

**Community Board 12, Manhattan**  
**Minutes for the Housing and Human Services Committee Meeting**  
**April 3rd, 2014 - Main Conference Room**  
**530 West 166<sup>th</sup> Street – 6<sup>th</sup> Floor**

**Committee Members Present (6):** Richard Lewis [Chair], Alyce Smith, **Ayisha** Oglivie, Jay Mazur, Lorena Jimenez-Castro and Christina Burgess [Public Member].

**Committee Members Absent: (0)**

**Public (5)** Fidel Malena (Community Liaison – Mark Levine’s Office), Kelly Boyd, Linda Rosenthal, Richard Wassley, and Terrell Peters (ASC/NYC).

**Staff:** Paola Garcia

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**Welcome, Opening Remarks, and the Agenda.** Richard Lewis as Chair called the meeting to order at 7:23pm. Board Members introduced themselves as did one member of the public. All committee members were in attendance and a quorum was present during the entire meeting. Topics for tonight’s agenda were outlined. The Agenda was changed since the guest speaker from Vision Services NYC requested to be rescheduled for a later meeting this year. Some announcements were made: Two annual large building shows will be taking place in New York and there will be free admissions and classes given for both. They are the BUILDINGS NY Show and the Co=op. Condo, Apt. Expo. Brochures on these shows were made available.

A 421a Application for a tax abatement was recently submitted by HAP for a property located at West 167<sup>th</sup> Street. This is an As of Right Condo that has been recently completed and the law allows this application with the provision for review by the local community board. We will be deciding what to do with request at our May meeting

The minutes for the Public Hearing on the OPWDD Placement by Edwin Gould at 255 Cabrini Blvd held in March 25<sup>th</sup> will be made available sometime in May, 2014.

Just hours before the first scheduled meeting of the NYC Rent Guidelines Board (RGB) Mayor Bill de Blasio named four members, three of which filed vacancies and another was re-appointed. No chair was named. Joining the RGB as the Mayor’s two public member appointees are **Cecilia Joza**, who is currently the housing counseling program director at Mutual Housing Association of New York and **Steven Flax**, who has spent over 30 years involved in community housing and development projects.

The Mayor’s newly appointed tenant representative is **Sheila Garcia**, who is the Community Organizer at the Community Action for Safe Apartments (CASA) New Settlement and has over 20 years of experience in tenant advocacy. The second tenant representative is **Harvey Epstein** of the Urban Justice Center, who has been serving on the RGB since April 2013 and was officially re-

appointed by Mayor de Blasio. Finally, the new owner's representative appointee is **Sara Williams Willard**, who will join **Magda Cruz**, the other owner representative.

The next meeting of the Rent Guideline Board will be held on April 10<sup>th</sup> and the other critical meetings are schedule as follows:

Date	Location	Time
Thursday, April 10, 2014 Public Meeting	Landmarks Preservation Commission Conference Room Municipal Building 1 Centre Street, 9th Floor	9:30 A.M.
Thursday, April 24, 2014 Public Meeting	Landmarks Preservation Commission Conference Room Municipal Building 1 Centre Street, 9th Floor	9:30 A.M.
Thursday, May 1, 2014 Public Meeting (Invited Group Testimony)	Landmarks Preservation Commission Conference Room Municipal Building 1 Centre Street, 9th Floor New York, NY 10007	9:30 A.M. <i>Apt. Owners 9:45 A.M. – 11:45 A.M.</i> <i>Apt. Tenants 1:00 P.M. – 3:00 P.M.</i> <i>Hotel Tenants 3:00 P.M. – 3:45 P.M.</i> <i>Hotel Owners 3:45 P.M.</i>
Monday, May 5, 2014 Public Meeting (Preliminary Vote)	Alexander Hamilton U.S. Customs House 1 Bowling Green New York, NY 10004	5:30 P.M.
Thursday, May 29, 2014 Public Meeting (FINAL VOTE)	Landmarks Preservation Commission Conference Room Municipal Building 1 Centre Street, 9th Floor	9:30 A.M.

The Chair reviewed the NYS 2014-2015 April 1<sup>st</sup> new budget agreement with the NYS Legislature and the Governor. The agreement contained many items that will have a beneficial effect on housing and human services, particularly established programs that had severe underfunding in the last budget cycle. The agreement includes:

- **Senior Citizen Rent Increase Exemption (SCRIE) Program:** The Budget increases the income threshold for the program from \$29,000 to \$50,000, which is expected to increase the number of beneficiaries by 15 percent. This will help over 7,000 New York City senior citizens stay in their homes. No income parity with DRIE.
- **Support for the Elderly:** The budget provides \$4.1 million for the expansion of the eligibility for the Elderly Pharmaceutical Insurance Program (EPIC) and \$5 million for Community Services for the Elderly.
- **Property Tax Reform that includes \$1.5 Billion in Property Tax Relief:** The Budget agreement includes a new Property Tax Credit to provide relief to New York homeowners and address one of the primary drivers of the State's high property taxes – the outsized number of local governments.

- **Property Tax Reform that includes Tax Relief for Renters and Low-Income Homeowners.**
- **Accelerated Phase-Out of 18-A Utility Surcharge:** The Budget accelerates the phase-out of the 18-a temporary assessment for all customers. New Yorkers pay some of the highest energy bills in the nation and the temporary utility assessment exacerbates this burden on struggling businesses and families. The Budget will save businesses and residents \$600 million over the next three years.
- **Expand Affordable Housing Opportunities:** The Budget authorizes \$100 million to be invested to create and preserve 3,000 affordable housing units in multi-family developments
- **Targeted Human Services COLA:** The Budget includes \$13 million growing to \$122 million to support a 2% salary increase on January 1, 2015 and another 2 % salary increase on April 1, 2015 to direct care and support workers. The April 1, 2015 COLA will also include clinical staff.
- **Enhancing Mental Health Services:** The budget adds \$38 million to expand community mental health services. This will fund 628 new supported apartments and 122 new “waiver” slots that provide enhanced services for children including respite, skill building, intensive in-home supports and enhanced care coordination.
- **Protecting Children:** The budget provides \$3 million total for Safe Harbor for Sexually Exploited Children.
- **TANF and Public Assistance Programs:** Temporary Assistance to Needy Families Funding is continued at 2013-14 levels for SUNY/CUNY Child Care, Non-Residential Domestic Violence Services, Career Pathways, Displaced Homemakers, Advantage Schools, Wage Subsidy Program, Nurse Family Partnership, ATTAIN, and Settlement Houses. In addition, the Budget includes the authorization of a New York City shelter supplement program within available public assistance resources

The following documents were presented as resources for the agenda and other items of interest:

- Support for Windows XP ends April 8th 2014 <http://www.microsoft.com/en-us/windows/enterprise/end-of-support.aspx>
- Governor Cuomo and Legislative Leaders Announce Passage of 2014-15 Budget <https://www.governor.ny.gov/press/03312014Budget>
- Con Edison Gas Safety - <http://www.coned.com/customercentral/gassafety.asp>
- Seguridad en el uso del gas - [http://www.coned.com/customercentral/sp\\_gassafety.asp](http://www.coned.com/customercentral/sp_gassafety.asp) OR [www.coned.com/gassafety-sp](http://www.coned.com/gassafety-sp)
- COMMUNITY LAND TRUST Picture the Homeless Efforts <http://www.picturethehomeless.org/clt.html>
- New Report Finds American Renters Still Cannot Afford Rent Nationwide <http://nlihc.org/oor/2014>
- Out of Reach 2014: New York - <http://nlihc.org/oor/2014/NY>
- Cooperative Rules - Understanding the Business Corporation Law

- <http://cooperator.com/articles/2153/1/Cooperative-Rules/Page1.ht>
- The Power of Cooperative Boards
- How to handle problems with a condominium's Board of Managers
- With Rent Hike Battle Ahead, De Blasio Appoints Four New Members to Rent Guidelines Board - <http://blogs.wsj.com/metropolis/category/news/> and <http://blogs.wsj.com/metropolis/2014/03/27/with-rent-hike-battle-ahead-de-blasio-appoints-four-new-members-to-rent-guidelines-board/>
- Mayor Makes New Appointments to the Rent Guidelines Board (Finally) <http://blog.rsanyc.net/rent-guidelines-board/2014/03/mayor-makes-new-appointments-to-the-rent-guidelines-board-finally.html>

## **Community Land Trust.**

To keep the committee advised on developments in affordable housing information was presented on what is called a “community land trust.” So what is it and how does it work?

A community land trust (CLT) is a non-profit organization that owns property, traditionally land, and leases it for affordable housing. The deed to the land, the CLT by-laws, and the lease all require that the housing be permanently affordable. The land can never be traded or sold to the highest bidder on the private market.

The CLT owns the land and can lease the land to any one of the following:

- non-profit mutual housing association (MHA)
- non-profit limited-equity cooperative
- non-profit community development corporation (CDC)
- one- or two-family homeowner, with resale restrictions; or
- a condo association, with resale restrictions

## **Housing and Neighborhood Gas Emergency Preparedness.**

In view of the gas explosion that cost lives and the collapse of two buildings recently in East Harlem the details of a Con Edison pamphlet were discussed on safety and gas emergencies. The main point of the information provided was for building residents to be prudent and proactive (if the smell of gas is faint or ever-present) and immediately call 911, or Con Edison (1-800-752-6633 or 1-800 75 - CONED) or the FDNY once you are a safe distance away. Also do not turn ON or OFF electrical switches as this may result in a spark. Do not call 311.

## **Discussion on Co-op and Condo Governance.**

In response to complaints by some twenty five residents of 255 Cabrini Boulevard at a HHS Committee Public Hearing on an OPWDD Placement by Edwin Gould Services for Children and Families on March 20<sup>th</sup> the committee placed a governance item on our agenda. The committee expressed its concerns and emphasized that it is presenting information on governance as a public service and not as a source of legal advice that is better suited for government agencies and or an attorney-client relationship. One of

the key factors here was that the Cabrini group residents and others in a similar situation needed to do the following:

- **Organize apartment unit and building records** (bylaws and changes, assessments, fees, charges, and changes, contracts of sale and their terms and conditions, etc)
- **Organize other key documents** (letters and emails of complaints or inquiries, minutes of the board of managers, annual financial statements, inspections of receivables and payables [invoices and bank statements/cancelled checks])
- **A review of all contracts of sale through the NYC Department of Finance ACRIS lookups** [a836-acris.nyc.gov](http://a836-acris.nyc.gov) or [www.nyc.gov/html/property/acris.shtml](http://www.nyc.gov/html/property/acris.shtml)
- **Making Apartment Violation Requests to HPD or calling 311**
- **Examination of building-wide tax records** from the Department of Finance once individual Block/Lot/Unit numbers have been obtained from ACRIS.
- **Reading the Martin Act** – New York State General Business Law Article 23-A sections, 352-353 that gives the NYS Attorney General (NYAG) extraordinary powers and discretion to fight financial fraud.
- **Filing complaints on validated facts related to specific violations of the law with the NYAG in lieu of emotional appeals, value judgments or moralizing.**
- **Hire an Attorney or re-evaluate the effectiveness of the current one** you might have retained.
- **Hold periodic or monthly meetings** to prevent any loss of group interest
- **Follow-up on all these things.**

While all these steps require work and constant effort the goal of governance is to secure rights and insure the accountability of all parties. The condo members present agreed in the direction given and will advise us on their progress. Finally, it was pointed out that Councilmember Mark Levine once lived in this condo. His representative present at the meeting indicated he would refer this matter to the councilmember as well and get back to the committee on any additional information.

### **Discussion and Work on CB12M's planned Legal Empowerment Forum on Housing.**

The committee was presented with the second draft of the proposed Legal Empowerment on Housing. Several changes were made to the original draft. These included a quick guide to the planned legal sessions, a change in the graphics used, and an annotated description of the eight sessions on legal protections and legal enforcement.

After considerable discussion it was decided that the annotated description of each session was too much to read or keep our target audience's attention in a brochure

may be more appropriate to use for something else. The welcome session was considered too conceptual (the difference between e the law and justice) and had little relevance to the theme of the forum. It needs to be re-written

A lengthy discussion began on how we wanted our community board to do more than have presenters from various agencies just there and give descriptions about what their agencies or organizations actually do. This information can readily be found on the web and in pamphlets published. We wanted to do something tangible and memorable for participants who come to us for assistance.

So it was decided that we needed a major organizing or portfolio session. Even if participant understood the law better after attending a given session they still might need some assistance in organizing the necessary forms, and documents to support their complaints and have a greater impact on their validity. Even if a attorney client relationship exist the presence of organized documents and claims ready to go could save time and reduce the costs as well as allow a better presentation with such exhibits to an agency or a trial judge.

So after each session members of the HHS Committee and the community board will be present to accommodate this effort. The date for the forum was set as May 17<sup>th</sup> and a location needs to be found that would house two meeting rooms simultaneously. If this cannot be done then the program will have to be modified accordingly.

The committee decided to have a panel of legal professionals supply information at each session with board members acting as moderators. Given the work ahead there needs to be intensive administrative planning (invitees letters sent and or contact made, flyers and a promotional campaign, etc.).The committee decided to meet on April 16<sup>th</sup> or meet on an earlier date if the board chair so agreed. The meeting was adjourned at 9:45pm.

**Respectfully submitted by,  
Richard Lewis, Chair HHS Committee  
April 3rd, 2014**