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Housing Committee December 5, 2017, 6:00 p.m. Community Board Office

*** Minutes ***

- Present: Henry Flores, John Green, Erica Jones, Jean-Pierre Kamwa, Nilsa Orama, Jeremiah Schlotman, Shawn Smith, Angel Mescain (staff)
- Excused: Xavier Santiago, Jemar Ward
- Absent: Emily Grajales, La Shawn Henry
- Guests: Beverly Pabon, Diana Brumfield, Jenny Tromski

1. Call to Order – Adoption of Agenda

- Mr. Schlotman called the meeting to order at 6:11pm.
- Henry Flores made a motion to adopt the agenda which was seconded by Erica Jones and passed unanimously.

2. Informational Updates

- a. New York City Department of Housing Preservation and Development (“HPD”) has launched the Landlord Ambassadors program in East Harlem. The Mutual Housing Association of New York (“MHANY”) will be the ambassador for East Harlem.

HPD has partnered with several community-based non-profit organizations throughout the city to implement a program designed to connect small and mid-sized landlords to HPD’s affordable housing programs. The community-based ambassadors will work to identify landlords that may be interested in resources, such as low-interest loans to upgrade deteriorating infrastructure or resolve tax arrears; in exchange, the landlords will enter into regulatory agreements to provide affordable housing to low- and moderate-income tenants. In this way, residential properties that would not have otherwise been subject to any type of rent regulation can be brought into the affordable housing fold. MHANY will work with CB11 to conduct outreach and identify landlords who may be interested.

- b. Certificate of No Harassment (“CONH”) legislation passed by City Council

On November 30, 2017, the New York City Council passed legislation creating a citywide CONH Pilot Program. Under this law, landlords whose buildings appear on an HPD list of buildings with signs of potential harassment of tenants will have to apply to HPD for a Certificate of No Harassment before the New York City Department of

Buildings (“DOB”) will issue any permit for demolition or various kinds of renovation. If a CONH is issued, the landlord may continue with the DOB permit process. If the landlord is denied the CONH, then the landlord will only be able to restore eligibility for DOB permits by setting aside a portion of the building as permanently affordable, which is a requirement that would remain in effect even if the ownership changes. The permanently affordable portion would be the greater of either 25% of the residential area of the building at an average of 50% area median income (“AMI”) or 20% of the full area of any current or future building on the site at an average of 50% AMI.

The CONH Pilot Program will begin with the following enforcement:

(1) any building in New York City with six (6) or more units that has a finding of harassment from a court or Department of Homes and Community Renewal, that has been issued a full vacate order, or that has been in the Alternative Enforcement Program since February 2016;

(2) buildings with indicators of physical distress and/or ownership flipping in the following community districts: Bronx—Community Districts 4, 5, & 7; Brooklyn—Community Districts 3, 4, 5, & 16; Manhattan—Community Districts 9, 11, & 12; Queens—Community District 14; and

(3) community districts with new City-sponsored neighborhood rezonings certifying for Uniform Land Use Review Procedure (“ULURP”) during the course of the CONH Pilot Program will be added as they arise.

The CONH Pilot Program will go into effect nine (9) months after the law passes and will last for three (3) years, at the end of which time HPD will report on the pilot program so that the City Council can decide whether to continue, expand, or modify the CONH program.

For an excellent summary of the CONH Pilot Program, which contains the above information, visit Coalition Against Tenant Harassment’s two-page informational handout at

https://docs.wixstatic.com/ugd/555352_cd0de7f3ab7141a9a899127040d71b12.pdf

c. The City has cut dedicated funding for tenant group legal representation

The City has made significant progress in providing free legal representation to lower-income New Yorkers facing eviction through its allocation of \$4.6 million annually through Fiscal Year 2021 to legal services providers.

Unfortunately, the City is discontinuing the funds it had previously allocated for decades to legal services providers specializing in group representation of tenants. Legal representation of tenants on a group versus individual level are very distinct types of practices that provide unique opportunities and present important strategic differences. Representation of both individual households and tenant groups are vital to leveling the playing field between landlords and tenants in New York City and both are necessary to providing tenants with a shot at combating accelerating displacement and inequity.

The funds currently allocated by the City for free legal representation for low-income New Yorkers facing eviction, while a crucial step in the right direction, are simply not enough for legal services providers to provide effective representation for tenants facing

eviction and also fashion a proactive litigation approach through representation of groups of tenants. The Housing Committee believes that the City must continue dedicated funding streams for group representation of tenants with realistic benchmarks, particularly in those areas, like East Harlem, currently facing the strongest displacement forces.

3. Presentations & Discussions

a. Review of East Harlem Rezoning Points of Agreement (“POA”)

The committee reviewed and discussed the East Harlem Rezoning POA between the mayor’s office and the offices of Council Speaker Mark-Viverito and Council Member Perkins. The POA contains a number of promising commitments, many of which have been the subject of many years of advocacy by CB11. Many of the housing initiatives, both for preservation efforts and new development, contain concrete timelines and/or fiscal commitments. There is also room for improvement, particularly in the area of homeownership for low- and moderate-income East Harlem residents, which is noticeably absent from the POA.

4. Old Business

a. Continuing conversation on CB11 know-your-rights workshops

The committee will partner with elected officials and community-based organizations as well as with HPD to fulfill the City’s commitment to increased outreach and tenant education, which is part of both the East Harlem Rezoning POA and the HPD Draft Housing Plan. The committee also discussed the logistics involved in putting together a first workshop in 2018, to take place tentatively in the late spring or early summer.

The committee also discussed organizing an event to receive feedback from small and mid-sized landlords and discuss the local landlords’ priorities and challenges, which, among other things, has the potential to add to the affordable housing stock in East Harlem through the Landlord Ambassadors Program.

b. Continuing discussion on Capital and Expense Budget Requests

The committee discussed the timeline that it, along with other CB11 committees, will encounter after CB11 receives the City’s preliminary budget in January 2018 (30 days to respond after receipt of preliminary budget). The committee will evaluate the extent to which the preliminary budget addresses housing needs in East Harlem.

5. Announcements

- After more than eight months of persistence, John Green finally received his new cabinets from NYCHA!
- John Green reminded the committee of the receptions for community board members at Gracie Mansion on December 9, 2017 and December 11, 2017.

6. Adjournment

Jena-Pierre Kamwa made a motion to adjourn the meeting which was seconded by Shawn Smith and passed unanimously. The meeting was adjourned at 7:50pm.