternative Enforcement Program (AEP) and less in the Proactive Preservation Initiative (PPI) of HPD. Our properties are in rapid decay and this adds to the cost of running and managing them as well. Our population now is about 214,000. Its density ranks eight highest in NYC. According to the Furman Report, the annual income for 50% of the households in Washington Heights-Inwood is less than \$40,000 while 30% of households in the district earn \$20,000 or less. The Report also states that 34% of the households in Washington Heights-Inwood households are severely rent burdened and 49% of low-income renters suffer median rent burden.

Given these critical facts our talking points on affordable housing essentially must now focus on what will be the potential effects of the current administration’s plan (“**Housing New York: A Five-Borough, Ten-Year Plan**”) as it relates to our community district and various neighborhoods within that district. On the surface the report fails to even mention our district in its case studies or even those communities where there has been little or no success in affordable housing. It does not even mention the role of community boards, and how a community district will be prioritized for new construction or rehabilitation in the next ten years. How then will this plan immediately rescue our community district? So we will be reviewing that plan at our next committee meeting and future ones in an attempt to explore those issues. See http://www.nyc.gov/html/housing/assets/downloads/pdf/housing_plan.pdf

TABLE 1

The rubric in this table below reflects the district’s **specific** needs for Affordable Housing and will serve as an assessment tool to determine its progress in Community District 12, Manhattan.

A. Number of New Affordable Housing Units Needed	B. Number of New Affordable Housing Buildings Constructed Each Year*	C. Number of Vacant Lots Available in Community District 12 Manhattan	D. Number of Parking Lots in CD 12, M to be Used for Affordable Housing	E. Super Spaces/Lots for New Affordable Housing buildings**	F. Number of Affordable Housing Buildings to be Rehabbed	G. Mandatory Inclusionary Housing Ratio	H. 60 % preference given to current CD12, M residents
20,000	200	500***	100	2	2,000	50:50	Yes
I. Percentage AMI Specific to CD12, M	J. Rents Need to be fixed at 30% of Household income or less	K. Average Apartment Sizes in Units Constructed	L. Number of Rent Stabilized Units Constructed	M. Maximum stories built	N. FAR and setbacks	O. Percentage Contextual and Non-Contextual Design	P. Infrastructure Expansion Needed (Gas, Water, and Electricity)
Less Than \$40,000****	Yes	Two Bedrooms	50% or greater	TBD	TBD	TBD	Yes

* Multiple small lots needed to be bundled.

** Sherman Creek and the MTA Subway Depot

*** Preliminary Study Underway.

**** The annual income for 50% of households in CB 12, M is less than \$40,000 while 30% of households earn \$20,000 or less – *NYU Furman Center*.

TBD = to be determined.

Our community has one of the lowest Average Median Income (AMI) in the city. Any AMI needs to reflect and be adjusted to the specific community district and not the US Census SMSA (Standard Metropolitan Statistical Area) or even the entire NYC AMI as those conditions would otherwise incorporate wealthier communities.

Committee Assignments for Constituent Services – Buildings on the Worst Landlords watch List.

The committee reviewed the seventy two (72) Community Board 12, Manhattan buildings on the 2014 Worst Landlords Watch List. A partial list appears below. For the complete list see <http://landlordwatchlist.com/#/landlords> and for Manhattan see <http://landlordwatchlist.com/#/buildings/manhattan>

As previously mentioned the chair visited 20 Bogardus Place that ranked fifth on the list. The number one building on the list that also ranks second in Manhattan is an HDFC building located at .438 West 164th Street. The list will undergo further analysis and more information will be released in summary form. This will include past history, litigation, and mortgage information amongst other details.

One of our guests at the meeting, Mr. David Toomey asked that the committee visit his building, 88 Seaman Avenue. That building is ranked ninth on the Manhattan Landlord’s Watch list with 263 violations. The building is also without residential gas. There are also some ADA compliant issues in the apartment of a wheelchair bound resident. The committee decided to meet with these tenants on Friday, November 14th and distribute documents and answer questions. Mr. Twomey will

organize and confirm this meeting. The HHS Committee agreed to reach out to other tenants in buildings on the Watch List as part of its constituent services.

TABLE 2 – Top 20 Buildings in Community Board 12, Manhattan Highest HPD Code Violations

CB12, M PROPERTIES ON THE WORST LANDLORDS WATCH LIST - RANKINGS FOR 2014						
Quick Summary - Community District (C) vs Manhattan(M) Rankings						
BUILDING	COMPANY	HEAD OFFICER	VIOLATIONS	CD	Rank-C	Rank-M
438 WEST 164 STREET	440 W.164TH STR.HDFC	GLORIA HOPSON	493	12	1	2
2461 AMSTERDAM AVENUE	2461 AMSTERDAM I - LLC	ROBERT KLEHAMMER	447	12	2	3
99 MARBLE HILL AVENUE	NUSSBAUM REALTY COMPANY L.L.C	ERIC NUSSBAUM	326	12	3	12
900 RIVERSIDE DRIVE	900 RIVERSIDE DRIVE LLC	SOLOMON GOTTLIEB	315	12	4	13
20 BOGARDUS PLACE	L&H REALTY LLC	YEHUDA LEVI	294	12	5	18
509 WEST 212 STREET	DMARC 2007-CD 5212	DAVID SORISE	284	12	6	21
160 WADSWORTH AVENUE	4260 BROADWAY CONDOMINIUM	BONNIE SINGER	267	12	7	23
1091 ST NICHOLAS AVENUE	165 ISKAY ASSOCIATES LP	MICHAEL BISHAY	265	12	8	26
88 SEAMAN AVENUE	88 SEAMAN AVENUE LLC	MICHAEL MOSKOWITZ	263	12	9	27
192 NAGLE AVENUE	ONE NINE DEUCE ASSOCIATES LLC	JASON KORN	258	12	10	29
58 MARBLE HILL AVENUE	CHAMP HILL CO LLC C/O EMANUEL POLLAK	EMANUEL POLLAK	247	12	11	37
3660 BROADWAY	3660 BROADWAY BCR LLC	KOBI ZAMIR	238	12	12	39
461 AUDUBON AVENUE	SEAMEN AUDOBON ASSOCIATES LLC	ROBERT RAPHAEL	237	12	13	40
3565 BROADWAY	3569 ASSOCIATES LLC	MICHAEL F BISHAY	234	12	14	41
4329 BROADWAY	1963 CORP	BASHKIM CELAJ	223	12	15	47
1551 ST NICHOLAS AVENUE	1551 ST NICHOLAS LLC	ZAHAVA KADOSH	223	12	16	48
516 WEST 175 STREET	CITY OF NEW YORK HPD	PATRICIA JORDAN	222	12	17	49
562 WEST 193 STREET	81 REALTY COMPANY	JOSEPH PODOLSKI	221	12	18	50
541 ISHAM STREET	BIH REALTY CORP	BASHKIM CELAJ	215	12	19	52
657 WEST 161 STREET	161 HOLDING LTD	SHIMON GREISMAN	210	12	20	56

Committee Assignment for a Preliminary Vacancy Study in our District.

There is a myth about the lack of vacant land in CB 12, M. A preliminary vacancy study was initiated last summer by Osi Kaminer. There was also one done by the Manhattan Borough President’s Office some years ago. We have determined even from this study that there is sufficient vacant land for heavy construction of affordable housing units in our community. That preliminary report is available on request. A section of the report is listed in Table 3. The committee will be making site visits of all potential vacant lots, vacant buildings and, units and parking lots in the district to augment those preliminary findings. Photos and other information will be obtained.

TABLE 3

PRELIMINARY VACANT LOT STUDY COMMUNITY BOARD 12, MANHATTAN HOUSING AND HUMAN SERVICES COMMITTEE JULY, 2014						
Block	Lot	Zoning	Fronta	Owner	Address	Area
2105	51	R7-2	752.83'	D C A S	HARLEM RIVER DRIVE	301132
2107	2	R7-2	50'	DEPT OF ENVIRONMENTAL	WEST 155 STREET	15032 sf
2108	71	R7-2	50'	467 WEST 157 HOLDING	467 WEST 157 STREET	4996 sf
2110	11	R7-2	37.5'	SAVANNA HOUSING DEVEL	446 WEST 163 STREET	4219 sf
	13	FRESH	37.5'	SAVANNA HOUSING DEVEL	444 WEST 163 STREET	4219 sf
	54	R7-2	20'	451 WEST 162 STREET	451 WEST 162 STREET	2250 sf
2111	37	R7-2	25'	445 W 164 LLC	455 WEST 164 STREET	3275 sf
	97	R7-2	25'	167TH STREET MAZAL LL	448 WEST 167 STREET	3700 sf
	99	FRESH	59.67'	167TH STREET MAZAL LL	446 WEST 167 STREET	2900 sf
2117	30	R7-2	16.67'	510 WEST 159H STREET	510 WEST 159 STREET	1665 sf
	47	R7-2	20'	SIU, MEI-KAT	515 WEST 158 STREET	1998 sf
2120	26	R7-2	40'	518 CO., LLC	516 WEST 162 STREET	3997 sf

Source:
<http://gis.nyc.gov/doitt/nycitymap/template?applicationName=ZOLA>
<http://www.oasisnyc.net/map.aspx>

Table 4. Final HHS Committee and Board FY 2016 Capital and Expense Budget Rankings

HHS COMMITTEE AND BOARD CAPITAL BUDGET RANKINGS – FY 2016

COMMITTEE RANKING	BOARD RANKING	ITEMS (New and Old) - DESCRIPTION	EXPLANATION
1	1	Affordable Housing (Construction) - Build 20,000 apartments/housing units with <u>immediate priority</u> given to CB12M in the Mayor’s Ten Year Plan as no new affordable housing has been constructed in this district since 2001.	This item was ranked Number <u>One</u> by the Committee and the Board for FY 2015, FY 2014 and FY 2013. Since 2001, 228 Nagle Avenue, 440 West 163 rd Street and 2142 Amsterdam Avenue are the only new affordable housing built in this district. BUDEGT CODE: 31220120C
2	2	NEW ITEM Affordable Housing (Rehab) <u>Immediate priority</u> given in CB12M for the rehabilitation and preservation efforts and funding of some 2,000 units in current rent regulated and aged properties 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) and rehab programs.
3	16	Large Centralized Non Profit Facility. Funding 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. BUDEGT CODE: 312201512
4	37	NEW ITEM- Vertical Urban Farms. Funding for a detailed feasibility study on building of these structures or incorporating them into affordable housing units or buildings in CB12M and construction of a demonstration project.	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.

HHS COMMITTEE AND BOARD EXPENSE BUDGET RANKINGS – FY 2016

COMMITTEE RANKING	BOARD RANKING	ITEMS (New and Old) - DESCRIPTION	EXPLANATION
1	1	Provide <u>sufficient</u> funding for CBO’s in CB12M that provide legal and or administrative assistance, heavy attorney representation, advocacy or intervention beyond the pro bono or current non-attorney <i>Guardian Ad Litem</i> programs for CB12M residents.	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.
2	22	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.
3	14	Funding for more inspectors and more building inspections by HPD, DOB, and DEP.	CB12M has an aged and huge stock of buildings in constant need of repair. CB12M has too many uncorrected violations.
4	31	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.

The meeting was adjourned at 9:20pm.

Respectfully Submitted by
Richard Lewis, Chair - HHS Committee - November 6th, 2014