



Community Board 12 - Manhattan Washington Heights & Inwood

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Shahabuddeen A. Ally, Esq., Chairperson
Ebenezer Smith, District Manager

March 28, 2018

Hon. Gregg Bishop
Commissioner
NYC Small Business Services
110 William Street, 7th floor
New York, NY 10038

Re: Small Business Jobs Survival Act (SBJSA)

Dear Commissioner Bishop:

At the General Meeting on Tuesday, March 20, 2018, with a vote of 39 in favor, 0 opposed, 0 abstentions, 0 not voting, Community Board 12 Manhattan, passed a resolution calling for New York City Council Speaker to introduce the Small Business Jobs Survival Act and to hold a hearing on it and that local representatives, Mark Levine and Ydanis Rodriguez, to co-sponsor and otherwise support the Small Business Jobs Survival Act.

WHEREAS: The Business Development Committee of Community Board, 12, Manhattan (CB12M) has heard testimony from committee members, City agencies, small business owners, non-profits, and the general public, that the current commercial rent renewal process can be difficult for small business owners and non-profit organizations to fairly negotiate the terms of their lease; and

WHEREAS: There is a high commercial vacancy rate within in the Washington Heights & Inwood, particularly along the Broadway, Dyckman, W. 204th & W. 207th Street commercial corridors and within the 181st St BID; and

WHEREAS: Many commercial space vacancies occur due a tenant's inability to renew their lease, or to afford their lease renewal; and

WHEREAS: The Small Business Jobs Survival Act (SBJSA) would enshrine within local law commercial tenants' rights so that they can negotiate fair lease terms, which provisions would be especially effective when a commercial tenant and landlord are unable to come to an agreement; and

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WHEREAS: Different versions of this Bill have been presented in the City Council for decades and have never been enacted, despite broad public support; and

WHEREAS: Nay-sayers in the commercial real estate community have argued that such legislation might be unconstitutional, an assertion for which the City's Law Department has never established any basis in fact; and

WHEREAS: The State of New York does not prohibit New York City or any other locality or municipality from legislating aspects of the relationship between a commercial landlord and its tenant(s), nor has there ever been any prohibition by the State for the City to enact a commercial rent arbitration bill; now, therefore, be it

RESOLVED: Community Board 12, Manhattan calls for New York City Council Speaker to introduce (or allow to be introduced) the Small Business Jobs Survival Act and to hold a hearing(s) on it; and be it further

RESOLVED: Community Board 12, Manhattan calls on its representatives, Mark Levine and Ydanis Rodriguez, to co-sponsor and otherwise support the Small Business Jobs Survival Act and vote in its favor when and if it should come for a vote in the New York City Council.

Sincerely,



Shahabuddeen A. Ally, Esq.
Chairperson

cc: Hon. Andrew Cuomo, Governor
Hon. Bill de Blasio, Mayor
Hon. Letitia James, Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Gale Brewer, Borough President
Hon. Adriano Espaillat, Congressman
Hon. Brian Benjamin, State Senator

Hon. Marisol Alcantara, State Senator
Hon. Alfred Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Jaqueline Mallon, 1st Deputy Commissione
NYC SBS