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**NEW YORK STATE HOMES AND
COMMUNITY RENEWAL BOARD
MEETING**

**Nassau County RGB Public Hearing
Held Via WebEx
Tuesday, June 9, 2020
7:34 p.m.**

1 [START RECORDING]

2 MR. MICHAEL MILLER: Good evening, ladies and
3 gentlemen. Welcome to the first public hearing of the
4 Nassau County Rent Guidelines Board.

5 I would like to go ahead and introduce the members,
6 and then we're going to have a statement that's going to
7 be read by counsel of DHCR.

8 So let's go ahead, members.

9 MS. JEANNETTA ALEXANDER: Want me to go first?

10 MR. MILLER: Yes, please. Follow the list. Go
11 ahead Jeannetta.

12 MS. ALEXANDER: Good morning. Jeannetta Alexander,
13 public member.

14 MR. ANDREW COHEN: Good evening. Andy Cohen, owners
15 representative.

16 MS. CATHRYN HARRIS-MARCHESI: Cathryn --

17 MR. GARRETT GRAY: Wait, wait, wait. G before H.
18 Garrett Gray, public member.

19 MS. HARRIS-MARCHESI: Cathryn Harris-Marchesi,
20 tenant member.

21 MR. ADAM MAHONEY: Adam Mahoney, public member.

22 MR. BARRY STEIN: Barry Stein, owner member.

23 UNIDENTIFIED SPEAKER: Out of turn.

24 MR. MARTIN MELKONIAN: Marty Melkonian, public
25 member.

1 MR. MILLER: Robert?

2 MR. JAMES FERRARA: We lost Robert. He fell off.
3 He'll come back.

4 Go ahead, Mike.

5 Oh, he's back.

6 UNIDENTIFIED SPEAKER: He's back. He's back.

7 MR. JAMES FERRARA: Okay. Robert, introduce
8 yourself, please.

9 UNIDENTIFIED SPEAKER: Robert Rychlowski, are you
10 there?

11 MR. MILLER: Good evening. This is Mike Miller
12 back. Can anyone hear me?

13 UNIDENTIFIED SPEAKER: I could hear you.

14 UNIDENTIFIED SPEAKER: Yes.

15 UNIDENTIFIED SPEAKER: I can hear you.

16 MR. MILLER: My name is Mike Miller, and I'm a
17 public member.

18 Okay. I'm not sure where we are because I just lost
19 everything a few minutes ago.

20 Counsel, do you want to go ahead, please?

21 MR. JAMES FERRARA: Yes, this is James Ferrara,
22 counsel for the Nassau County Rent Guidelines Board.

23 In response to the Governor's directive to take
24 every effort to keep New Yorkers safe and mitigate the
25 spread of COVID-19, and pursuant to Executive Order 202-1

1 which allows for the suspension of the Public Officers
2 Law, the Nassau County Rent Guidelines Board will be
3 conducting public hearings to set guideline rates of
4 rental adjustments accommodations within its
5 jurisdiction, subject to the Emergency Tenant Protection
6 Act of 1974, for leases commencing between October 1st,
7 2020, and September 30, 2021, via teleconference.

8 Instructions for members of the public to
9 simultaneously view or listen to the meetings will be
10 posted to DHCR's website for the Office of Rent
11 Administration under the public hearing section prior to
12 these meetings.

13 The hearings will also later be transcribed, and the
14 public will have the ability to view the transcripts also
15 on the DHCR website.

16 Chairman, I turn it back to you. Mike? Mike?

17 Okay. It looks like we lost Mr. Miller. We'll wait
18 a few minutes to reestablish.

19 UNIDENTIFIED SPEAKER: And there's Robert.

20 UNIDENTIFIED SPEAKER: There's Robert.

21 UNIDENTIFIED SPEAKER: I hear you.

22 MR. FERRARA: Okay. Just let the record reflect
23 that Robert Rychlowski has joined the meeting, tenant
24 member.

25 MR. MILLER: Can you hear me? This is Mike Miller.

1 MR. FERRARA: Mike, we could hear you.

2 MR. MILLER: Okay. I'm coming in on a telephone
3 because I've lost access; so this is me. I'm not sure if
4 I'm showing.

5 All right, guys. Thank you. Have all the Board
6 members had a chance to review the minutes of the last
7 meeting?

8 MR. COHEN: No, I didn't see them.

9 MR. MILLER: Is anyone there?

10 MR. COHEN: Well, I can hear you. I don't recall
11 seeing those minutes.

12 MR. MILLER: Did anyone get the minutes for the last
13 meeting?

14 MS. ALEXANDER: Are we considering the minutes from
15 the email that was shortly after the meeting?

16 MR. MILLER: Yeah. That is correct.

17 MS. ALEXANDER: Right. They came on the same night,
18 if I'm not mistaken, on the 21st.

19 MR. MILLER: Right, April 21st.

20 MS. ALEXANDER: Correct, yeah.

21 MR. COHEN: What date?

22 MR. MILLER: April 21st. Do I have a motion to
23 accept the minutes?

24 MS. ALEXANDER: I make a motion -- I move.

25 MR. GRAY: Second.

1 MR. MILLER: State your name. Who seconded it?

2 MR. GRAY: Garrett Gray.

3 MR. MILLER: Okay. All in favor?

4 UNIDENTIFIED SPEAKERS: Aye.

5 MR. COHEN: I'm going to abstain because I don't
6 remember seeing them.

7 MR. MILLER: Okay. Noted, Andy. Andy is
8 abstaining.

9 Okay. We're going to go ahead now, and James, if
10 you could help me because I'm not seeing the sign-in
11 sheet; if you could go ahead and announce the names.
12 What I'm going to ask the audience to be kind enough and
13 respect for the time could keep your comments to three,
14 maximum maybe five minutes, it would be appreciated.

15 So go ahead, James, please, and you can call the
16 first person.

17 MR. FERRARA: Okay. Stuart Walton.

18 MR. STUART WALTON: Okay. Thank you for giving me
19 an opportunity to express a few thoughts I have. I'd
20 like to address the fact that, as a result of the Housing
21 Stability Act, we landlords have been disincentivized in
22 a very, very extreme way from properly maintaining our
23 buildings.

24 I think that the -- the purpose of the Rent
25 Stabilization Laws -- can everybody hear me?

1 UNIDENTIFIED SPEAKER: Yes.

2 UNIDENTIFIED SPEAKER: Yes.

3 UNIDENTIFIED SPEAKER: We can hear you.

4 MR. WALTON: I lost -- I lost -- again, the video
5 went away momentarily. I think, you know, part of the --
6 one of the aims of the law is to protect tenants from
7 (indiscernible). Another intent of the law is to ensure
8 the quality of the housing stock. The two are
9 interrelated. The -- the Housing Stability Act has
10 removed all of the incentives that we had to maintain our
11 buildings.

12 Now, let's forget a minute about making a building
13 super fancy and doing things that aren't absolutely
14 necessary. Our building, Executive Towers in Long Beach,
15 is 50 years old. If somebody has been living in an
16 apartment for a long time, let's say ten years, the first
17 thing that we have to do, whether there's an incentive or
18 not, to make it livable for the next tenant. We have to
19 paint. We have to put in new locks. We have to do the
20 window frames. We have to fix up the floors. These are
21 just basic things. We have some apartments where people
22 have been living there for a long time, and they have
23 kitchen cabinets that are 50 years old. Well, I don't
24 expect somebody to live there without some improvements.
25 What we like to do, in addition to the painting and the

1 other things I mentioned, is to redo bathrooms that are
2 old; redo kitchens; redo floors, appliances, things like
3 that. For us to do that, it costs about \$40,000.

4 Based upon the new regulations, well, not the rent
5 regulations, but the Housing and Stability Act, we could
6 spend \$40,000 fixing up an apartment, not to make it
7 fancy, just to make a decent place to live which is what
8 the public should be concerned about and what the -- and
9 what the Rent Guidelines Board is supposed to be
10 responsible for, I thought.

11 Based upon the new regulations, after spending
12 \$40,000, we would get an increase of about \$83 a month,
13 plus whatever the guideline is. So all I'm asking is
14 that you consider this and not just look at killing a
15 landlord and knock him down, and the landlord's the bad
16 guy. The landlord is not the bad guy. The landlord is
17 the person -- the landlord is the guy who can make the
18 housing like good quality, but you've got to -- you can't
19 expect us to spend tens of thousands of dollars and get
20 an increase of less than \$100 a month or \$100 a month
21 tops.

22 So I would ask respectfully -- respectfully to the
23 members of the Board, including the tenant members, to
24 look at landlords in a more objective way and to think
25 about what's good for the tenant and the role that the

1 landlord can play. Thank you.

2 MR. MILLER: Thank you very much; appreciate it.

3 Go ahead; next person, Counsel.

4 MR. FERRARA: Yes, Shelly Knoll.

5 UNIDENTIFIED SPEAKER: We haven't been able to get
6 her all night.

7 MR. FERRARA: We haven't been able to establish a --

8 MR. MILLER: Michael, is there any way we can mute
9 those who are not speaking?

10 MR. MICHAEL GUTTENTAG: Yes. I'm working on that
11 right now. There are multiple -- there are call-in users
12 that are using a call-in to speak with video function
13 going on.

14 Mr. Walton, you have -- you're called in, and you
15 also have a video going. Can you possibly end the
16 telephone, and I can have your mic working, and that will
17 resolve, I believe, the interference.

18 MR. STUART WALTON: Yeah, yeah. All right. So I'll
19 hang up my telephone. Okay. Hold on.

20 MR. MILLER: Okay. Thank you very much.

21 The next speaker; go ahead, Counsel.

22 MR. FERRARA: Okay. The next speaker, if you could
23 please unmute, Mr. Ben Griffin.

24 MR. BEN GRIFFIN: I'm not speaking. I'm just here
25 to observe.

1 MR. GUTTENTAG: James, go again. I muted everyone
2 else again.

3 MR. FERRARA: Okay. Unmute Ms. Sharon Jackson.

4 MS. SHARON JACKSON: Hello.

5 MR. GUTTENTAG: Ms. Jackson is unmuted.

6 MR. FERRARA: Okay. Ms. Jackson, you can address
7 the Board, please.

8 MS. JACKSON: So good evening, members of the Board.
9 My name is Sharon Jackson. I live at 251 Jackson Street,
10 Hempstead, New York. I am a tenant.

11 I'd like to impart to you that, although the
12 landlords did receive a substantial increase last year, I
13 don't see any significant changes or investment in the
14 tenants' apartments and buildings. My landlord
15 specifically still has failed to meet any of the requests
16 for security, for maintenance of the hallways. We still
17 have mold in our hallways. I personally, in my
18 apartment, have to deal with pipe explosions every winter
19 which I deal with personally. Security issues -- I have
20 two teenage children who find it very difficult to just
21 walk around the property in order to, you know, you know,
22 do what they have to do, even going to our car to get
23 things out of the car in the -- in a parking lot that's
24 supposed to be secure.

25 I can appreciate -- I can appreciate most landlords

1 are very good landlords and view their tenants, I guess,
2 possibly as neighbors and want to make the corrected
3 investments, but many also are in it just as an
4 investment, and to lower the amount of money that they
5 can put in and the more profit they can get out is
6 better, and it's not good for anyone. And it's not fair,
7 and it's not good, and that's what I have to say. I want
8 to keep it this brief. I'm finished.

9 MR. FERRARA: Okay. Thank you, Ms. Jackson.

10 Michael, unmute Mike Miller.

11 MR. MILLER: Okay. Okay. Thank you, Ms. Jackson.

12 I think I'm back.

13 Okay. Who's our next speaker, Counsel?

14 MR. FERRARA: Mr. Michael Schneir --

15 MR. MILLER: Okay. Good ahead, Michael. Mr.

16 Schneir.

17 MR. MICHAEL SCHNEIR: Somebody has got to unmute me.

18 MR. FERRARA: We can hear you.

19 MR. SCHNEIR: Oh, you can hear me. Okay. Well, I
20 want to thank -- my name is Michael Schneir. I am a
21 tenant in Long Beach. I am the president of the Long
22 Beach Tenants Association, and I am also the president of
23 a tenants association in my building at 25 Franklin
24 Boulevard.

25 I've been living in this building for 29 years, and

1 in that time, I have watched -- now, I understand that
2 the laws are -- have now become favorable to the tenants,
3 but in the past, the way the laws were written enabled
4 the landlords to deregulate many of the apartments in
5 these buildings.

6 I know in my own building, in 2001 -- there are 126
7 apartments in my building. Every single apartment in
8 2001 was rent stabilized. As of 2011, that number was
9 down to 56, and the last count I got in 2017 was 38. So
10 because of the way the old laws were structured, many of
11 these apartments were deregulated due -- due to increase
12 in the rent by vacancy decontrols, MCI improvements, and
13 individual and apartment improvements. There were many
14 cases when apartments were -- were vacated that landlords
15 would go into these apartments and do complete
16 renovations on them, even though they had just done a
17 renovation when the last tenant moved out because they
18 were able to -- to put in the expenses for those
19 individual apartment increases and increase the rents
20 enough to eventually get to the threshold to deregulate
21 these apartments.

22 Now, I don't know what the situation is in Hempstead
23 and what percentage of the apartments were deregulated
24 there or in the other municipalities, but I know these
25 buildings in Long Beach that have rent-stabilized

1 apartments, and most of these buildings have less than 50
2 percent and some of them less than 35 percent, including
3 my own building, that are still regulated. So the
4 landlords have basically a majority of their apartments
5 that are basically renting at free-market rate, and I
6 know tenants that are in these free rate -- free-market-
7 rate apartments that they get a preferential rent which
8 means, you know, they -- they go; they rent the
9 apartment, let's say, for \$2,000 a month, and then their
10 lease is up a year later and the landlord hikes them 3-
11 or \$400 a month. And the tenants -- those tenants have
12 no recourse at all because those are free-market
13 apartments.

14 And, you know, I understand the landlords' point of
15 view, but at the same time, the landlords took advantage
16 of the way the laws were written in the past to
17 deregulate these apartments, and they have a very low
18 percentage of apartments in these buildings that are
19 still regulated, and I can tell you right now that
20 anybody that's living in my building for the -- that's
21 here ten years does not have a rent-regulated apartment.

22 Anybody that's rented an apartment ten years ago is
23 in a free-market apartment. I don't know anybody in this
24 building that's in a rent-stabilized apartment that's
25 been here less than 15 years, okay? And at this point,

1 you know, I -- you know, that's the way it is, and then
2 in the current times, you know, we have the COVID
3 situation and, you know, there are landlords who have
4 been nice enough to allow tenants to defer the rent, but
5 these tenants are still eventually going to have pay that
6 rent, and I understand that. The landlords need it to
7 operate their buildings.

8 I wouldn't want to be in their position and have to
9 excuse these rents right now, but we need to understand
10 that these few rent-stabilized apartments that still
11 exist, you know, a lot of the tenants that are living in
12 them are seniors. They're on fixed incomes. They're not
13 getting any increase in the money they bring in, and any
14 increase in their rent is going to be a hardship for
15 them, and I think the people that would be most affected
16 by a large increase or any increase at all in the
17 apartments that are left would be the ones that could
18 least afford it. And I really believe the Board has to
19 take that into consideration.

20 The Board has been considerate in recent years,
21 although I thought last year the numbers that they came
22 in with were too high and higher than they had been for
23 the last five years or so before that, and I hope -- and
24 with energy costs down this year due to the crashing
25 economy, I would like to think that the Board would take

1 all these factors into consideration and come in with
2 either a zero or a minimal increase for the one- and two-
3 year leases for the rent-stabilized apartments that still
4 exist. And again, they are precious few at this point.

5 And that's all I have for my statement tonight. I
6 would be hoping, at the formal presentation, to provide
7 some documentation to show that I had -- that I am
8 working on getting my hands on to show exactly where we
9 are with rent stock. Thank you for your time.

10 MR. MILLER: Thank you, Mr. Schneir.
11 Counsel, the next person?

12 MR. FERRARA: Mr. Steven Padyk.

13 MR. MILLER: Hi, Mr. Padyk. How are you?

14 MR. STEVEN PADYK: I'm doing well, getting over the
15 virus, and everybody is healthy, which is the most
16 important thing.

17 All right. I -- I just want to open up with what
18 Stuart Walton had said about the age of the buildings.
19 My particular buildings in Rockville Center were built in
20 the 1930s; in Freeport, they were built in the 1950s. So
21 that makes them 90 and 70 years old. So imagine having a
22 car that -- from 1930, as opposed to a car that just came
23 out of Detroit today.

24 The maintenance is tremendous. You're constantly
25 repairing these buildings, okay? Not only that, what

1 Stuart had said about individual MCIs, you can only cap
2 it at \$15,000, and that's for 15 years. Now, if you
3 honestly believe an appliance lasts more than five years,
4 because we all know where it comes from, it just doesn't
5 happen. More importantly, there are new taxes for the
6 villages. The City of Long Beach is increasing 1.81
7 percent; the Village of Rockville Center 2.3 percent; and
8 the Village of Freeport is 5.23 percent, which is way
9 above the two percent cap, okay? Not only that, for a
10 building-wide MCI which takes over a year to even get
11 approved, once you get it approved by the order of the
12 June 2019 rent law, you have to wait 60 days before you
13 can bill it out. So -- and you can only cap it at two
14 percent, and that goes on forever. So what's your return
15 on your investment? What's your incentive to do that?
16 And you're only getting a one and a half percent rent
17 increase.

18 I particularly have a tenant who's paying \$656.34.
19 So when he moves out, what's that new rent going to be?
20 Okay. It -- add \$83 because you take \$15,000
21 (indiscernible) and which will be more, plus a one and
22 half percent rent increase. How in the world does that
23 resent -- does that represent any fairness to the
24 landlord? And that's -- and that's indictive of people
25 who have been in rent-stabilized apartments for a long

1 time.

2 So I get -- when you -- when you -- when the -- when
3 you vote, you have to take that into account, and when
4 we're dealing solely with rent-stabilized apartments, not
5 market apartments, rent-stabilized apartments. And as we
6 go onto the next Board hearings, we have to keep talking
7 about this because, again, these people who have been in
8 these apartments for a long time getting a one percent,
9 one and a half percent rent increase, their rents are so
10 below market value; so below. Yet we are obligated to
11 maintain old buildings with low rent increases.

12 That's it. Stay healthy. Thank you. Be safe.

13 MR. MILLER: Thank you, Mr. Padyk.

14 Counsel, who do we have next?

15 MR. FERRARA: Okay. I see that Denise Ford has
16 joined the meeting. Ms. Ford, do you wish to address the
17 Board?

18 MS. DENISE FORD: Can you hear me?

19 MR. FERRARA: Yes, Ms. Ford.

20 MR. MILLER: Yes, we can. Good evening, Legislator
21 Ford.

22 MS. FORD: Good evening. Good evening to everybody,
23 and I hope everybody is doing well, and it's a change.
24 I'm going to be very brief and because I plan on
25 attending the next meeting as well, and it came a little

1 bit late, but I guess, you know, my questions, and I
2 heard the comments made by, I guess, obviously, one of
3 the landlords. And I understand the concern that he has
4 with the building being old and everything, but I guess
5 from me I -- I would like to know, out of all of the
6 rent-stabilized apartments, are they peppered in with
7 regular apartments or are there any buildings out there
8 that are completely 100 percent rent-stabilized
9 apartments? So -- and because I know that then -- and I
10 understand the costs. Some of the people are not paying
11 rents --

12 MR. PADYK: Yes, mine are. 65 are completely 100
13 percent rent stabilized.

14 MS. FORD: Okay. No -- that's why I'm asking. I
15 don't know. Okay? So I understand for you, but not all
16 of them, and I know, you always come to the meetings.
17 And you always testify, and I know that everybody said
18 that you always take very good care of your apartments;
19 you're a very good landlord, but, you know, I guess from
20 me, I'm just looking at -- like, for you, yes.

21 There is a problem because of all of the apartments
22 that you have that are rent stabilized, you're not
23 getting a return on your investment in the way of the
24 rents that they're paying in order for you to -- I guess,
25 to, like, adequately maintain or to be able to get a

1 return on your investment from that, but I -- I think
2 that, with the other landlords, a lot of them don't have
3 the same situation that you do, which then causes the
4 concern for me because they end up having -- like, maybe
5 if they have 100 apartments, they may have, like, maybe
6 20 or 30 that are rent stabilized. The rest are full --
7 you know, full value; you know, tenants are paying the
8 typical rents and stuff like that.

9 But it's always been a complaint of mine in the past
10 that we never always get all of the information from the
11 landlords. You know, we -- they're supposed to fill out
12 that paperwork that lets us know how much the costs are,
13 what their revenues, what their expenses are, and it is
14 always -- it always hurts the landlords that do respond
15 because we don't know exactly the full scope and the full
16 picture of the landlords and what they're getting, you
17 know, what -- what actually their investment is bringing
18 back to them.

19 But I have to say that, like in this -- with the
20 coronavirus, just with everything that is going on, I
21 find that so many people are going to have more and more
22 tough times trying to pay their rent, trying to be able
23 to stay where they are, and I would have to advocate for,
24 I guess, like Charlie (phonetic) said, like, a zero
25 percent increase or a very, very minimal increase --

1 MR. PADYK: Okay, but if that's true -- I don't mean
2 to interrupt, when --

3 MS. FORD: No, go ahead.

4 MR. PADYK: -- when unemployment -- when
5 unemployment was three percent, the rent increase should
6 have been five percent, okay? So you can't have it both
7 ways. Sorry. Thank you.

8 MS. FORD: Okay. No understand. It's a good
9 argument on your part.

10 MR. PADYK: It should help.

11 MS. FORD: Then again, I guess what we need to have
12 is, like, we need to get the landlords that are required
13 to fill out this paperwork to the Rent Stabilization
14 Board.

15 MR. PADYK: They're required by law to fill it out.

16 MS. FORD: Right, but nobody does. There's a very
17 few people do. We don't get it 100 percent, or -- or
18 else I'm wrong. Do we get 100 percent compliance from
19 all the landlords who have rent-stabilized buildings in
20 Nassau County?

21 MR. PADYK: You have 100 percent complete
22 misinformation.

23 MS. FORD: Well, what's the misinformation that I
24 have? I'm asking.

25 MR. PADYK: Well, all the landlords. It's -- it's

1 required by -- you can't get a rent increase.

2 MS. FORD: But -- but from what I gather from all
3 the past meetings that I've been to and the information
4 that I got, it wasn't 100 percent from all the landlords.
5 They didn't -- it's not --

6 MR. PADYK: No, that's not true. The DHCR
7 arbitrarily goes through it and picks and chooses the
8 numbers and -- and isolates certain cases if there's a
9 blimp. They do it statistically. It's not reality.

10 MS. FORD: Okay. All right. This is why we go to
11 these meetings and we have these discussions so that we
12 could find out about that --

13 MR. PADYK: I understand it, but we said this year
14 after year after year. Stuart even mentioned his
15 building was isolated one year.

16 MS. FORD: I was not -- trust me, sir. I go to the
17 meetings, and I try to listen as best as I can. All
18 right? This is the first time I heard that the DHC --
19 and I will -- I will then go after them to give me the
20 information of all the -- all of the paperwork that has
21 been submitted by the landlords, okay?

22 MR. PADYK: It's Freedom of Information Act. Go --

23 MS. FORD: Okay.

24 MR. MILLER: All right. Thank you, Legislator Ford.
25 Thank you, Mr. Padyk.

1 Any comments from anyone that haven't opened for any
2 comments so far before we go forward? Any other comments
3 from the Board members or questions?

4 MR. FERRARA: Wait, Mr. Chairman.

5 MR. JAMES FERRARA: Unmute the Board.

6 MR. FERRARA: Okay. Yeah. Michael, unmute the
7 Board. I just want to --

8 MR. GUTTENTAG: At this point, there won't be too
9 much interference, but I'm going to unmute everybody on
10 the Board right now.

11 MR. FERRARA: Okay. There's an unidentified call-in
12 user number 5. I don't know if that person wishes to
13 address the Board.

14 MR. JAMES FERRARA: Has everybody addressed the
15 Board who's going to address the Board?

16 MR. STEIN: It's Barry Stein. Can you hear me?

17 MR. GUTTENTAG: Caller number 5.

18 MR. MILLER: Michael? Michael, this is not working.
19 So let's mute everybody.

20 Do you have anyone else on the list, Counsel?

21 MR. GUTTENTAG: Nobody that's on the list right now
22 that -- unless call-in user number 5 is somebody.

23 Right, James?

24 MR. FERRARA: Right.

25 MR. MILLER: All right. Okay. I do have two

1 letters that I need to read into the minutes, and so if
2 you could mute everybody else. The first one is from
3 Jeanwood Sessions, and she's at 600 Fulton Avenue,
4 Apartment 33F in Hempstead, and it reads to the Board
5 members:

6 "My concern this year is that so many tenants
7 have lost their jobs and has yet to receive
8 unemployment benefits. Some do not have
9 technical skills to access or access to the
10 internet. There are some that don't even
11 qualify to get unemployment. Although tenants
12 have been given a grace period to pay their
13 rents, it still has to be paid. Due to extreme
14 hardship that tenants are experiencing like
15 never before, all I'm asking is that you put
16 yourself in their position and try to understand
17 no rent increase. I thank you so very much.
18 Respectfully yours, Jeanwood Sessions."

19 The second letter I have is from Legislator Siela
20 Bynoe:

21 "Members of the Board, as you are well aware,
22 the past several months have seen the lives of
23 Nassau County residents upended with the
24 widespread infection of COVID-19. There has
25 been more than 40,000 confirmed cases of COVID-

1 19 in the county, with an especially high count
2 of confirmed cases in the areas which hold
3 significant quantities of rental properties. As
4 of June 7th, there were combined a total of
5 5,135 confirmed cases in the Village of
6 Hempstead, Freeport, and Uniondale alone.
7 Therefore, I ask that there be no rent increases
8 under this period of consideration. The
9 consequences of COVID-19 has been felt with the
10 county as nonessential businesses have closed or
11 significantly cut back their services for months
12 on end. Many working class families, including
13 a tremendous quantity of tenants, were laid off
14 or furloughed as a result of business closures;
15 thereby, they have lost their sources of income
16 at no fault of their own. We must allow
17 communities throughout Nassau County to
18 recuperate from this pandemic before pursuing
19 any increases which may further debilitate the
20 fiscal stability of our residents. I thank you
21 for your attention to this matter. Sincerely,
22 Siela A. Bynoe, Legislative District No. 2."

23 And that's all I have. Was there another letter,
24 James, that was to be read? I have -- I did not get it.

25 MR. FERRARA: No, I'll just state for the record

1 that Mr. Padyk did send an email which was forwarded to
2 the Board members, and it mirrored his statement given
3 tonight, and it also had three attachments which were the
4 budgets for the regions that he mentioned.

5 MR. MILLER: Okay. Great. Thank you. All right.
6 So we can have a little bit of order. Let me start, is
7 there any comments or questions from the landlord
8 representatives? Go ahead first.

9 MR. FERRARA: Wait. First, Michael, please unmute
10 Andy Cohen, who's raising his hand.

11 MR. GUTTENTAG: Yes. I'm going to unmute Andy
12 Cohen.

13 Mr. Cohen?

14 MR. COHEN: Can you hear me?

15 MR. GUTTENTAG: Yes.

16 MR. COHEN: Okay. So two comments. I want to go
17 back to the number of submissions. My understanding is
18 that there was a law that, if you didn't put a submission
19 in, you couldn't get an increase, and I think the courts
20 reversed that. And that's why you may not get a 100
21 percent of the landlords because they've no teeth. If
22 you don't put it in, nothing could happen to you; whereas
23 in the past, you couldn't get the increase.

24 The second thing I want to talk about is I have
25 taken a informal survey and am still working on it, but

1 it appears in April and May, landlords, it sounds like,
2 were collecting about 80 to 85 percent of their rent, and
3 they may never catch up on that rent. They may have to
4 concede it at some point, or maybe the tenants are going
5 to leave.

6 They also incurred additional costs. The deal with
7 COVID, you know, you have a lot of costs, the clean-up
8 costs. Every day you have to do these clean-ups. You've
9 got to change walking patterns, elevator patterns. So
10 there's a cost to that also. So I just want to put it
11 out there that it's not just hey, we collect our rent;
12 we're making a zillion dollars; not the case where
13 they're saying we should get a zero increase. There is
14 another side to this story. I just wanted to point that
15 out. Thank you.

16 MR. MILLER: Thank you, Andy.

17 Now, Barry, do you have something to say? All
18 right. Let me -- oh.

19 UNIDENTIFIED SPEAKER: Wait. I'm sorry, Michael.
20 Can you hear me, Andy?

21 MR. COHEN: Yeah, I hear you.

22 UNIDENTIFIED SPEAKER: Unmute me, Michael.

23 MR. STEIN: Okay. Michael, can I speak? I wasn't
24 sure if --

25 MR. MILLER: Yeah. I was actually calling you,

1 Barry.

2 MR. STEIN: Okay. What I wanted to make a comment -
3 - this is pre-COVID-19. When the laws changed for the
4 rent regulations, it had a tremendous effect on a lot of
5 the landlords. Number one, some of the particular
6 tenants that were happy about it may not have their jobs.
7 Because the way the law was put together, it's extremely
8 difficult for any landlord to recoup their investment in
9 any kind of a reasonable time. So that's number one. So
10 if you can't put money in to create and keep up the
11 asset, you're not going to invest in that asset, which I
12 think Steve mentioned.

13 Also what's important, most of the appraisers in the
14 real estate industry before COVID put at least -- and
15 this is a minimum that had gone up -- at least a 20
16 percent hit on a less of a value because of the
17 particular regulations over and above the unintended
18 consequences, which I said before that this particular
19 law was going to have an effect; such as, if people
20 aren't investing in their building, roofers don't make a
21 living, painters don't make a living, the people where --
22 the repairs, the particular appliances aren't put
23 together, which Steve mentioned. So there's a minimum of
24 a 20 percent reduction in value.

25 If Martin was here, I'd love to say because Martin

1 and I disagree, where I always feel the net worth doesn't
2 pay the bills; the cash flow does. And so in this case,
3 Martin used to think that -- maybe he still believes
4 it -- that if the increase in value of the asset that it
5 should be charged by the landlords, which I don't agree
6 with it. I think it's ridiculous without insulting
7 anyone.

8 So I just want to let people know, it's not only the
9 return on the investment, which is a lot less. It's also
10 the loss of the value of their asset because of what the
11 regulations have created, and I'll speak later to it.
12 That's all. I just wanted to make my point.

13 MR. MILLER: Thank you, Barry.

14 Okay. I'm going to move over to the tenant reps.
15 Go ahead, please.

16 MS. HARRIS-MARCHESI: I -- this is Cathryn. I'll go
17 first. One of the things that I would like to have given
18 to us, if possible, in the information is every year we
19 hear about these tenants who have been there forever and
20 whose rents are \$800 or \$600 or whatever. I would like
21 to have, actually to know, how many of those tenants
22 there are, in which buildings, and how many numbers.

23 If you have a building that has 200 people in it,
24 200 units, and you have one, that's a very interesting
25 argument -- not a very interesting argument. So that's

1 part of the information I would like because it's going
2 to help me make decisions, and we should have that
3 information if people are -- if landlords are bringing
4 that up as an issue. And if it is an issue, we have to
5 deal with that based on that. That was the main thing I
6 want to bring up right now, but we -- and the other --
7 and we can discuss other things later.

8 MR. MILLER: Okay. Thank you, Cathryn.

9 Robert -- Robert Rychlowski?

10 MR. RYCHLOWSKI: Yes.

11 MR. MILLER: Okay. Go ahead, sir.

12 MR. RYCHLOWSKI: When one of the speakers is
13 finished, I think they need to be muted because Steven
14 Padyk has his day, and when Denise Ford was trying to
15 talk, she was repeatedly interrupted. We've got to let
16 the next speaker get their chance to speak. Then if the
17 Board has questions, we should be allowed to ask them
18 later on.

19 Also, Stuart was talking about \$40,000 being paid to
20 renovate apartments because some of the tenants had been
21 there for 20 years, 30 years, et cetera. Then you're
22 talking about raising the rent on someone who's been
23 there 20, 30 years and has those old cabinets or old
24 appliances, which I don't think is right, and I believe
25 that he has very, very few rent-regulated apartments in

1 his building.

2 Also, one more thing about the 85 percent only
3 paying rent as Andy said; he said that only 85 percent of
4 the tenants were able to make their rent payments and
5 everything, probably mainly because of the COVID-19. I
6 don't see how increasing the rents is going to enable
7 them to pay their rents. It's only going to push more
8 people into not being able to afford their rents. Thank
9 you.

10 MR. MILLER: Thank you, Robert.

11 Public members? All right. Let me go down the
12 line. Could you unmute Andy -- I mean Adam?

13 MR. MAHONEY: The only question I have is are there
14 any pieces of the government funding and the stimulus
15 that landlords are able to or tenants are able to utilize
16 which could help on either side?

17 MR. MILLER: Is that a question for the Board -- for
18 the (indiscernible)?

19 MR. MAHONEY: I'm thinking just for the Board and
20 even advocates on either side as well just to get that
21 information out which could help people. I mean, I know,
22 if someone unfortunately was unemployed, there was, you
23 know, a federal addition to the New York State
24 Unemployment. Is there anything on the landlords' side
25 that may have been part of the CARES Act or, you know,

1 any of the different stimulus packages that have been,
2 you know, passed either federally or, you know, by the
3 state?

4 MR. PADYK: Can I answer that question?

5 MR. MAHONEY: Sure.

6 MR. PADYK: The PPP CARES Act omits real estate.

7 MR. MAHONEY: Yeah, and that was mainly -- I
8 wouldn't imagine on the real estate, there's many
9 employees. I think that -- that they had originally --

10 MR. PADYK: So well, there are. There's supers;
11 there's porters, but omits real estate completely.

12 MR. MAHONEY: Sure. Sure.

13 MR. PADYK: Okay?

14 MR. MAHONEY: Yeah. Thank you.

15 MR. MILLER: Anything else, Adam?

16 MR. MAHONEY: That's the only question I have right
17 now.

18 MR. MILLER: All right. Thank you very much.

19 Jeannetta?

20 MS. ALEXANDER: No questions at this time.

21 MR. MILLER: Okay. Martin? All right. Is Martin
22 muted?

23 MR. MELKONIAN: Can you hear me?

24 MR. MILLER: You were low, but we can hear you.

25 MR. MELKONIAN: Okay. I'd like to get some

1 documentation about the assertion that the value of rent-
2 controlled buildings or rent-stabilized buildings have
3 lost value over the past months or so because of the
4 COVID-19. Is that really the case?

5 Barry, you made that allegation. I'm wondering if
6 that's really true, and I guess we'll have to explore
7 that.

8 MR. MILLER: Martin, is that it?

9 MR. MELKONIAN: Yeah. Yeah.

10 MR. MILLER: Okay.

11 MR. MELKONIAN: I'd like to see what has happened
12 actually to the value of those buildings. Have they
13 really gone down?

14 MR. STEIN: Yes, the values have gone down. I can
15 get you a list of MAR appraisers, and I live in this
16 industry, so I know.

17 MR. MELKONIAN: But I'd like to see some numbers.

18 MR. STEIN: Why would a value go up when you
19 discourage particular owners, landlords investing in
20 their property, and that's what this particular law does.
21 And so if you can't invest in your property and maintain
22 the asset, it also has an effect on when they in value,
23 and so in order to buy that kind of a property, the cap
24 rates have gone up because of that, and they've gone a
25 good 20 percent plus. Cap rates go up; value goes down.

1 MR. MELKONIAN: I'm not (indiscernible) that's true,
2 though. I'd like to see some documentation about the
3 value of the homes. My understanding is that --

4 MR. STEIN: Sorry. I can't hear.

5 MR. MELKONIAN: -- despite the current recession,
6 private homes are going up in value surprisingly. One
7 would think that, given what's happened, real estate
8 values would have dropped, but they haven't.

9 UNIDENTIFIED SPEAKER: But value of contingent isn't
10 that they're dropping as of COVID-19. The contingent is
11 that they're dropping --

12 MR. STEIN: No, they're dropping -- the COVID-19 is
13 another situation that's caused problems.

14 UNIDENTIFIED SPEAKER: Right.

15 MR. STEIN: Including COVID-19 when the particular
16 regulations took effect, they were rather draconian, to
17 say the least, at least from a landlord's standpoint, and
18 because of that, values went down because of the
19 uncertainty that you can't get your money out. Once
20 you're in stabilization, you can't get out of
21 stabilization. You're limited under your particular
22 investments with MCI, et cetera. The length of time that
23 it takes to get back your money; you can't raise the
24 particular -- the guidelines is not keeping up with the
25 particular expenses and what's coming on.

1 And so because of that, the values have dropped, and
2 it's dropped 20, 25 percent, and I can provide a number
3 of testimonials from MAI appraisers, Richard D. Geronimo
4 standard valuation. They're probably one of the most
5 recognized MAI appraisers in the New York region, and
6 they represent most of the lenders: New York Community
7 Bank, Flushing Bank, Signature Bank, Ridgewood Savings
8 Bank. I could on and on. So they would attest to that.
9 I didn't make that up. Cap rates have gone up. So when
10 UCU cap rates are four percent, let's say, or four and
11 quarter, they were using six percent. In fact, there was
12 such a difference in how to evaluate this, they went to
13 debt service coverage, and I'd be happy to explain that,
14 or debt yield, but the bottom line is that cap rates
15 increased, and they increased a lot. And so we could
16 document that if you need me to.

17 MR. MELKONIAN: Yes, I think we do need
18 documentation.

19 MR. STEIN: I'll do that.

20 MR. MILLER: All right. I saw Andy had his hand up,
21 and then I'll go to Garrett.

22 Andy, did you have your hand up?

23 MR. COHEN: Yes. I think Barry clarified because
24 Martin thought that it was because of COVID-19, but Barry
25 made it clear it's pre-COVID-19 because of the new act.

1 MR. MILLER: Okay. Thank you.

2 Garrett?

3 MR. GRAY: I'm good right now.

4 MR. MILLER: You're good right now. All right.

5 Did I miss anybody or I got everybody? I did.

6 UNIDENTIFIED SPEAKER: You did.

7 MR. MILLER: All right. Great. You know, I just
8 want to recognize the fact that on both sides we have
9 challenges. Yes, we've heard that, you know, folks have
10 lost their jobs. The unemployment rate is still down;
11 coming back but still down. I'm also in a position to
12 see where buildings need, of course, extra cleaning men.
13 Certain costs are going up on that side as well.

14 The Board and all, tonight I want to say I'm happy
15 that you guys are safe. I see my friends, my colleagues
16 again, and I pray that, you know, your health, your
17 families' health, that's the most important thing.
18 Everything else is material. Not to make light of any
19 situation, but I'm really glad you're safe.

20 Next week's meeting -- the next meeting is going to
21 be June 23rd.

22 And just to confirm, Michael, are we using the same
23 Zoom, or are we using this one?

24 MR. GUTTENTAG: The next meeting is going to be over
25 Zoom.

1 MR. MILLER: Okay. Thank God.

2 MR. GUTTENTAG: Correct, James?

3 MR. FERRARA: That meeting --

4 MR. JAMES FERRARA: It's June -- this is James
5 Ferrara. That meeting is next week, Wednesday, June
6 17th.

7 MS. HARRIS-MARCHESI: Oh, okay.

8 MR. MILLER: Sorry. I missed that. Okay. All
9 right. Thanks for the correction.

10 MR. GUTTENTAG: The 17th is over Zoom, and the 23rd
11 is going to be over WebEx.

12 MR. MILLER: Okay. All right. Next week, the 17th,
13 at 7:30 is going to be Zoom, and then we go back to this
14 WebEx thing on the 23rd. All right.

15 Are there any other matters, guys?

16 MR. FERRARA: Yes. This is James Ferrara. I just
17 want to also remind everyone on the line that the DHCR
18 presentation meeting is going to be June 23rd. There
19 were questions raised today about owner surveys, and a
20 DHCR representative will be joining us for that meeting
21 to answer questions concerning the income and expense
22 data.

23 MR. MILLER: So that meeting -- well, we'll discuss
24 that more in terms of, like, sharing screens so we can
25 actually see the presentation, Michael. My concern is

1 WebEx using that through our experience. I kind of
2 prefer Zoom for presentations, but I guess, if it's
3 WebEx, it's going to be WebEx.

4 All right. Any other matters?

5 MR. STEIN: Yeah. Just a point to thank Michael and
6 James, Cherell also. They did a really good job, and I
7 think it's difficult under the circumstances. They put
8 this together, and nice job. Michael has been very
9 helpful to me, and I appreciate that. Very good.

10 MR. MILLER: I definitely would second that. You
11 guys are outstanding. Are we --

12 MR. GUTTENTAG: Sorry for the interference if there
13 was any tonight. We're trying our best with WebEx.

14 UNIDENTIFIED SPEAKER: We know you've done your best
15 and --

16 MR. MILLER: You've really done an outstanding job,
17 working with us, getting this thing going.

18 All right. Do I have a motion for adjournment?

19 MR. GRAY: Yes, you do. Garrett.

20 MS. HARRIS-MARCHESI: Second. Cathryn.

21 UNIDENTIFIED SPEAKER: Third.

22 MR. MILLER: I heard Cathryn second. Who was first?

23 MR. GRAY: Garrett.

24 MR. MILLER: Garrett. Okay. Thank you.

25 All in favor?

1 IN UNISON: Aye.

2 MR. MILLER: Have a wonderful -- I'll see you next
3 week on the 17th. Be safe and well. Thank you again,
4 everyone. The meeting is adjourned.

5 [END RECORDING]

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C E R T I F I C A T I O N

1
2 The prior proceedings were transcribed from audio
3 files and have been transcribed to the best of my
4 ability. I further certify that I am not connected by
5 blood, marriage or employment with any of the parties
6 herein nor interested directly or indirectly in the
7 matter transcribed.

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9
10 A rectangular photograph of a handwritten signature in cursive script, which reads "Amelia Mastandrea". The signature is written in dark ink on a light-colored, slightly textured paper background.

11
12 Date June 15, 2020

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<p>0 (74) 2:1,2;3:1,2;4:1,2;5:1, 2:6:1,2;7:1,2;8:1,2;9:1, 2:10:1,2;11:1,2;12:1,2; 13:1,2;14:1,2;15:1,2; 16:1,2;17:1,2;18:1,2; 19:1,2;20:1,2;21:1,2; 22:1,2;23:1,2;24:1,2; 25:1,2;26:1,2;27:1,2; 28:1,2;29:1,2;30:1,2; 31:1,2;32:1,2;33:1,2; 34:1,2;35:1,2;36:1,2; 37:1,2;38:1,2</p>	<p>2 (75) 2:1,2;3:1,2;4:1,2;5:1, 2:6:1,2;7:1,2;8:1,2;9:1, 2:10:1,2;11:1,2;12:1,2; 13:1,2;14:1,2;15:1,2; 16:1,2;17:1,2;18:1,2; 19:1,2;20:1,2;21:1,2; 22:1,2;23:1,2;24:1,2,2; 25:1,2;26:1,2;27:1,2; 28:1,2;29:1,2;30:1,2; 31:1,2;32:1,2;33:1,2; 34:1,2;35:1,2;36:1,2; 37:1,2;38:1,2 2.3 (1) 16:7 20 (7) 19:6;27:1,2;29:2,2; 32:2;34:2 200 (2) 28:2,2 2001 (2)</p>	<p>4 (74) 2:1,2;3:1,2;4:1,2;5:1, 2:6:1,2;7:1,2;8:1,2;9:1, 2:10:1,2;11:1,2;12:1,2; 13:1,2;14:1,2;15:1,2; 16:1,2;17:1,2;18:1,2; 19:1,2;20:1,2;21:1,2; 22:1,2;23:1,2;24:1,2; 25:1,2;26:1,2;27:1,2; 28:1,2;29:1,2;30:1,2; 31:1,2;32:1,2;33:1,2;</p>	<p>60 (1) 16:1 600 (1) 23:3 65 (1) 18:1</p> <p style="text-align: center;">7</p> <p>7 (37) 2:1;3:1;4:1;5:1;6:1; 7:1;8:1;9:1;10:1;11:1; 12:1;13:1;14:1;15:1; 16:1;17:1;18:1;19:1; 20:1;21:1;22:1;23:1; 24:1;25:1;26:1;27:1; 28:1;29:1;30:1;31:1; 32:1;33:1;34:1;35:1; 36:1;37:1;38:1 7:30 (1) 36:1 70 (1)</p>	<p style="text-align: center;">7</p> <p>7 (37) 2:1;3:1;4:1;5:1;6:1; 7:1;8:1;9:1;10:1;11:1; 12:1;13:1;14:1;15:1; 16:1;17:1;18:1;19:1; 20:1;21:1;22:1;23:1; 24:1;25:1;26:1;27:1; 28:1;29:1;30:1;31:1; 32:1;33:1;34:1;35:1; 36:1;37:1;38:1 7:30 (1) 36:1 70 (1)</p>