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13 **NEW YORK STATE**

14 **HOMES AND COMMUNITY RENEWAL**

15 **BOARD MEETING**

16 Westchester County RGB Public Meeting

17 Monday, June 7, 2021

18 7:01 p.m.

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1   [START RECORDING]

2   MR. PETER STECKER: Okay. Good evening. It is 7:01

3   on Monday, June 7th. This is the first public hearing

4   for the Westchester County Rent Guidelines Board. I will

5   start this meeting as I started the meetings last year,

6   with the note about the public hearings and the meetings.

7   In response to the governor's directive to take

8   every effort to keep New Yorkers safe and mitigate the

9   spread of COVID-19, pursuant to Executive Order 202-1 and

10   its updates, the Westchester County Rent Guidelines Board

11   will be conducting public hearings and set guideline

12   rates of rent adjustments for housing accommodations

13   within its jurisdiction, subject to the Emergency Tenant

14   Protection Act of 1974 for leases commencing between

15   October 1st, 2021 and September 30th, 2022, via

16   teleconference. Instructions for members of the public

17   to simultaneously view or listen to the meetings have

18   been posted to HCR's website for the Office of Rent

19   Administration under the Public Hearing section prior to

20   the meetings. Hearings will also later be transcribed

21   and the public will have the ability to view the

22   transcripts at the same website.

23   So with that being said, Elsa, I will turn it over

24   to you, now.

25   MS. ELSA RUBIN: Thank you, Peter.

1   Welcome, everybody. I'm so glad to see all of you

2 happy and healthy, and we are going to start now. This

3 is the first virtual meeting of this season, and as you

4 know, we used to do several meetings in several cities,

5 but because of the pandemic, we are now forced to do it

6 by Zoom, and therefore, we didn't see any need to have so

7 many meetings, so this time, we are going to have two

8 public meetings. The next public meeting will be on

9 June -- Monday, June 21st, and Peter -- our counsel,

10 Peter, will provide instructions on how to sign up for

11 that, because we need more participation, especially for

12 the tenants.

13   And I'm also -- if anybody is watching this meeting

14 right now live and wants to participate, they can also

15 contact Peter and he will let you know how to sign up and

16 we will try to accommodate anybody if we have the time.

17 So as I said, this is the first of two public meetings to

18 determine guideline rates of rent adjustments for leases

19 commencing or being renewed between October 1st, 2021 and

20 September 30th, 2022.

21   And now I will take roll call. Please respond if

22 you are present. Velene Acquah, public member.

23   MS. VELENE ACQUAH: Present.

24   MS. RUBIN: LaMont Badru, public member.

25   MR. LAMONT BADRU: Here.

1   MS. RUBIN: Eddie Mae Barnes, public member.

2   MS. TAMARA STEWART: You're on mute, Eddie Mae.

3   MS. EDDIE MAE BARNES: Present.

4   MS. RUBIN: Great. Welcome, Eddie Mae.

5   MS. BARNES: Thank you.

6   MS. RUBIN: Eliot Cherson, owner representative.

7   MR. ELIOT CHERSON: Present.

8   MS. RUBIN: Kenneth Finger, owner representative.

9   MR. KENNETH FINGER: I'm here.

10   MS. RUBIN: Evelyn Santiago, public member.

11   MS. EVELYN SANTIAGO: Present.

12   MS. RUBIN: Tamara Stewart, tenant representative.

13   MS. STEWART: Present.

14   MS. RUBIN: And I'm Elsa Rubin, chair of the board,

15   and I also have good news. This evening, we have -- I

16   have just now been told that we have a new member of the

17   tenant representative, and I think she is with us. Is

18   that correct, Peter?

19   MR. STECKER: Yes. Ms. Hamer is here and so I have

20   just promoted her to be a panelist, so she's -- yep,

21   there she is.

22   MS. SYLVIA HAMER: Good evening.

23   MS. RUBIN: Good evening. Welcome, and if you want

24   to say a few words to the board?

25   MS. HAMER: I'm just happy to be a part of the board

1 and moving things forward, and I look forward to working

2 with all of you.

3   MS. RUBIN: And since she was appointed officially,

4 she is going to take part of this meeting today, of this

5 public meeting, and with that said, I think we have a

6 quorum, and we can proceed.

7   MR. CHERSON: I just have a question.

8   MS. RUBIN: Yes.

9   MR. CHERSON: Ms. Hamer, she's been -- she was

10 appointed and interviewed by DHCR and approved? I just

11 want --

12   MS. RUBIN: Yes.

13   MR. STECKER: Correct. Eliot, she was sent over to

14 us at the end of May, and so we had an interview last

15 week, and we just received her appointment letter today,

16 so she has been appointed by the Commissioner effective

17 today as the new tenant rep for Westchester Rent

18 Guidelines Board.

19   MR. CHERSON: Okay.

20   MS. RUBIN: So welcome again.

21   MS. HAMER: Thank you.

22   MS. RUBIN: And I believe Peter has some

23 announcements to make.

24   MR. STECKER: Well, just following up on what you

25 were asking me to announce, for anyone who would like to

1   address the board, they can send an email to

2   westchestercountyrgb@nyshcr.org. I'll also stress that

3   if somebody for whatever reason doesn't want to appear in

4   this forum and address the board via Zoom, the board will

5   also be accepting written testimony as they did last

6   year, which can be read into the record during these

7   meetings.

8   So I would just urge anyone who is watching on the

9   livestream or is reading the transcript after this to

10 send an email if they're interested in addressing the

11 board.

12   MS. RUBIN: Thank you. And now, I will call the

13 speakers in the order of which they sign up prior to the

14 meeting. The speakers will be addressing the board, and

15 they are limited to three minutes for individuals and

16 five minutes for entities or organizations, so if you can

17 please -- when I call them -- I will ask them to identify

18 if they are -- whether they're representing an entity. I

19 will first call Suzanne Johnson, representing the

20 landlords.

21   MR. STECKER: Okay. Promoting her to panelist right

22 now.

23   Ms. Johnson, can you --

24   MS. SUZANNE JOHNSON: Yes. Can you hear me now?

25 Let me put myself on video. Hello.

1   MS. RUBIN: Hello. Welcome.

2   MS. JOHNSON: (Indiscernible) Madam Chair, Madam --

3   members of the board and members of the community, thank

4   you for this opportunity to speak and express my opinion

5   as a landlord on rent adjustments.

6   MS. RUBIN: Excuse me. Are you representing

7   yourself or an entity?

8   MS. JOHNSON: I'm representing Grandview Park

9   Associates.

10   MS. RUBIN: So you have five minutes.

11   MS. JOHNSON: Thank you.

12   MS. RUBIN: And Peter, you're going to be taking the

13   time?

14   MR. STECKER: Yes, I have a timer running.

15   MS. RUBIN: Okay. Thank you.

16   MS. JOHNSON: I think everyone can agree that 2020

17   was a rough year. Our tenants got sick, they lost their

18   jobs, some were working on the frontlines and others were

19   forced to stay home and work and homeschool their kids in

20   their apartments. Our superintendents and rental agents

21   were on the front lines, working together to keep our

22   buildings safe and our tenants calm.

23   We as landlords worked nonstop to figure out how we

24   would navigate the collection of late and unpaid rents,

25   closed courts, complicated government programs, and the

1 uncertain end to the lockdowns. Here we are in 2021, and

2 we feel like the days of the lockdowns are over.

3 However, the truth is, this year is looking worse.

4   Under the Housing Stability and Tenant Protection

5 Act of 2019, and Governor Cuomo's extended eviction

6 moratorium, landlords have no authority to either raise

7 rents or collect rent anymore. I would like to remind

8 everyone that rent is the only means of income a landlord

9 has to properly maintain their properties. Compared to

10 2019, our rents in Mount Vernon and Yonkers have dropped

11 an average of ten percent for 2021. This is solely

12 because no increase was granted last year for stabilized

13 apartments.

14   Since 2020, collecting rent from tenants in court is

15 seemingly impossible. Courts are either closed or not

16 allowing evictions. Even tenants who have been behind in

17 rent before the pandemic and in court still have not paid

18 a dime. COVID relief programs, like the Westchester

19 guidelines payment plan, still have not paid anything.

20 We applied for four tenants in November 2020 and have not

21 seen any money since the paperwork was submitted.

22   Without sufficient income, there is great risk to

23 properly maintaining our aging buildings. Our buildings

24 are eighty years old and getting older. Roof, boiler,

25 and elevator replacements are expensive and something we

1   need to save and budget for, but we are finding that our

2   income is not what it used to be. Rents are simply not

3   keeping up with expenses. While COVID may be behind us,

4   the cost of taxes, supplies, and services are

5   skyrocketing.

6   Real estate taxes in Mount Vernon are up 13.2

7   percent. Yonkers real estate taxes are up 3.8 percent.

8   Utility bills are up 30.7 percent. Union benefits are up

9   eleven percent. Gas has been up forty-nine percent since

10   last May, and we expect services and supply costs to

11   escalate because of that. While major repairs are not

12   optional, we have had to forego cosmetic renovations of

13   our apartments that we would normally do if rents were

14   increased.

15   Tenants want renovated kitchens and bathrooms and

16   new appliances. All of these nice to have items have

17   been put on the back burner because we simply cannot

18   afford them. An increase this year cannot be disputed.

19   Landlords cannot continue to shoulder the financial

20   burden any longer without given the right to raise and

21   collect rents. I thank you for your consideration and

22   implore you to vote to increase the rents this year in

23   order to help us maintain the health, safety, and

24   wellbeing of every tenant who lives in our buildings.

25   Thank you.

1   MS. RUBIN: Thank you, Ms. Johnson.

2   Any questions for Ms. Johnson? Yes. Mr. Finger?

3   MR. FINGER: Yes. Good evening, Ms. Johnson. Thank

4   you for appearing and your time tonight. I'm Ken Finger.

5   I have a question. Have you been able to do any major

6   capital improvements since the advent of the HSTPA?

7   MS. JOHNSON: We have put in permits for a balcony

8   repair that we have to do, and that's going to cost us

9    $250,000 for twelve balconies in Yonkers.

10   MR. FINGER: And do you expect to be able to get

11   paid back for that through any type of MCI increase?

12   MS. JOHNSON: I'm not sure how long that's going to

13   take. Right now, the permit process takes three to six

14   months, so we have to lay out a lot of money prior to

15   that.

16   MR. FINGER: Thank you.

17   MS. RUBIN: Yes? Yes. Mr. Cherson?

18   MR. CHERSON: Thank you.

19   Ms. Johnson, thank you. I think I heard you mention

20   that the taxes went up, and I guess your buildings were

21   in Yonkers and Mount Vernon from your testimony?

22   MS. JOHNSON: Correct, yes.

23   MR. CHERSON: Okay. And you mentioned that the

24   taxes went up in both localities?

25   MS. JOHNSON: Yes.

1   MR. CHERSON: Do you know how much it was? Can you

2   tell the board how much your taxes went up?

3   MS. JOHNSON: Mount Vernon was 13.2 percent, and

4   Yonkers 3.8 percent.

5   MR. CHERSON: And do you pay water taxes?

6   MS. JOHNSON: Water? I didn't look that up.

7   MR. CHERSON: Okay.

8   MS. JOHNSON: We did have a utility increase of 30.7

9   percent, so maybe that got rolled into that.

10   MR. CHERSON: Thank you very much.

11   MS. JOHNSON: Thank you.

12   MS. RUBIN: Anybody else? Yes, Ms. Acquah?

13   MS. JOHNSON: I'm sorry, that was just gas and

14   electricity, just to let you know, not -- the water was

15   not included with the utility increase.

16   MS. RUBIN: Yes, Ms. Acquah? You're muted.

17   MS. ACQUAH: Oh my goodness. Sorry. Hi, yes. Ms.

18   Johnson, thank you for being here.

19   MS. JOHNSON: Hi.

20   MS. ACQUAH: Yes, okay. So I know I've heard and I

21   do understand, and you know, it's very hard times for

22   both landlords and tenants, and that is definitely the

23   truth right now. What would you say the fair amount

24   increase at this time -- what would you propose?

25   MS. JOHNSON: Well, since our rents are down ten

1   percent, you know, I think the minimum should be three

2   percent and five percent going forward. I think that's

3   reasonable. It's not going to do a lot, but it will help

4   the issues going forward. This year's going to be very

5   tight for us, especially since the courts are not

6   allowing us to move forward with any cases.

7   MS. ACQUAH: Thank you.

8   MS. RUBIN: Yes. Mr. Cherson?

9   MR. CHERSON: Thank you.

10   If you received a three, five percent increase,

11   what -- do you know what you would do with the extra rent

12   monies that you would receive as due to that rent

13   increase

14   MS. JOHNSON: Absolutely. We have four roofs that

15   need to be totally redone. They are about 80,000 each.

16   We have boilers. Our boilers are probably at the end of

17   their life. We've stretched them as much as we can.

18   That's going to cost us anywhere between 120 and 200,000

19   per boiler. I have four of those. The elevator repairs

20   are coming up. That's always unknown. So those are big

21   ticket items besides our balconies. We have to rebuild

22   all our balconies, twelve of them, so that's -- the

23   minimum is going to be 250 for that.

24   MR. CHERSON: So if you don't receive an increase,

25   what would become of the new roofs, new boilers, and the

1 elevators? What would you do?

2 MS. JOHNSON: I don't know. We're going to be stuck

3 because right now, we're living on reserves. We're

4 living on our savings to keep up with the expenses, so I

5 don't know how much -- our rents are pretty low, and

6 we -- because we can't raise rents of tenants who've been

7 there a long time and are starting to leave, that's

8 hurting us even more because there's such an imbalance in

9 the building.

10 This cannot go on any longer. Something has to

11 give. We either have to raise the rents or be able to

12 collect the rent. So the programs are out there, but

13 they're not helping the people. I'm going to be honest

14 with you, they're not there for most of our tenants.

15 Catholic Charities is the only organization that has been

16 able to pay -- help tenants pay back rent up to this

17 point, and that was just one tenant out of my 300

18 tenants.

19 MS. RUBIN: Yes, Ms. Stewart?

20 MS. STEWART: Good evening, Ms. Johnson.

21 MS. JOHNSON: Hi.

22 MS. STEWART: Out of your tenants that are behind on

23 rent, roughly how many apartments does that represent?

24 MS. JOHNSON: Anywhere between five to ten percent,

25 depending on the building.

1   MS. STEWART: And are any --

2   MS. JOHNSON: Or most of them -- most of them owe

3 more than six months.

4   MS. STEWART: Okay. And are any of these tenants

5 eligible to the ERAP program?

6   MS. JOHNSON: I'm hoping, but I only received one

7 application on Friday, so --

8   MS. STEWART: Well, the program only started on the

9 1st, so --

10   MS. JOHNSON: Right.

11   MS. STEWART: -- it's still early days. And are you

12 helping your tenants with the paperwork?

13   MS. JOHNSON: Yes, I will. I mean, the first

14 application I just got was Friday, so we're going to

15 proceed with that, but I'll tell you my experience in

16 Connecticut with Unite CT, out of the $230,000,000

17 Connecticut received for rental assistance, a similar

18 program, they've only put out 7,000,000 since March, and

19 it's a very difficult process, and I don't know how it's

20 going to turn out in the end.

21   I don't know if we'll ever get money in Connecticut

22 at this point, but --

23   MS. STEWART: Well --

24   MS. JOHNSON: -- in New York, we're going to try it.

25 Like I said, we did apply for our smaller buildings in

1   November for four tenants. We put in all the

2   applications, have not heard back from them, and these

3   poor tenants are waiting.

4   MS. STEWART: Well, with the ERAP program, I know

5   that, based on the calls that I've been on, they really

6   are encouraging landlords to at times even take the lead

7   and let tenants know, because it's been very difficult to

8   get the information to tenants, and many of them may have

9   difficulty in completing the application. But the

10   landlords certainly are able to be proactive and assist

11   the tenants who may be eligible in applying for the

12   funds, seeing as the funds will be going directly to the

13   landlords.

14   And supposedly the millions that have been allocated

15   for New York should be sufficient to catch people up,

16   pretty much everybody who -- not everybody everybody, but

17   a substantial portion of the tenants who are behind as

18   long as they meet the eighty percent (indiscernible)

19   eligibility threshold, et cetera, and that they should be

20   able to get the money. So I would encourage you to

21   really reach out to your tenants because you know who's

22   behind, and make sure that they know about the program,

23   and do what you can to assist them, because helping

24   them --

25   MS. JOHNSON: We actually already did that.

1   MS. STEWART: -- will help you.

2   MS. JOHNSON: Yeah, we already actually did that on

3 Friday. I gave my rental agent the go ahead to send the

4 link to everyone. My rental agent speaks Spanish. He

5 can help anyone who can't navigate on their own. I mean,

6 we are willing to help any tenant that wants the help.

7   MS. STEWART: Great. I'm glad to hear that.

8   MS. RUBIN: Any other questions for Ms. Johnson?

9 No? Okay.

10   Thank you, Ms. Johnson --

11   MS. JOHNSON: Thank you.

12   MS. RUBIN: -- for coming here, and --

13   MS. STEWART: Thank you, Ms. Johnson.

14   MS. RUBIN: -- you may leave the presentation.

15   MS. JOHNSON: All right. Thank you.

16   MS. STEWART: Thank you.

17   UNIDENTIFIED SPEAKER: Thank you.

18   MS. RUBIN: So next, I will call Chris DeFeo,

19 representing landlords.

20   MR. FINGER: Who was that?

21   MS. RUBIN: Chris DeFeo.

22   MR. FINGER: Chris DeFeo. Okay.

23   MR. CHERSON: You said Mateo, M-A-T-E-O?

24   MS. RUBIN: No.

25   MR. FINGER: DeFeo, D-E-F-E-O.

1   MS. RUBIN: D-E-F-E-O.

2   MR. CHERSON: Oh, thank you.

3   MR. STECKER: I just promoted -- Mr. DeFeo, can you

4   hear us? If you can, please unmute yourself.

5   MR. FINGER: You're still muted.

6   MR. STECKER: Mr. DeFeo, can you hear us? Looks

7   like he should be unmuted at this point. I can't hear

8   him, though. Mr. DeFeo?

9   MS. RUBIN: We can always come back to him --

10   MR. STECKER: Um-hum.

11   MS. RUBIN: -- if he's not ready now.

12   MR. STECKER: Okay. It's up to you, Chair.

13   MS. RUBIN: Yeah, I'm going to call the Reverend

14   Loftin-Woods and right after her, we're going to call Mr.

15   DeFeo again.

16   MR. STECKER: Okay. I actually don't see Reverend

17   Loftin-Woods in here right now.

18   MS. RUBIN: Who's there?

19   MR. STECKER: The next individual, Alana

20   Ciuffetelli. She's actually here.

21   MS. RUBIN: Okay. Let's call Ms. Alana Ciuffetelli.

22   MR. FINGER: You're on mute now.

23   MS. ALANA CIUFFETELLI: Hi, everyone.

24   MS. RUBIN: Hello, Ms. Ciuffetelli.

25   MS. CIUFFETELLI: There I am. Hi, all.

1   MS. RUBIN: Hi. How are you?

2   MS. CIUFFETELLI: I'm good. My name is Alana

3 Ciuffetelli.

4   MS. RUBIN: And are you representing yourself or an

5 organization?

6   MS. CIUFFETELLI: No, I'm a cochair of the building

7 in Realty Institutes AOAC, and I sit on the board of

8 directors of the Westchester Owners Association.

9   MS. RUBIN: Okay. So you get five minutes.

10   MS. CIUFFETELLI: I'll be quick, I promise.

11   MS. RUBIN: Okay, thank you.

12   MS. CIUFFETELLI: I appreciate your time this

13 morning.

14   Good evening. My name is Alana Ciuffetelli. I am

15 the cochair of the building in Realty Institute Apartment

16 Owners Advisory Council, and I also sit on the board of

17 directors of the Westchester Owners Association. Over

18 the years, I have told this board about the family owned

19 and operated business I run. I manage several apartment

20 buildings in Yonkers that my dad built. Rent

21 stabilization was enacted around (indiscernible). On

22 average, each unit has eighteen -- each building has

23 eighteen units.

24   I, like most landlords throughout Westchester

25 County, am a mom and pop, smaller in scale, but very

1   hands on. I consider myself to be a good landlord. I

2   understand the importance of the landlord-tenant

3   relationship. I realize that each have to work hand in

4   hand in order to work. It's a give and a take. I pride

5   myself on my management style. We don't have buildings

6   riddled with violations. I have an open line of

7   communication with my tenants, and in fact, they have my

8   cell phone number.

9   The past years have been extremely difficult. There

10 are so many factors that are beyond my control, which

11 have had devastating negative financial impacts on my

12 buildings. As you know, there were drastic changes to

13 the Housing and Stability Act of 2019, especially with

14 respect to the application of major capital improvements

15 and individual apartment assessments. I feel as though

16 smaller landlords got caught up in the mess. I do

17 realize that the changes in the law were brought about in

18 great part at the result of some larger landlords abusing

19 this system, especially in New York City.

20   That isn't me, though, and that's not my colleagues

21 in Westchester County. There needs to be a reassessment

22 of the application of MCIs and IAIs, especially as they

23 apply to the smaller landlord. These change not only

24 hurt landlords but also tenants, and I do not have the

25 money for improvements I would like to do, and I can't

1 entertain any green initiatives that I would like to

2 implement to bring my carbon footprint down at the

3 buildings.

4   Another factor beyond my control with devastating

5 impacts, COVID. It's been horrible all around.

6 Thankfully, my tenants for the most part have been paying

7 their rents, and those that needed assistance, I've

8 worked with to help find programs to pay their rents. I

9 applied on behalf of one of my tenants to the Westchester

10 County rent relief program, and thankfully, the grant was

11 received. As we also know, New York State has received

12 2.4 billion for the second phase of COVID rent relief.

13   As we speak, landlords are working with tenants to

14 apply for this aid. No landlord I know wants to evict a

15 tenant. They just simply want to be paid. The money is

16 there. All we need to do is to make sure that the money

17 that was promised and allocated for rent relief to

18 tenants starts to flow to landlords. This pandemic has

19 also had devastating effects on supply. The pricing of

20 lumber is nuts. From pandemic to date, it's gone up 217

21 percent. It's insane.

22   Before the start of the pandemic, a sheet of plywood

23 cost me 10 dollars. Today, it's about 80 dollars. The

24 cost of my appliances doubled, and I'm lucky if I can

25 even find appliances. My operating costs are drastically

1 up. Cleaning, water, gas, electric, all up, especially

2 during the stay-at-home mandates. The list goes on and

3 on. Still, though, I try to keep it moving forward. To

4 save cost during the pandemic, I closed my office, and I

5 now work from home. Unfortunately, I've had to cancel

6 contracts with contractors on a variety of improvements I

7 had planned for the buildings, as money's just too tight.

8 We're living off reserves.

9   But again, all through this pandemic, I have worked

10 with my tenants and they have worked with me, and we keep

11 trying to move forward. I realize this board does not

12 have control over the changes to HSTPA, and that we must

13 lobby our local legislators for relief, which we are

14 working on, but what this board does have control over,

15 and why we're here tonight, is to listen to testimony and

16 ultimately vote on a rent guideline for the next two

17 years.

18   The fear of the pandemic brought about a rent freeze

19 last year, and the data presented was ignored. That's

20 understandable, as the fear of the unknown had us all

21 terrified, but to do that again this year does not make

22 sense, especially since the increases that you are going

23 to decide on won't take effect until the end of 2021. I

24 implore you to realize that we need an increase in our

25 guidelines. We, especially smaller landlords. Cannot

1   sustain another rent freeze. We are hopefully seeing the

2   light at the end of the tunnel. Governor Cuomo just

3   announced today that once we reach a seventy percent

4   vaccination level, most restrictions will be lifted, and

5   I think we're at sixty-eight and a bit.

6   COVID rent relief programs have monies to help with

7   tenants and arrears, also positives. Please realize an

8   increase in our guidelines is needed for the benefit of

9   both landlords and tenants. If this board fails to do

10   so, that will result in me, as well as many of my

11   landlords, not having money for improvements to our

12   buildings, less money for repairs and maintenance, and

13   not only will you hurt me, but in the end, ultimately my

14   tenants.

15   I want to make sure I can maintain and protect my

16   buildings for my tenants, and the only way, the

17   absolutely only way I can do that is to know there's

18   enough money. Kindly consider a fair guideline. I thank

19   you for your time.

20   MS. RUBIN: Any questions from the board? No

21   questions?

22   Thank you, Ms. Ciuffetelli.

23   MS. CIUFFETELLI: I thank you for your time.

24   MS. RUBIN: Thank you very much.

25   UNIDENTIFIED SPEAKER: Thank you.

1   MR. BADRU: Thank you.

2   MR. STECKER: So Chair, I do see Chris is raising

3   his hand for me.

4   MS. RUBIN: Okay.

5   MR. STECKER: He may be ready.

6   MS. RUBIN: Let's promote him.

7   MR. STECKER: Mr. DeFeo, can you hear us?

8   MR. FINGER: He's on mute. Can you unmute him,

9   Peter?

10   MR. STECKER: Yeah, I can only ask him to unmute --

11 oh, there he goes.

12   MR. FINGER: Okay.

13   MR. STECKER: Mr. DeFeo, can you hear us?

14   I don't know. I guess maybe he's having trouble

15 with his microphone.

16   MS. RUBIN: He must be having technical problems.

17 Can we move to the next person who is available, and then

18 we'll come back to him. He will have first priority

19 after anybody who comes.

20   MR. STECKER: Okay. Okay, Chair. Who would you --

21 you have the list.

22   MS. RUBIN: I have here the Reverend (Indiscernible)

23 Loftin-Woods and Franco Milio.

24   MR. STECKER: Yeah, neither of them is in here,

25 Chair.

1   MS. RUBIN: Then Ken Nilson?

2   MR. STECKER: Ken Nilson is in here. I'm promoting

3   him to panelist right now.

4   MS. RUBIN: Okay.

5   MR. STECKER: Mr. Nilson?

6   MR. KEN NILSON: Yes.

7   MS. RUBIN: Hello, Mr. Nilson.

8   MR. NILSON: Hello.

9   MS. RUBIN: Welcome.

10   MR. NILSON: Thank you.

11   MS. RUBIN: Mr. Nilson, are you representing

12   someone, some organization?

13   MR. NILSON: Yes. I'm a board member of the

14   Apartment Owners Advisory Council.

15   MS. RUBIN: Thank you. You have five minutes.

16   MR. NILSON: Okay. Thank you.

17   So I sent over three pages of my talk, and I don't

18   know if Mr. Stecker, whether you got it or you're able to

19   distribute it to the members?

20   MR. STECKER: Yes, I received it, and I distributed

21   it via email a few hours ago to all the board members.

22   MR. NILSON: Okay, so they have it. All right. So

23   what I'm going to do is to go through it. I'm not going

24   to read every word. You can see what's there, but I want

25   to cover five areas. Who are we, the guideline increases

1   have not kept up with inflation, cost increases that I've

2   experienced, the tenant aid, and the guideline. So one

3   of the other people said before is that we're not large

4   corporate organizations. We're local family businesses.

5   This is our livelihood. We provide affordable housing,

6   and landlords need sufficient income to maintain the

7   buildings in the way we want to do it and the tenants

8   want.

9   The tenants would like to pay as low as possible,

10 but they don't want to live in a dump, either. They want

11 to have buildings that are maintained. Now,

12 historically, I looked at the last ten, eleven years of

13 the Westchester Rent Guidelines Board increases, and they

14 have not kept up with inflation. Over the past eleven

15 years, the increases for two-year leases are fifty-three

16 percent less than the CPI. You can look in the chart.

17 We don't have to go through the details of it, but study

18 it. The numbers are all there. There's no mystery to

19 this thing.

20   Basically, over time, this guidelines board has

21 provided guidelines that have -- are lower than the

22 consumer price index. The consumer price index is

23 written into the law. That's one of the main things that

24 the guideline -- that the board should be considering.

25 The increases for one-year leases have lagged the CPI by

1 twenty percent, so it's not as bad, but still most people

2 who are in apartments for a long time take two-year

3 leases, and so that's why we end up having 700 dollar

4 apartments for people who have been in the building for,

5 like, thirty years, forty years.

6   The zero-zero guideline for 2020 was especially

7 damaging, and that's going to affect the rents in the

8 long term after the pandemic, because it's also usually

9 the -- the guidelines are based on a percentage. So in

10 the past, sometimes the shortage was made up by the

11 vacancy allowances in the law. That's all gone. So

12 there's no way to increase the rent except through the

13 guideline. The HSTPA law basically set guidelines that

14 were -- basically discourage any kind of improvements.

15 Other landlords have spoken about it, and it's clear to

16 all of us that something needs to be done. Hopefully,

17 the legislature will adjust to that.

18   So one of the things that's needed -- basically,

19 what we're trying to do is to avoid what happened in New

20 York City Housing Authority. Due to underinvestment over

21 many, many years, boilers breakdowns, roofs and windows

22 leak, elevators break down because infrastructure is not

23 sexy. You can let it go, and then after a while, it

24 catches up to you and bites you.

25   If you have any questions, you can study the detail

1   on the graphs. So what's happened is that we've fallen

2   further and further behind, and in the last year, it's

3   gotten even worse, not only with the increases that were

4   allowed by the guidelines board, but with the problems

5   with the pandemic. A lot of the other landlords have

6   talked about that. I don't have to say anything more

7   except that we're working with our tenants. We've sent

8   letters to all of the tenants who are behind

9   significantly, explained to them how to apply for the

10 rent assistance, and we're giving them guidance and told

11 them we'll help them through the process. We had some

12 calls today.

13   So what's the cost increases, just to look after,

14 like, a zero-zero guideline. Yonkers City tax -- mine

15 went up by 2.6 percent. That was for last year. We

16 haven't gotten the new one for this year. The county tax

17 for Yonkers went up by 6.1 percent, and the insurance --

18 my insurance premium, which is significant, went up by

19 seventeen percent, which is a huge percentage, and is a

20 fundamental change that's going on in the insurance

21 industry, and --

22   MS. RUBIN: Mr. Nilson?

23   MR. NILSON: Yes?

24   MS. RUBIN: Whenever you can wrap up, because your

25 five minutes are up.

1   MR. NILSON: Okay. And we talked about -- the

2 bottom line is, the CPI for this year is 2.4 percent, and

3 the federal reserve forecasts that next year, the CPI

4 will go up by 2.1 percent. In order to maintain the

5 buildings properly, the Rent Guidelines Board needs to

6 pass a guideline that at least matches the CPI, because

7 they're not going to take effect -- these leases is not

8 going to take effect until after October, and for the

9 next possibly two years. That's when -- by that time,

10 the rent assistance to the tenants should be out there,

11 and basically, the finances should be stabilized.

12   So I think looking ahead, as we all are, is that

13 it's reasonable and it's not going -- that to pass that

14 kind of a guideline so that we can continue to provide

15 the apartments -- the buildings with the kind of work and

16 maintenance that's necessary to keep up buildings. I've

17 got some buildings that are over a hundred years old --

18   MS. RUBIN: Thank you, Mr. Nilson.

19   MR. NILSON: -- I need them constantly invested in.

20   MS. RUBIN: Thank you. Any questions for Mr.

21 Nilson?

22   MR. NILSON: Thank you. I'm sorry I went over.

23   MS. RUBIN: It's okay.

24   Yes? Yes, Mr. Finger?

25   MR. FINGER: Okay, thank you. I raised my hand but

1   I didn't know who you were calling on, so thank you.

2   Mr. Nilson, have you been able to get any increases

3   over your low rent tenants in the past couple of years,

4   and if not, why not, number one, and number two, have you

5   been able to improve your apartments where tenants have

6   been there for many years, and they're rather -- if you

7   have hundred year old buildings, rather older kitchens,

8   bathrooms, floors, lighting, et cetera?

9   MR. NILSON: Yeah, yeah, and that's one of the

10   disturbing things. I'm an engineer by training, and I

11   know what has to be done, what's needed to be done to be

12   able to maintain these kinds of buildings over a long

13   period of time is you need to replace fundamental

14   systems, and we haven't been able to do that. The only

15   thing I've done in the last couple years is an emergency

16   boiler that we had no choice, we had to replace it, and

17   I'm actually in basically almost -- I could end up in a

18   legal thing between me and -- us and the DHCR about their

19   formula for what they've approved.

20   Some tenants believe that, somehow, the DHCR kind of

21   passes along MCI increases like nothing. Well, life is

22   not that simple, but I don't want to get into that. The

23   idea is that we have not been able to make the kind of

24   improvements that we need. We're making compromises,

25   now. Usually in the past, we see what has to be done.

1 If it needs electrical work or bathrooms or kitchens,

2 I've got bathrooms that are a hundred years old with

3 hundred year old tubs. There's no way I can do it under

4 the existing HSTPA regulation, to make those kinds of

5 improvements, because you can't just replace the tub.

6 Once the tub's gone, you got to take everything, and you

7 just can't do that.

8   MS. RUBIN: Thank you.

9   Anybody else? Thank you very much, Mr. Nilson, for

10 your presentation.

11   MR. NILSON: Okay, thank you.

12   MS. RUBIN: Thank you.

13   So Peter, can we call Mr. Chris DeFeo?

14   MR. STECKER: So I was actually -- we can try to

15 call -- actually, it looks like he's dropped --

16   MS. RUBIN: Is he still there?

17   MR. STECKER: No, but Mr. Milio did contact me. He

18 was in the waiting room under a different name, so we've

19 clarified that --

20   MS. RUBIN: Okay.

21   MR. STECKER: -- so you can call him, now that --

22   MS. RUBIN: Yes, please.

23   MR. STECKER: Okay.

24   MR. CHERSON: A question, please, Elsa?

25   MS. RUBIN: Yes? Yes, Mr. Cherson?

1   MR. CHERSON: Okay, thank you. I think Mr. Nilson

2   stated that he submitted some documents to Peter.

3   MS. RUBIN: Yes.

4   MR. CHERSON: And Peter said you distributed it --

5   MS. RUBIN: Yes.

6   MR. CHERSON: -- by email?

7   MS. RUBIN: We've got it. We've got the email.

8   MR. CHERSON: Well, I just looked through all my

9   emails. I never got that. I never got it.

10   MS. RUBIN: Must be a confusion with your email

11   address.

12   MR. CHERSON: That has happened a little bit with

13   what do you call it, DHCR, but --

14   MS. RUBIN: Yes.

15   MR. CHERSON: -- but Peter has had my email for a

16   long time.

17   MS. HAMER:

18   UNIDENTIFIED SPEAKER: I received them.

19   MS. RUBIN: I did, too.

20   MR. CHERSON: Can you resend them, then, please?

21   UNIDENTIFIED SPEAKER: (Indiscernible)?

22   MR. STECKER: I'll send it to you right now, Eliot.

23   MR. CHERSON: Okay. All right, thank you.

24   MS. RUBIN: Okay. Thank you.

25   MR. STECKER: Just to clarify, the EJC (phonetic)

1 email, Eliot?

2   MR. CHERSON: Yeah, that's fine.

3   MR. STECKER: Okay. All right. I'll resend that to

4 you right now. Let me promote Mr. Milio first. Mr.

5 Milio is promoted now, so --

6   MR. FINGER: That Franco Milio?

7   MR. STECKER: I'm sorry, I'm sorry. Okay.

8   MR. FINGER: There we go.

9   MS. RUBIN: Welcome, Mr. Milio.

10   MR. FRANCO MILIO: Hi. Hello, everyone.

11   MS. RUBIN: Hi.

12   MS. STEWART: Hi.

13   MS. RUBIN: Are you representing yourself or an

14 organization?

15   MR. MILIO: Milio Management, LLC, which I guess is

16 an organization.

17   MS. RUBIN: Okay, so you have five minutes.

18   MR. MILIO: Okay. Good evening, members of the

19 board. My name is Franco Milio. My family has owned and

20 operated buildings in Westchester County since the 1980s.

21 I'm addressing the board tonight to urge you to do the

22 right thing when it comes time to decide on the rent

23 increase for the upcoming cycle. The increases that have

24 been approved for the past ten years is not only

25 unsustainable, but outright neglectful. A tenant to

1 renew their lease for one year terms over the past ten

2 years averaged an increase of approximately one and a

3 half percent. Someone at the two year cycle, ten plus

4 years, averaged at about 1.8 percent from my

5 calculations.

6   While I don't want to bore you with numbers, I do

7 want to let you know, this really is not only

8 unsustainable, but unfair. A tenant typically moves in

9 paying the market rent, or at least used to move in,

10 paying the market rent until the HSTPA was passed. Over

11 time, the increases approved by the board have not kept

12 up with the increases of -- in the course of adequately

13 operating and aging multifamily apartment buildings.

14 I've had many tenants who have raised their families in

15 two and three bedroom apartments, who because of the

16 historically low rent guidelines approved by this board,

17 are now paying rents which not only are below market, but

18 at this point are considered a handout. This is outright

19 abusive and unfair to the landlords.

20   These tenants' children have long moved out and now

21 are reluctant to leave their oversized apartment. Can

22 you blame them? While we have all been impacted by the

23 COVID pandemic, things had already taken a turn for the

24 worse a year earlier when New York State legislature

25 passed the Housing Stability Tenant Protection Act.

1 Before the legislature passed this law, landlords had

2 other means to help absorb the low rent guideline

3 increases. There were parameters set forth for when a

4 long term tenant would vacate and would also incentivize

5 us to invest in our aging apartments, which would help us

6 compete with all of the new apartment rental buildings

7 being built throughout Westchester. These incentives

8 were taken away. Why? Especially for our buildings,

9 which are older and are in constant need of repairs.

10 Our operating costs have continued to increase this

11 past year, whether it's our property taxes, increased

12 costs to COVID, cleaning, insurance, utilities,

13 appliances, building material, the plumber, the

14 electrician, furthermore everyone wants to get paid and

15 paid on time with today's dollars, not those from ten or

16 twenty years ago. While I can't speak for all of the

17 other landlords, we have had our fair share of tenants

18 owing several thousands of dollars skip out on us.

19 As recently as last week, a tenant finally vacated

20 after owing in excess of 20,000 dollars. In addition to

21 approving the fair increase, it would be appreciated if

22 the minimum increases and bonus could be considered. I

23 trust the board will approve an appropriate rent increase

24 given our plight. Thank you for your time.

25 MS. RUBIN: Thank you. You did perfectly with your

1 timing.

2   MR. MILIO: Great.

3   MS. RUBIN: Any questions for Mr. Milio? No

4 questions? Oh, yes, Ms. Stewart?

5   MS. STEWART: Mr. Milio, are you actively helping

6 your tenants to apply for the ERAP funds that are

7 available, the ones that are behind?

8   MR. MILIO: What we did back in May, we started

9 calling tenants and explaining to them that starting June

10 1st, it would come out, and we then also called them,

11 like, I think it was on the 1st, giving them links,

12 whatever links I had gotten. So yes, and we also

13 prepared memos to go out as well, just to post in the

14 public areas of the buildings.

15   MS. STEWART: Okay. I don't know that --

16   MR. MILIO: We're trying --

17   MS. STEWART: Hm?

18   MR. MILIO: We're trying. No, we are trying. It's

19 foolish of us not to, like, here in the office to assist

20 tenants. It's in our best interests.

21   MS. STEWART: I'm glad to hear that. Some of the

22 feedback that I'm receiving from many tenants that at

23 least that I've spoken to, they're interested and I think

24 in part because of the technology divide, there are

25 tenants who may need the help, but may not have the

1 ability to go online, so I don't know how many of your

2 tenants you actually have email addresses, et cetera, or

3 even once they get a physical piece of paper may have the

4 ability to go ahead and pursue that.

5   So to the extent possible, I would urge you to be

6 active in really trying to help tenants, because I know

7 for some people, they need the help, they're entitled to

8 the help, and there are not enough people like me who are

9 out there to be able to hold their hands and guide them

10 through the process, because there's just so many more

11 tenants in need of the assistance than there are tenant

12 advocates and representatives to help them, so we really

13 need the landlords to work with us to help the tenants so

14 that the landlords can get paid so that you get the money

15 that you're entitled to.

16   MR. MILIO: I understand and I agree. Thank you.

17   MS. RUBIN: Thank you, Ms. Stewart.

18   Mr. Finger?

19   MR. FINGER: Thank you. Mr. Milio, good evening.

20 Thank you for appearing and taking your time.

21   MR. MILIO: Good evening and thank you.

22   MR. FINGER: Have you had any tenants that have left

23 you leaving an arrears where you could not collect it?

24   MR. MILIO: Yes. As a matter of fact, last week, we

25 had someone who I was trying to help just -- he left.

1   They owed -- they actually owed before the pandemic, and

2   they were slated to get evicted, this particular tenant,

3   and they left owing about 27,000 dollars, and that's just

4   one of maybe -- we had eight or nine that have left in

5   the past year that owed in excess of 10,000 dollars, and

6   honestly, me personally, I'm relieved because at least I

7   could -- legally, I can't do anything. My hands are

8   tied. I can't evict, empty threats, meaning, like, I can

9   send a rent demand, I can send a dispossess, and when

10 they leave, I'm actually relieved, even though it's a

11 huge loss, but yes, to answer your question.

12   MR. FINGER: Thank you.

13   MS. RUBIN: Anybody else?

14   MS. ACQUAH: Yeah.

15   MS. RUBIN: Yes, Ms. Acquah?

16   MS. ACQUAH: Yes. I'm glad to add as far as

17 resources, there are agencies - well, it's an

18 overwhelming -- it's going to be an overwhelming process

19 for everyone, landlord, tenants, agencies, everyone

20 involved, so there are agencies that are in Westchester

21 County that also assist with the -- will assist with the

22 ERAP. You know, it's good to know about those agencies.

23 There are local agencies like the (indiscernible) Tenants

24 Association. They're local. There's Westchester

25 Residential Opportunities, so there's several agencies

1 that are actually partaking in the assistance -- the

2 rental assistance program.

3   So and they're there for the community, so anyone

4 can pretty much call and request help. That's --

5   MR. MILIO: Yes. I just want to add that Catholic

6 Charities -- no, the Bridge Fund reached out to us and

7 told us, look, send us tenants, and we are.

8   MS. ACQUAH: Yes.

9   MR. MILIO: They know who we are. They know that we

10 will work with them, that we are cooperative. Like I was

11 telling the other board member a minute ago, it's in my

12 best interest to cooperate, so yes, we are cooperating,

13 and thank you.

14   MS. ACQUAH: That's very good. It's everyone's

15 interests, actually.

16   MR. MILIO: It is.

17   MS. ACQUAH: It's a crisis. We're still in crisis

18 mode, so --

19   MR. MILIO: Yes.

20   MS. ACQUAH: -- great. Thank you.

21   MR. MILIO: Thank you.

22   MS. ACQUAH: You're welcome.

23   MS. RUBIN: Anybody else?

24   Well, thank you very much, Mr. Milio, for your

25 presentation.

1   MR. MILIO: Thank you, and thanks, everyone. Have a

2   good night.

3   MS. RUBIN: Have a good night.

4   MS. STEWART: Good night.

5   MS. RUBIN: Peter, as I said, we are giving priority

6   to Mr. DeFeo, and the Reverend (Indiscernible) Loftin-

7   Woods.

8   MR. STECKER: Yes --

9   MS. RUBIN: But if they're not available right now,

10   we will --

11   MR. STECKER: It looks like Mr. DeFeo left and now

12   he came back in, so hopefully, we have more success now.

13   I'm going to promote him now.

14   MS. RUBIN: Okay.

15   MR. FINGER: He's on mute.

16   MR. CHRIS DEFEO: Okay. Can you guys hear me?

17   MS. RUBIN: Yes, we hear you.

18   MR. DEFEO: Oh, all right. Good. I'm a little old

19   school, so forgive me.

20   MS. RUBIN: We can't see you, but we can hear you.

21   MR. DEFEO: Okay.

22   MS. RUBIN: Are you representing yourself or an

23   organization?

24   MR. DEFEO: I'll be representing an entity.

25   MS. RUBIN: An entity. Okay.

1   MR. DEFEO: Yes.

2   MS. RUBIN: So you have five minutes.

3   MR. DEFEO: All right. So I just wanted to I guess

4   bring up a couple of points. There was a young lady who

5   went on first and she was talking about MCIs and boilers

6   and stuff like that. I've been speaking on this panel --

7   to this panel for years, and I think from what we've

8   heard from the landlords, there seems to be this new rent

9   guidelines that was passed in the recent years that's

10 just been horrible to the landlords.

11   So all these roofs and boilers and elevators that

12 need to be upgraded, there is nothing that landlords get

13 as far as rent increases. They change the laws where you

14 can apply for an MCI increase, and I think it's up to a

15 fourteen year recoup rate, but then there's all kinds of

16 provisions that the -- the increase can't be more than

17 two percent of the tenants' rent. It's so complicated

18 that we've pretty much given up on it, and the other

19 problem that we had is with the DHCR itselves, the DHCR

20 itselves. I have applications for MCI applications.

21 Over eighteen months, I haven't heard a word from the

22 DHCR.

23   Everything seems to have gone pro tenant these days,

24 and we'll get onto the rest. I have to commend the other

25 landlords that spoke earlier. They're all -- spoke nice

1 and softly and everything, and I have to readjust myself

2 because I feel like the only one who's really suffering

3 during this pandemic. In our business, we have seventeen

4 tenants who have not paid us rent since this COVID has

5 started. Seven have not paid us a dime since October of

6 2019 because they were already in the eviction process,

7 and by the time we got to the courts, they shut

8 everything down and they're still not paying.

9 I had one tenant, just to give you an example of my

10 frustration. She had the audacity to come back when the

11 courts opened and we filed papers, to come to the office

12 and say, I don't need these. She gave it to the girl in

13 the office. Good thing I wasn't there, okay? She hasn't

14 paid rent since March of 2020. So the only help that I

15 get is that when I find the keys under the shop door or

16 the apartment doors are left open over the weekend, and

17 they find that they bought themselves a house or a co-op

18 some place, or they moved down south, they become ghosts

19 overnight, and I'm sure the other landlords can verify

20 this.

21 You can't find them. We have collection agencies.

22 I can't get a penny back once they vacate my apartments,

23 so maybe I'm doing something wrong, but like I said, I

24 totally had it with the system that's going on here.

25 Even without COVID, the New York State courts have

1   really, really given us a dangerous situation. It takes

2   a minimum of six months to get a tenant who's not paying

3   their rent out. The numbers are staggering. There's

4   been no direct aid for landlords. There are these

5   applications that are going out. I put together packages

6   to give to the supers to hand out to tenants. A lot of

7   tenants, they won't even answer their doors. They know

8   they got to speak.

9   The way that this should have been done, they should

10   have had -- the courts should have had landlord-tenant

11   cases. If you're COVID affected, you should be on line

12   A. If you're not COVID affected, you should be on line

13   B. The COVID affected tenants, they've been great, but

14   the non COVID affected tenants that are doing this,

15   they're out for a run to take as long as they can, and I

16   imagine by August 31st, I'm going to have even more

17   vacancies when they disappear in the middle of the night.

18   I met with a senator, Senator Cousins, about a year

19   ago, and she was honest with me, and she was blatant

20   enough to tell me that New York State has a housing

21   problem, and they ended up putting the burden on the

22   landlords. Well, here's my next point. Why is it always

23   the DHCR regulated landlords that are being burdened by

24   this? Why isn't BLT, the Avalon, KKR, and all these new

25   housing developers, why aren't they sharing the burden

1   that the DHCR landlords are? They're charging

2   astronomical rents, and they complain that they have to

3   attribute ten percent of their apartments to middle

4   income housing.

5   Seventy to eighty percent of our apartments are

6   below market value, and if you ask for a three percent

7   increase, people say that's crazy, but that only equates

8   to 24 dollars a month. That's less than a dollar a day.

9   When you have health insurance going up 11 to 14 percent

10 per year, taxes are astronomical. Just to give you an

11 example, in the city of Mount Vernon, I know there's a

12 couple landlords that have properties in Mount Vernon.

13 It's 340 dollars per unit just to cover taxes, so when

14 you have a tenant that's paying you 800 dollars a month

15 in rent and you're already down to -- what is that, 460,

16 you have to pay healthcare, liability insurance, property

17 insurance. You've got to pay union dues, you've got to

18 pay employee salaries, heat, hot water, electric, ground

19 maintenance, snow removal.

20   There's just not enough meat on the bone.

21   MS. RUBIN: Mr. DeFeo?

22   MR. DEFEO: Yes?

23   MS. RUBIN: Your time is up. I'm going to give you

24 the courtesy of finishing your thought.

25   MR. DEFEO: Okay. The other problem that we have is

1   the vacant apartments, and I'll make this as quick as I

2   can. We used to have a vacancy factor to increase the

3   rents up to market. They took that away now. There's

4   all kinds of papers that you have to take pictures

5   before, after, fill out the forms. Who has the time for

6   it? We need to do things that are easier for everybody,

7   tenants and landlords, and give the landlords some

8   relief, here. New York State is at a crisis. Businesses

9   are moving out of the state left and right, and there's

10 not enough working people to keep this going. I mean,

11 it's just -- there needs to be some major changes in the

12 way politics are run in the state.

13   MS. RUBIN: Thank you very much.

14   MR. DEFEO: (Indiscernible) much at stake.

15   MS. RUBIN: Thank you.

16   Any questions from the Board? Yes, Ms. Stewart?

17   MS. STEWART: Mr. DeFeo, you were talking about MCIs

18 and the challenges that you face in dealing with them. I

19 can tell you and the owner representatives on the Board

20 that MCIs are indeed getting approved. There were

21 recently three that were approved in my complex with

22 another three that are pending. The ones that has been

23 approved so far are two for elevators and one for roofs,

24 and then there's another two roofs and an elevator that

25 are pending.

1   So from the standpoint of what I can tell,

2   personally, that I have personal knowledge of, the DHCR

3   is moving things through. Granted, the paperwork does

4   not move through quickly, and while I understand your

5   discontent with the process, tenants are not content with

6   the process either because oftentimes, in order to

7   respond adequately to MCI applications, tenants need to

8   go out and pay counsel in order to respond, because we

9   don't have the legal acumen to be able to adequately deal

10 with owners' attorneys and the assertions that they make.

11   So that's money that tenants have to put out on top

12 of whatever we end up -- and it -- from the perspective

13 that I'm seeing it from, it looks like because of HSTPA,

14 that owners are -- DHCR's far more likely to go ahead and

15 grant MCIs even though some of them may not be warranted

16 based on the facts of the case, and then tenants are

17 stuck with going through the appeal process, et cetera,

18 in order to try to get justice.

19   So on the one hand, we end up having to defend if we

20 say that we're not getting the services we're supposed to

21 get and we have to prove that, and then when it comes to

22 MCIs, the owners are saying that they're entitled to

23 money, but they don't include copies of permits, the math

24 is wrong on them, and then we have to prove that what

25 they submitted is wrong, so it -- from what I'm seeing

1 and from what I'm experiencing, oftentimes, the proof

2 seems to fall on tenants an undue amount of the time to

3 prove both for and against.

4   MR. DEFEO: Well --

5   MS. STEWART: So while I understand your assertion

6 that you feel like it's not worthwhile, I can tell you

7 they're granting them because they granted some in my

8 complex, and there are owners that are going ahead and

9 doing individual apartment improvements, and they're

10 getting those increases as well.

11   MR. DEFEO: All right. And I'm just telling you, I

12 have four MCI applications that are almost over two years

13 old, and I'm not even getting any response from the DHCR,

14 but --

15   MS. STEWART: They're (indiscernible) --

16   MR. DEFEO: -- I don't know how long your MCI

17 package in your housing development was going back and

18 forth with the DHCR, but they'll send me a letter and

19 they'll ask me for a copy of a check, and then I'll send

20 it to them, and then four months later, they'll ask me

21 for a copy of a different check, and I'll write to them,

22 can you please surmise all your questions and provide

23 them in one letter so I can get all this done, and it's

24 just on deaf ears.

25   But this is my experience, and I manage quite a bit

1   of buildings. It's frustrating for both sides, it's

2   confusing for all sides, and something needs to change.

3   MS. RUBIN: Anybody else?

4   MS. STEWART: I would agree.

5   MS. RUBIN: Anybody else?

6   Well, thank you very much for your presentation.

7   MR. DEFEO: Thank you to everybody.

8   MR. FINGER: Thank you, Mr. DeFeo.

9   MR. DEFEO: Yeah.

10   MS. RUBIN: Peter, I still have the reverend

11 pending, if --

12   MR. STECKER: I still don't see her in here --

13   MS. RUBIN: Okay.

14   MR. STECKER: -- but the next person on the list,

15 Mr. Nukho, is --

16   MS. RUBIN: Yeah. You said George Nukho?

17   MR. STECKER: Yes.

18   MS. RUBIN: Is he available there?

19   MR. STECKER: Yes. I'm promoting him right now.

20   MS. RUBIN: Okay, good.

21   MR. FINGER: How do you spell his name?

22   MS. RUBIN: N-U-K-H-O.

23   MR. FINGER: And his first name?

24   MS. RUBIN: George.

25   MR. FINGER: George. Okay, that I can spell.

1   MS. RUBIN: Representing the landlords.

2   MR. STECKER: Mr. Nukho, can you hear us? You're

3 muted right now and your video's off.

4   MR. GEORGE NUKHO: How about now? Can you hear me?

5   MR. STECKER: Yes.

6   MR. NUKHO: Can you hear me?

7   MS. RUBIN: Yes, we can hear you.

8   MS. STEWART: Yes, yes.

9   MR. NUKHO: Okay, great.

10   MS. RUBIN: We can't see you.

11   MR. NUKHO: Oh. I was there a second ago and I did

12 something. I'm sorry. I don't know what I did, but if

13 you don't mind, if I could proceed and stop wasting time?

14   MS. RUBIN: Yes, yes. You may proceed.

15   MS. STEWART: That's fine.

16   MR. NUKHO: Okay.

17   MS. RUBIN: You just have to let me know if you're

18 representing yourself or an organization?

19   MR. NUKHO: I'm representing myself.

20   MS. RUBIN: So you have three minutes for your

21 presentation, Mr. Nukho.

22   MR. NUKHO: Okay. Well, first of all, I want to

23 thank everybody for giving me the time to speak, and the

24 good thing about me going a little bit later in the

25 process is that basically, all of the landlords that

1 spoke before me said everything that is accurate as far

2 as costs going up, and our challenges collecting rent.

3 What I can say is that we, as small landlords, we're

4 proud property owners. We value our tenants. We value

5 our properties. We're at the buildings virtually every

6 day. We're picking up paper, we're making sure

7 everything (audio interference) greet our tenants, and we

8 do that because we have a passion for what we do.

9   We respect what we do. We respect the tenants that

10 live in our buildings, and we want everybody to be happy,

11 because when they're happy, we're happy, but the point is

12 is that we're not big corporations, and although a lot of

13 the people that have spoken are somewhat larger, the laws

14 that apply to them also apply to people like myself, and

15 we're people that haven't had buildings for generations.

16 We're people that have purchased buildings in the recent

17 past with the intentions of having this as a nest egg for

18 our children, to pay for schooling, to raise a family.

19   I have five children. This building to me is very,

20 very important as far as it being able to cover itself

21 and trying to make some money, because it is a business.

22 With everything going on, I met with city council a

23 couple weeks ago, and I was talking to the mayor, and as

24 I was talking to the mayor about general questions, and I

25 asked him about our taxes and our water, he quickly tried

1 to make a joke and say, well, we still have the cheapest

2 water in the state, and it's going up again.

3   And I told him, I said, mayor, I said, I'm also a

4 mayor of a city, and my city is this apartment building

5 that I own and manage, and in my city, I also have

6 utilities, which are my lights. I also have

7 transportation, which are the stairs. I also have people

8 that work for me like they work for the city, but we

9 accept the fact that our taxes go up. We accept the fact

10 that utilities go up because you need it to be able to

11 maintain the city. We understand that. I don't like it,

12 but I understand it because I want the city to be

13 maintained.

14   But how does the formula that applies to the city

15 differ for the formula for us running our own business?

16 It does not. We need increases. I don't like the fact

17 that I have to not call people that were family people

18 that worked in my buildings. I don't like the fact that

19 I had to stop buying from hardware stores and local

20 locksmiths, and these people call me to say, George,

21 whatever I did, I'm sorry, come and see me, I'll make it

22 right, and I'm confused. And I'm, like, what are you

23 talking about, and they're, like, well, you don't buy

24 anymore, so I did something to upset you. No, you didn't

25 upset me. It's just the current times do not allow me to

1   spend the way I used to because when I'm faced with my

2   mortgage, when I'm faced with my utilities, and I'm faced

3   with all of these repairs, is my priority to renovate,

4   replace doors, to power wash the awning, to plant flowers

5   and put down mulch so that my tenants' children can enjoy

6   the purple flowers?

7   It doesn't matter anymore. All that matters is I

8   got to keep my head above water, and --

9   MS. RUBIN: Mr. Nukho?

10   MR. NUKHO: Yes?

11   MS. RUBIN: Your presentation is very compelling,

12   and I'm going to give you some time to wrap up because

13   your time is up.

14   MR. NUKHO: Well, thank you, and as far as the MCI

15   point, the one thing that I have to comment on is that

16   when we have to perform an MCI, we have to front that

17   money up in advance. So we have to come up with a huge

18   amount of money for our boilers, for our roof repair, and

19   wait many, many, many years to get it back. So there's

20   no -- it's not easy for us to come up with that kind of

21   money when the rents are low, when we don't have

22   increases, when we cannot get the increases we used to

23   because we're dealing with the new rent laws, and I have

24   to say one more thing.

25   We don't want the apartments -- we don't want the

1 vacancies. We're okay with who we have and what we're

2 getting, but we are -- we do need to pay for the repairs

3 because although COVID came, the buildings didn't care

4 about COVID. The boilers still ran, the roofs still got

5 wear and tear. There's still many things that took place

6 during COVID. As a matter of fact, it was even more

7 because the people stayed home, and we had more wear and

8 tear --

9   MS. RUBIN: Thank you, Mr. Nukho.

10   MR. NUKHO: So (audio interference) --

11   MS. RUBIN: Thank you.

12   MR. NUKHO: -- we do need to have a reasonable

13 increase.

14   MS. RUBIN: Thank you.

15   Anybody has some questions for Mr. Nukho? Yes. Ms.

16 Stewart?

17   MS. STEWART: Mr. Nukho, how many units are in your

18 building?

19   MR. NUKHO: I have three buildings and they're ten

20 units each.

21   MS. STEWART: Okay. So you have three buildings?

22   MR. NUKHO: Yes.

23   MS. STEWART: Not one building?

24   MR. NUKHO: No.

25   MS. STEWART: Okay. And approximately how many of

1 your tenants are behind in their rent?

2   MR. NUKHO: About sixty to seventy percent.

3   MS. STEWART: All right. Are you actively --

4   MR. NUKHO: And can I --

5   MS. STEWART: promoting the ERAP --

6   MR. NUKHO: -- can I --

7   MS. STEWART: -- program for those folks and helping

8 them with the paperwork?

9   MR. NUKHO: Yeah, I would like to expand on that.

10 We have some tenants that are lovely people, that call us

11 every month, call us every couple of weeks to explain

12 their situation. They make payments, and we get it. We

13 try to work with them, but again, we don't want the

14 apartments. I mean, on top of everything that's going

15 on, the last thing I want is a vacancy, and then I have

16 to come up with money to renovate the apartment because I

17 just don't find it to be fair to rent an apartment that

18 is not in decent condition to a family.

19   I respect where people live. I respect how I live.

20 I couldn't do that to anybody, but I also have people

21 that, like you were saying before, that just need help

22 because they're not computer savvy, they don't know how

23 to fill out paperwork, and we do everything we can as far

24 as an outreach. We send them letters, we send them

25 texts, we call them, but they just don't respond because

1 they think somehow or another, that some kind of magical

2 thing that's going to happen and this is going to get

3 resolved.

4   And then I had the tenants that are very, very

5 disheartening, because they're the tenants that say,

6 Cuomo said I don't have to pay the rent, the courts are

7 closed, there's nothing you can do about it, so do what

8 you got to do, and these people happen to be people that

9 haven't paid me rent since 2019. They owe me so much

10 money. They have a family that lives in the apartment.

11 They have cars. They have iPhones newer than mine, but

12 somehow or another, they just don't pay the rent. I

13 haven't gotten a penny since 2019, and I'm not making

14 that up.

15   MS. STEWART: All right.

16   MS. RUBIN: Any other questions for Mr. Nukho?

17   MR. NUKHO: I'm sorry?

18   MS. STEWART: I just wanted to -- so to be clear,

19 you are actively trying to help the people who are behind

20 so that you can get paid, correct?

21   MR. NUKHO: We are actively -- I'm sorry. My

22 connection's a little choppy, but we are actively working

23 with all of our tenants to try to get them paid -- to get

24 them help so they can get paid, absolutely, but some

25 people are receptive and other people just ignore us.

1   MS. STEWART: Well, I know that there are times when

2   there's a trust factor, and I would recommend if you

3   haven't done it or tried it so far, you may want to try

4   referring some of the people who may be more reluctant to

5   some of the agencies, like the one Ms. Acquah was

6   suggesting where they may have a better trust

7   relationship and let somebody else explain to those

8   tenants what's going on and how they can access the help

9   that's available.

10   MR. NUKHO: Well, that's fine and dandy if these

11 people are concerned to try to make things right versus

12 thinking that the state or the government is going to

13 bail them out just because they think that's what's going

14 to happen, and again, we don't want vacancies. We don't

15 want people to be evicted, but at the end of the day,

16 everybody has to be honorable and they have to do the

17 right thing, and if they're in the building, consuming

18 our utilities, and again, like other landlords, I have

19 apartments that are three bedrooms at 800 dollars a

20 month, and I can't increase them, but I can't even get

21 paid the 800 dollars that these people have owed me since

22 2019.

23   MS. STEWART: I'm not in favor of tenants who are

24 not living up to their obligations, but I know that just

25 based on talking to other people who advocate on behalf

1   of tenants, there's a lot of people who don't have good

2   information. There's been a lot of confusion over the

3   course of the pandemic, and so I would encourage you not

4   to just assume that people are not seeking the assistance

5   because they just don't want to or they don't care. My

6   experience is that there's a lot more people who are

7   really just confused and just not sure what's going on,

8   and are not sure that -- about what they need to do in

9   order to get the assistance.

10   So I would just encourage you to hopefully have a

11 little bit of patience and do what you can, but you may

12 want to really try to put out signage and notices, and

13 point those people to some of the other resources that

14 may be able to help them, because it may -- they may hear

15 it better and feel more comfortable working with someone

16 else to try to get things resolved, which will end up

17 helping you to get your money that you are owed.

18   MR. NUKHO: Ms. Stewart, I appreciate everything

19 that you said, and most of everything that you said is

20 what I want to believe. I want to believe that people

21 are good. I want to believe that a lot of tenants are

22 good, but at the same token, you also need to believe

23 that a lot of landlords are good. We're good people.

24 Other people that I know are standup people. They are

25 proud owners. They are the people that have a little

1   garden in the back of their building.

2   They are the people, like I said, they'll sit in

3   front of their building, and they'll pick up the paper

4   that people throw out while they're walking by, but

5   that's because we care about our building. So with the

6   laws that you pass apply to both big landlords and small

7   landlords, and the big landlords that have institutional

8   money or big landlords that maybe have a lot of

9   investors, they're not a majority of the property owners

10   like the mom and pops, or the husbands and the wives, or

11   the single moms that have these buildings because that's

12   something that we're hedging our bets on that as we get

13   older, as our health doesn't allow us to do what we could

14   have done back when we were in our 30s and 40s, these are

15   things that we rely on.

16   But the change doesn't come overnight. The change

17   is gradual, and we need --

18   MS. RUBIN: I believe Ms. Acquah has a question for

19   you.

20   MS. ACQUAH: Yes, right.

21   MS. RUBIN: Go ahead.

22   MS. ACQUAH: Right. So not so much a question, but

23   Mr. Nukho, we're all feeling your -- what your concerns.

24   We're all hearing it. I would like to reiterate what Ms.

25   Stewart has said, and that is there are systems in place

1 for people that hold people responsible for not carrying

2 out their responsibilities, and the responsibility of

3 renting -- a part of that, a big part of that is to pay

4 the rent. No one is opposed to that. I'm sure none of

5 my colleagues here are opposed to responsibility, people

6 being responsible, but it's very important, in order for

7 everyone, especially in this -- while we're all --

8 everyone is in crisis mode, and I can't say that enough,

9 that bottom line, you need to get paid. Bottom line, the

10 tenants need to be stabilized. They have families as

11 well and they do need stabilization.

12   MR. NUKHO: But ma'am, in all due respect, I mean,

13 like other landlords have said, the tenants do deserve a

14 good place to live.

15   MS. ACQUAH: Yes.

16   MR. NUKHO: The increases that have been allowed are

17 not proportional to the cost of living that -- and

18 expenses. Like, for example, look at lumber. A piece of

19 plywood now is up to 80 dollars a sheet. I mean, we have

20 to absorb that. It's not that the increases are tiered

21 where they're going to be higher during high lumber and

22 consumables, and they're going to drop down when things

23 come back to normal, which hopefully is going to happen

24 and it's not a COVID upcharge. I mean, we have to absorb

25 the losses, like back in the days when the price of oil

1 was almost five dollars a gallon. It took years to

2 recover from that, years, and we never got that through

3 the increases, so again, I'm just imploring -- asking

4 upon everybody, everybody needs a break, but our expenses

5 are massive.

6   We try to do the best we can so that we provide good

7 housing, we like our tenants, and we want them to live in

8 a good place, but it's not going to happen with zero-

9 zero. It's not going to happen, and we've gotten zero-

10 zero. We need something a lot more reasonable. I just

11 hope that I've made my message clear.

12   MS. ACQUAH: Well, you have --

13   MS. RUBIN: Thank you very much, Mr. Nukho.

14   MS. ACQUAH: -- yes.

15   MS. RUBIN: Thank you.

16   MR. NUKHO: I appreciate your time. Thank you very

17 much.

18   MS. ACQUAH: Thank you.

19   MS. RUBIN: Thank you.

20   Peter, I have the next Lucas, and I'm going to

21 apologize if I mispronounce any last names. Lucas

22 Presvilik (phonetic)?

23   MR. STECKER: Yeah, he actually sent me an email

24 saying he wasn't going to be able to make it tonight, so

25 I'm seeing if he can sign up for the next one.

1   MS. RUBIN: Okay. So next is Howie Ravinoff?

2   MR. STECKER: Mr. Ravikoff's here on the meeting --

3   MR. FINGER: Ravikoff.

4   MR. STECKER: -- I'm promoting him to a panelist

5   right now.

6   Mr. Ravikoff, can you hear us?

7   MR. HOWIE RAVIKOFF: I can hear you. Can you hear

8   me?

9   MR. STECKER: Yes.

10   MS. RUBIN: Yes, we can hear you. We can't see you.

11   MR. RAVIKOFF: Yeah, I don't understand why not.

12   MS. RUBIN: It's okay. We can continue just

13   listening to you, if you don't mind.

14   MR. RAVIKOFF: Well, it seems the prudent thing to

15   continue, so I will be happy to do that. Thank you for

16   the opportunity to speak this evening.

17   MS. RUBIN: Thank you. Are you representing

18   yourself or an organization?

19   MR. RAVIKOFF: I am the vice chair of the Apartment

20   Owners Advisory Council.

21   MS. RUBIN: So you have five minutes.

22   MR. RAVIKOFF: Thank you so much, and thank you to

23   everyone who sits on the board for your continued good

24   effort in making a difficult situation a little bit less

25   difficult and a little bit more tolerable. My name's

1 Howie Ravikoff. My family owns a twenty-nine unit

2 apartment building here in the village of Port Chester,

3 now over forty years. We run a decent building, folks.

4 We care about our tenants. We are not slumlords of New

5 York City that you read about in the papers, nor are we a

6 faceless investor group looking for the highest possible

7 return.

8   It's been quite a year; I know you'll all agree.

9 When I talk with some of the other owners at the advisory

10 council, owners of ETPA rent regulated housing here in

11 Westchester, I first thought I was doing pretty well. We

12 generate a weekly newsletter to our tenants. We try to

13 share reliable information. We post signs everywhere.

14 We called all of our tenants every week to check in on

15 them, see how they were doing. Some folks never left

16 their apartment. They loved hearing our call. We held

17 their hands when they were applying for unemployment

18 benefits. Frankly, a lot of folks didn't even know what

19 that was.

20   We taught them. We taught them how to recertify.

21 We guided them to COVID testing centers, and when

22 vaccines became available, we assisted making

23 appointments for them, either through the internet or by

24 calling in and figuring out scheduling that worked, and

25 we continued to do all those kinds of things. All things

1 considered, no kidding, like, our tenants made it through

2 the storm, and I feel pretty darn good about it.

3 Actually, I felt so good about it, I didn't really think

4 COVID was a big factor on this building. Then I took a

5 closer look, and if you would, please, allow me to point

6 out some of the things that didn't change this year.

7   Twenty-six out of our twenty-nine tenants are

8 current with their rent. I think that's great. I think

9 it's stellar. Those twenty-six have been current with

10 their rent consistently over the years, and that includes

11 this past year. We have five commercial tenants in this

12 building. I know you guys don't like to talk about

13 commercial tenants, but three of them are current with

14 their rent. I will circle back to commercial tenancies

15 later.

16   Those things are consistent, but if you'd allow me

17 to point out some of the things that are different, we

18 have three residential tenants that are behind in their

19 rent, and they are really behind. Three is a lot for me,

20 and if they were behind thirty days or maybe even forty-

21 five days, I mean, that would be bad, but it's nothing

22 like now. Now, I have one tenant that's 15 months behind

23 and another that's 6 months behind. The tenant who's 15

24 months behind we just got approved through the county for

25 assistance. I sent the paperwork off today, and frankly,

1 I'm not sure when that money will ever arrive. 15 months

2 has already passed.

3   The county's assistant will bring that tenancy up to

4 be current with their rent, and they'll pay rent -- about

5 50 percent rent moving forward. The second tenant, who's

6 six months behind tells me -- he communicates with me.

7 There's something to be said for that, no joke. He tells

8 me he has no work, but then he also says he refuses to

9 apply to the county for assistance because he makes too

10 much money.

11   So you tell me, what's going on there? When the

12 governor states tenants can't be evicted, there's always

13 a chance a tenant will decide not to pay rent, and

14 frankly, I'm thankful there's only one in my building who

15 may be taking advantage during this terrible situation.

16 Allow me to continue with some other ways this year's

17 different. We had two vacancies this year. Actually,

18 that's not so much a difference, but this time, we

19 couldn't rerent these units quickly. We couldn't

20 renovate them quickly, and then they sat on the market

21 because it was almost impossible to arrange showings.

22   Together, we lost about six months of rent revenue,

23 and that equates to about two percent of our rent roll.

24 Here's a specific one. The cost to repair my elevator

25 went up 64 percent this year. That's a huge percentage.

1 It went up for two reasons. The elevator got used

2 significantly more than normal as folks were home more,

3 and second, the fear of the virus prevented people from

4 sharing the elevator car as they rode up and down.

5   It's perfectly reasonable, I understand, but that

6 extra heavy use for an older elevator equals more

7 repairs, more costs. It's plain and simple. Our costs

8 to heat the building went up five percent this year. I

9 know it doesn't sound like a lot, but I think we'll all

10 agree, every little bit counts. Our water bill went up

11 27.5 percent. That's a huge number, and yet, that line

12 item isn't the worst. Insurance is the worst of all.

13 Our insurance expenses went through the roof, year over

14 year.

15   The cost to insure the same building went up 13.5

16 percent, and then 69 percent. If you don't know anything

17 about the insurance industry, I've gotten a little

18 education along the way. They're getting hammered. The

19 insurance carriers are restricted further and further,

20 many are exiting the market, leaving us fewer choices and

21 little competition. Older multi-habitational properties

22 like our 100-year-old 29 building, we're paying the price

23 and we're paying it big time.

24   Finally, back to the five commercial tenants I

25 mentioned earlier. If you think of my building as a pair

1   of pants with two pockets, one pocket's a commercial

2   tenant and the second pocket is the residential tenant.

3   When the residential aspect of the building doesn't carry

4   its own weight, I take money from one pocket and I put it

5   in the other. That can't happen when the commercial side

6   doesn't carry its own weight. I regularly move money

7   from one pocket to the other, year over year. The

8   guidelines have always been so small that it's the only

9   way to make this building work. I've had one commercial

10 vacancy for nine months and a second commercial tenant is

11 now only paying half of what she owes. The result is

12 lost revenue of about 25 percent on the commercial side

13 of this building.

14   Let me sum it up. Revenue is off like never before.

15 Key costs are through the roof. The building is getting

16 used more and it's not getting any younger nor cheaper to

17 repair. The 2019 rent laws have tied our hands. We only

18 have this board to look to for help, so please, we need

19 your help. Without a decent increase, there's no money

20 for improvements, there's less money for repairs and

21 maintenance, and ultimately, it's the tenants who will

22 suffer. We want to protect our housing for the tenants,

23 and the best way to do that is to ensure there's adequate

24 money to do so.

25   MS. RUBIN: Thank you, Mr. Ravikoff.

1   MR. RAVIKOFF: I'm happy to wrap it up if you'd be

2   kind enough to give me one moment.

3   MS. RUBIN: I think you had the limit and a little

4   bit more, so I'm going to ask -- you can expand with the

5   questions if somebody asks you a question.

6   MR. RAVIKOFF: Thank you so much.

7   MS. RUBIN: Anybody has a question for Mr. Ravikoff?

8   Yes, Mr. Finger?

9   MR. FINGER: Mr. Ravikoff, what else did you have to

10 tell us that you were not able to put forth?

11   MS. RUBIN: Very good.

12   MR. RAVIKOFF: Thank you very much. Last year, a

13 zero percent guideline was set. It's understandable.

14 Everyone was afraid. It was okay for one year. A two

15 year guideline of zero percent is absolutely killing us.

16 Usually, the renewals that we have in this building,

17 about 75 percent of them will take a one year renewal.

18 This past year, of all the renewals, 100 percent of them

19 were for two years. Why not? It was zero percent.

20   It's an exponential problem which makes it

21 significantly more difficult for us to maintain the

22 standard of housing we've been maintaining year over

23 year.

24   MR. FINGER: Thank you.

25   MS. RUBIN: Thank you.

1   Anybody else has a question for Mr. Ravikoff?

2   MS. BARNES: I have a question.

3   MS. RUBIN: Yes?

4   MS. BARNES: What do you consider a decent increase?

5   MR. RAVIKOFF: That's an excellent question. I wish

6   that I had the surveys that we could look at to review

7   all the costs across the landlords in Westchester County.

8   With that information in hand, I'd be much better

9   prepared to answer your question, and I think those

10 numbers are coming soon, but I'm not quite sure when.

11   MS. RUBIN: Thank you. Mr. Ravikoff, I apologize

12 for the time constraint, but we still have many people

13 coming, and thank you for your presentation.

14   MR. RAVIKOFF: Thank you so much for your efforts,

15 everyone.

16   MS. RUBIN: Bye.

17   Peter?

18   MR. STECKER: Okay. Moe Rieder is on. I can

19 promote him to a panelist now.

20   MS. RUBIN: Yes, please.

21   MR. FINGER: Who is this?

22   MS. RUBIN: Moe Rieder.

23   MR. FINGER: Moe --

24   MS. RUBIN: Rieder. R-I-E-D-E-R.

25   MR. FINGER: Oh, okay. Thank you.

1   MS. RUBIN: Hello, Mr. Rieder. We can't hear you.

2   MR. FINGER: He's on mute.

3   MS. RUBIN: Mute?

4   MR. MOE RIEDER: How about now?

5   MR. FINGER: There you go.

6   MS. RUBIN: Yes, perfect.

7   MR. RIEDER: Sorry about that. Good evening,

8   everybody --

9   MS. RUBIN: Are you representing yourself or an

10   organization?

11   MR. RIEDER: An organization.

12   MS. RUBIN: Thank you. You have five minutes and I

13   will please ask you to stick to the five minutes, because

14   we're --

15   MR. RIEDER: Sure.

16   MS. RUBIN: -- pressed for time.

17   MR. RIEDER: Sure. I know that it's late and I will

18   try to be less than five minutes.

19   MS. RUBIN: Thank you.

20   MR. RIEDER: Good evening --

21   MR. FINGER: Did we lose him?

22   MS. RUBIN: We lost him.

23   MS. SANTIAGO: We lose him?

24   MS. RUBIN: He's here.

25   MR. STECKER: Yeah, he dropped off for a second.

1   MR. RIEDER: It keeps knocking me off and then just

2 automatically joins. I joined back. Okay. Thank you

3 and good evening, everybody. Thanks for hearing me. We

4 all have had a very difficult and long year. Thank God

5 in our building, we have been able to keep the level of

6 services. We work with all our tenants, whether they are

7 behind or current, and we take great pride in our

8 property.

9   We have not decreased any hours from any employees

10 over this last year. This was not -- something that's

11 not sustainable without income growth while during the

12 expense growth that we have done so. We obviously have

13 heard many people discussing about the issue with rental

14 arrears, which is a great issue. I know that the

15 government has put out some ability -- the ability for us

16 to try to recoup that. We are working with our tenants

17 constantly to try to do that. However, as of yet, we

18 have not received anything.

19   This is a big strain on us as we continue as a small

20 organization and as a small property, to try to keep our

21 employees on site, keep our services on site, and keep

22 the maintenance and the level of service that we feel the

23 tenants deserve and need. We are not able to update or

24 enhance the property like we would like to do. Year over

25 year, we have continuously focused on enhancing the

1 property and putting capital into the property to make

2 sure the systems, the boiler systems, the roofs, the

3 sidewalks, the stairwells, the elevators, whatever may be

4 in the property, the sewage lines, that everything is top

5 notch and working well so that our tenants and the

6 building is running smoothly.

7   These are old properties built in the late '60s, and

8 they need a lot of focus on their upkeep. Our incomes

9 from year over year has dropped 18 percent. Our

10 insurance has grown, as you heard, 20 percent. Our taxes

11 have gone on average seven percent. Our utilities and

12 simple things like trash and sewages have all been used

13 and had much more use this year because of everybody

14 being home, people working from home, children not being

15 able to be in school, and their buildings need to be

16 repaired, and fixed, and kept at a high standard.

17   I think it's crucial that we understand that this --

18 the rental increases and the growth of income that the

19 properties require in order to put the money into the

20 property so it can -- the property can be a home to many

21 residents, to many families, to many individuals. We are

22 unable to create that level of hospitality, of homeliness

23 for anybody without an increase. This is not something

24 that's just for owners. An increase is both for the

25 owners and for the tenants.

1   I thank you very much, and I hope and wish and pray

2   that you will be able to give us a rental increase that

3   will allow us to continue the level of service and the

4   focus that we have for this property and for our tenants

5   that live there.

6   MS. RUBIN: Thank you very much.

7   Any questions from the board? Yes, Ms. Santiago?

8   MS. STEWART: Unmute yourself, Evelyn.

9   MS. RUBIN: Mute.

10   MS. SANTIAGO: Mr. Rieder, you mentioned that you

11 wished that we give an increase that is fair and enables

12 you to keep up the residence for your tenants. What do

13 you consider would be a fair increase?

14   MR. RIEDER: I think that four percent would be a

15 number that would allow us to put money into the

16 property, to make it the level and the standard of living

17 that our tenants will feel comfortable with, and we would

18 be able to do so happily.

19   MS. SANTIAGO: Thank you.

20   MS. RUBIN: Anybody else? Yes, Ms. Stewart?

21   MS. STEWART: Mr. Rieder, how many units are in your

22 building?

23   MR. RIEDER: 82.

24   MS. STEWART: And you consider yourself to be a

25 small landlord with 82 units?

1   MR. RIEDER: Yes, ma'am.

2   MS. STEWART: Okay. Roughly what percentage --

3   MR. RIEDER: I spend --

4   MS. STEWART: -- of your tenants are behind on their

5   rent, sir?

6   MR. RIEDER: Probably 12 percent of the tenants.

7   MS. STEWART: All right.

8   MR. RIEDER: I spend three times a week at the

9   property, like you've heard. That's a small owner,

10   somebody that takes care of the property, someone that

11   cares about the property, someone that's there daily,

12   making sure that the tenants are getting taken care of

13   and focusing on the fact that this property (audio

14   interference), this is a property that I care about, this

15   is a property that they care about, and this is a

16   property that we, together, can make a wonderful place

17   for people to live, but without us having the ability to

18   make enhancements to the property, to create -- to give

19   the service that I know that they deserve, we can't do

20   so.

21   MS. STEWART: Are you actively promoting the ERAP

22   program to your tenants?

23   MR. RIEDER: Yes. We've made calls, we sent

24   emails -- we made calls, we invite people to the office,

25   show them how to do everything --

1   MS. STEWART: Right, thank you.

2   MR. RIEDER: -- and anything that we can.

3   MS. RUBIN: Thank you.

4   Anybody else? Thank you, Mr. Rieder.

5   MR. RIEDER: Thank you and have a great evening.

6   MS. RUBIN: You too.

7   MS. BARNES: You too.

8   MS. RUBIN: Bye.

9   UNIDENTIFIED SPEAKER: Thank you.

10   MS. RUBIN: Peter, I have a Harry Singh?

11   MR. STECKER: He's not in here.

12   MS. RUBIN: He's not in. And Ron Tesla (phonetic)?

13   MR. STECKER: Also not in here.

14   MS. RUBIN: Carol Danziger?

15   MR. STECKER: Yes, she is here. I'll promote her

16 now.

17   MS. CAROL DANZIGER: Good evening.

18   MS. RUBIN: Good evening, Ms. Danziger. How are

19 you?

20   MS. DANZIGER: I'm good. How are you?

21   MS. RUBIN: I'm fine, thank you.

22   MS. STEWART: Hi, Carol.

23   MS. DANZIGER: Hi. How are you?

24   MS. DANZIGER: (Indiscernible).

25   MS. RUBIN: Are you representing yourself or an

1 organization?

2   MS. DANZIGER: You know, it's both. I'm on the

3 board of the Apartment Owners Advisory, but also myself,

4 so I don't think I'm going to take more than four

5 minutes. We'll split the difference.

6   MS. RUBIN: Great. We got a deal.

7   MS. DANZIGER: Okay. Now, I've just got to open

8 up -- here we go. Hi, I'm Carol Danziger. I'm a small

9 apartment building owner in (indiscernible). Every year,

10 I speak at these hearings, and unfortunately, every year,

11 I feel as though the words go unheard. In the past, I

12 had spoken about my concerns of not being able to keep

13 pace with increasing costs and what that would mean for

14 my family as business owners and our tenants who we

15 provide housing for. Tonight I want to share the reality

16 of what's happening to many small apartment owners as a

17 result of not being able to charge rental increases at a

18 pace that's competitive with the market and inflation.

19   Last year, a tenant of over 60 years went into a

20 nursing home. His rent was extremely low. It was only

21 603 dollars per month. When he moved out, the apartment

22 was in need of almost a complete gut. With a lot of the

23 older tenants, they tend to not want you to do too much

24 while they're in there, so you do the bare minimums, so

25 when they go, it's not good.

1   Conservative estimates on doing the repair were

2   around 50,000 dollars. So for the first time, we made

3   the very difficult decision not to proceed and not rerent

4   the apartment. Since our building generated just over

5   30,000 in revenue last year, it was simply not enough to

6   cover the costs, and similar to most small buildings with

7   poor cash flow, due to the low rents, we don't have the

8   resources to fund any capital reserve for major repairs.

9   With the current cap on the IAIs, which only

10 allow -- I believe it's a maximum of 150 dollars per

11 month increase in rent when you have a vacancy and a

12 repair, regardless of the repair costs, it would take

13 over 27 years for us to recoup the renovation costs based

14 on that increase, and since we're no longer allowed a

15 vacancy increase, on the legal rent of 603 dollars a

16 month, it would take over five years to recoup the

17 renovation costs while renting the apartment for 753

18 dollars a month.

19   It is more cost effective for owners, especially in

20 small buildings, to not do the repairs, to wait and hope

21 that something in the legislation changes over the next

22 few years, than to keep those apartments in circulation.

23 Our ability to provide safe and comfortable living space

24 is entirely dependent on rental income. The current

25 stabilization laws, coupled with the lack of yearly

1 increases provided by this board are not allowing us to

2 do that. We foresee more apartments being left empty in

3 the coming years without the opportunity to earn the

4 income needed for the repairs on those units.

5   This board may believe that they're doing what's

6 best by not increasing rents, but the small relief they

7 provide to a fraction of tenants across the county, which

8 are never asked to demonstrate any economic need, causes

9 major financial stress to owners, which negatively

10 impacts those owners, their tenants, and their potential

11 tenants. We also understand the difficult time

12 everyone's been facing since the pandemic began, and how

13 relief in rental costs for tenants is a priority in the

14 current climate, but even before the pandemic began, and

15 relief and rental costs for -- sorry.

16   However, continuing to deny any annual increases is

17 not the solution. While the pandemic persists, there

18 have been various resources, including rental assistance

19 provided by state and federal governments to families

20 negatively affected, and that need -- that -- for those

21 that need it and qualify for it. Owners, however, have

22 never seen release from rising expense costs. Even

23 before the pandemic, our expenses continued to increase

24 each and every year. For example, our county and village

25 taxes have increased 18 and 13 percent respectively just

1 since last year, and we also expect the school taxes to

2 follow suit. We just cannot keep pace with increases in

3 costs that normally accrue year after year without a

4 corresponding increase in rental income to cover them.

5 We now more than ever need you to do your part and do

6 what's right by providing a reasonable increase. Thank

7 you.

8 MS. RUBIN: Thank you.

9 Any questions for Ms. Danziger? Yes, Ms. Stewart?

10 MS. STEWART: Now, remind us. How many units are in

11 your building?

12 MS. DANZIGER: We have 18 units and they're 100

13 percent stabilized.

14 MS. STEWART: Okay. And --

15 MS. DANZIGER: We got no --

16 MS. STEWART: -- and do you have tenants who are

17 behind on their rent?

18 MS. DANZIGER: No, we don't. I mean, we know all

19 our tenants. We keep in contact with them. They've

20 applied when they weren't working. They were on

21 unemployment, so I mean for us, I mean, they're all

22 paying. This is not a matter of it being the pandemic or

23 an issue with that. It's an issue that year over year

24 over year, nothing changes, and now, because we don't

25 have vacancy allowances so we can't raise up the ones

1 that are horribly low to even something reasonable, we

2 got nowhere to go.

3   So basically, we're just losing ground every year

4 and for years, we've been sort of coming to a header, and

5 I think we've hit it. So I'm just not even sure where

6 we're going to go. I mean, every time a repair comes up

7 and we're not doing anything that isn't just absolutely

8 necessary, we've got a building that was built in 1930.

9 I mean, the plumbing scares me -- scares the heck out of

10 me on a regular basis, and we've had some issues with it

11 over the past year.

12   So it's like anything that would have been put into

13 apartments when they come open, we have to try to hold on

14 to what we can for the ones that we are able to renovate

15 and rerent at this point, so I'm not quite sure where

16 we're going to go. I mean, if the increases were at

17 least consistent, you could try to plan for something,

18 but when we get hit with a zero, and most of our tenants

19 renewed this year for two years. So we're looking at two

20 years of knowing -- no increases with our expenses

21 increasing, so I don't know if anyone can give me advice

22 other than selling, which is not something we want to do.

23   MS. STEWART: And you --

24   MS. DANZIGER: I'd be more than happy to hear it.

25   MS. STEWART: And you really think it's better under

1 the circumstances to have no income coming from the

2 apartment that was vacated?

3   MS. DANZIGER: You got 50 grand I could borrow to

4 renovate it, because I don't have the money to do it, and

5 if I borrow it, how am I going to repay it? I'm not

6 getting any more than I had before. If it was just -- I

7 can't make us cash flow when I was getting the 600

8 dollars a month. How am I supposed to renovate and still

9 cash flow if I'm not making more than the 600 dollars a

10 month? I don't know how to do that.

11   MS. STEWART: So to be clear, it is uninhabitable?

12   MS. DANZIGER: No, it --

13   MS. STEWART: But there was somebody living there,

14 so it seems like it must have been at least somewhat

15 habitable because somebody had been living there.

16   MS. DANZIGER: It was, but remember, he was

17 extremely elderly. He barely used the kitchen. He

18 barely used -- he used the toilet, he used the sink. He

19 hardly used any resources in the apartment. I mean, it

20 needs a renovation. I wouldn't live there at the moment

21 without doing renovation to it, and then if I rent for

22 600 dollars a month and don't do anything to it, then I

23 never -- I mean, what am I supposed to do at 600 dollars

24 a month permanently? I can't do that.

25   It's just -- for the repairs and everything, it's

1 just not worth it. It's just not. I'm sorry, but it

2 just isn't.

3   MS. STEWART: Well, thank you for your honesty.

4   MS. DANZIGER: Thank you.

5   MS. STEWART: You know I appreciate your situation

6 and I do understand that there are landlords that

7 legitimately have issues, and that I really do recognize

8 that. I don't know that that's necessarily the majority

9 of them, but given your testimony over the years, your

10 case certainly seems like one of those.

11   MS. DANZIGER: I think you guys have got to do

12 something to break off the small owners. You do. I

13 mean --

14   MS. STEWART: Our board doesn't have the authority.

15 It's got to come from the legislative branch, Carol.

16   MS. DANZIGER: I know, but you have the -- you do

17 have the authority to give increases that are at least

18 consistent. At least give us something.

19   MS. STEWART: I wish -- here, I'll make you a deal.

20 If you come and talk to my employer because I haven't

21 seen a raise at my job for the last two years because

22 things were tough there, I will come and I will advocate

23 for you with the legislature so that you could maybe get

24 them to do something to break off the small landlords.

25 How's about it?

1   MS. DANZIGER: If Your Honor will talk to me during

2   the day, because I also work a full-time job that has

3   nothing to do with this building, so I --

4   MS. RUBIN: I think --

5   MS. DANZIGER: -- (indiscernible) have the time to

6   come and talk to your employer --

7   MS. RUBIN: I think Ms. Santiago has a question or a

8   comment.

9   MS. STEWART: Sorry about that, Evelyn. Go ahead.

10   MS. SANTIAGO: That's okay. No worries.

11   MS. RUBIN: Ms. Santiago?

12   MS. SANTIAGO: Ms. Danziger, I really appreciate

13   your --

14   MS. DANZIGER: Carol is fine.

15   MS. SANTIAGO: Carol, I appreciate your testimony

16   today and I wanted to ask you, I mean, a number of us

17   already asked of people who have testified already. What

18   would you consider a fair increase?

19   MS. DANZIGER: I mean, I would be -- I would be

20   ecstatic with three and four percent, quite honestly, and

21   I think if it was consistent, year over year, I would

22   even live with two and three, but it's just -- it's going

23   from one and two to zero and zero, and .5, and one and a

24   half. It's just not enough to do anything with it, and

25   just like I said, please talk to the legislators. At

1 least give us a vacancy allowance. We're not trying to

2 damage someone who's already here, but at least let us I

3 mean raise it to something reasonable.

4 Even public housing gets probably six or six times

5 more than I get for a unit on some of these units. I

6 mean, something, just anything at this point.

7 MS. SANTIAGO: Thank you.

8 MS. DANZIGER: Thank you. I hope to be here next

9 year, too. I really do.

10 MS. RUBIN: Thank you, Carol.

11 MS. DANZIGER: Thanks. Good night, everybody.

12 MS. RUBIN: Good night, everybody.

13 MS. STEWART: Good night.

14 MS. BARNES: Thank you. Good night.

15 MS. RUBIN: Peter, the next person I have is Ed

16 Reyman? Is he --

17 MR. STECKER: Yes, I'm promoting him right now.

18 MS. RUBIN: Okay. Thank you.

19 MR. ED REYMAN: Can you guys hear me?

20 MS. RUBIN: Yes, we can hear you --

21 MS. ACQUAH: Yes.

22 MS. RUBIN: -- and we can hear you, we can see you

23 sideways.

24 MR. REYMAN: Let me do it this way. Is this better?

25 MS. RUBIN: Great. Okay, welcome. Are you

1 representing yourself or an organization?

2 　　　MR. REYMAN: So I represent -- I work for York

3 International, which is an insurance brokerage firm, and

4 we focus on habitational clients in the New York and the

5 tristate area, so I thought it would be good if you hear

6 from the insurance side of it, and I know I've heard a

7 lot of owners talk about how they're getting hurt with

8 the rising insurance costs, and I could -- I could vouch

9 and verify that this is --

10 　　　MS. RUBIN: Okay. Let me give you five minutes

11 starting now.

12 　　　MR. REYMAN: Okay. So again, I work for -- I'm a

13 senior vice president for York International. We've been

14 around for about 37, 38 years, and our main focus is

15 habitational real estate in the area, and the insurance

16 costs over the last four years, I would say three and a

17 half to four years, have been on the rise, double digits.

18 And over the last two years, it's in the -- I've seen

19 increases of 80 percent. I've seen increases of over 100

20 percent for a property casualty insurance for these

21 landlords and these owners, and I can attest that there

22 are -- the legal environment for these landlords and for

23 the insurance carriers has never been worse.

24 　　　In certain areas in Yonkers or Port Chester or the

25 Bronx, and certain areas of Northern Manhattan, the

1   insurance carriers won't even go to court, and they'll

2   just settle claims, and I've seen 3-, 400,000 dollar

3   twisted ankle claims, broken wrist claims from people

4   that are just walking down the stairs and just slipping

5   and falling. No fault of the landlord, and these claims

6   are being paid to the injured, and the environment for

7   insurance has never been worse, and it's also never been

8   worse for the umbrella or the excess insurance market,

9   where landlords over the last two or three years, have --

10   the increase in premiums have literally been 3- to 500

11   percent for some of these landlords.

12   And these landlords have to comply with bank

13   requirements, and they don't really have a lot of leeway.

14   If they're borrowing money from a bank and the bank wants

15   to them to carry a 10 million dollar umbrella or a 25

16   million dollar umbrella, they have no choice, and

17   carriers are leaving the market, and they're getting much

18   more finnickier with what they want to underwrite, and

19   with -- and they also make these landlords comply with

20   their recommendations. And as the landlords have stated,

21   they're not getting any rental increase, and this is the

22   cost of repairing everything is going up exponentially,

23   and it's to no fault of their own.

24   I have clients that don't have any claims or very

25   low claims, and their costs are still going up also. It

1 has nothing to do with losses. This is an across the

2 board substantial rate increase that has yet to show

3 signs of slowing down, and I could speak from experience

4 in talking to many, many clients who represent building

5 owners that have 10 units, and we represent owners that

6 have 3,000 units, and everyone is getting hit with

7 substantial increases.

8   So I just wanted to -- I feel everyone's pain, and

9 it's substantial, and the landlords and the banks are

10 trying to comply, and it's becoming more and more

11 difficult, so I can only imagine if you have to contend

12 with 50, 60, 100 percent increases in your insurance over

13 the last few years, couple that with your oil, and your

14 utilities, and any repairs of materials and what have

15 you. So it's a pretty bad environment. It's almost like

16 a perfect storm for these people. So I just wanted to

17 share that, and hopefully it's being heard.

18   MS. RUBIN: Thank you. Perfect timing.

19   Anybody has a question from the board? Yes, Ms.

20 Santiago?

21   MS. SANTIAGO: I'm just curious as to what the

22 reason is for the substantial increase in these insurance

23 rates. Is it because of fraudulent claims, or what is

24 the reason? Is there a reason?

25   MR. REYMAN: No, there is a reason. It's not

1 because of fraudulent claims at all. It's because the

2 legal environment for the landlords and the insurance

3 carriers has never been more adversarial. The landlords

4 get brought into all these lawsuits that they have

5 nothing to do with. If somebody gets injured on their --

6 near their property or on their property, and they could

7 bring -- the lawyers could bring the lawsuits to the

8 landlord. If somebody gets hurt or killed on the

9 property or near the property, even if they don't live in

10 the building, they will get brought into the lawsuit.

11 It's just an awful legal environment for them, and

12 it's -- the insurance carriers have been paying out

13 substantial claims, and they just are leaving the market,

14 and there's very few carriers left to cover these

15 buildings.

16   And a lot of them need lead coverage, and the lead

17 market has been incredibly difficult. There's only a few

18 carriers that offer lead coverage, and the ones that

19 write it just on standalone are absurdly expensive, and

20 it's just a perfect storm of low interest rates where the

21 insurance carriers can't make any money on their intake

22 or premium, so they have to make all their money on their

23 underwriting, and because of the changing weather and the

24 awful legal environment, they're having a difficult time

25 in making money.

1   MS. SANTIAGO: Thank you.

2   MS. RUBIN: Any other questions for Mr. Reyman? No?

3   Thank you very much, Mr. Reyman.

4   MR. REYMAN: Thank you. Have a good evening.

5   MS. RUBIN: Good evening to you.

6   Peter, I have -- again, I'm going to apologize for

7   mispronouncing any last names. Joe Kazarnovsky?

8   MR. STECKER: Yes, he's here. I'm promoting him

9   right now.

10   MS. RUBIN: Hello, Mr. Kazarnovsky.

11   MR. JOE KAZARNOVSKY: Hello.

12   MS. RUBIN: Did I mispronounce your last name?

13   MR. KAZARNOVSKY: No, you did an excellent job. I

14   think --

15   MS. RUBIN: Thank you.

16   MR. KAZARNOVSKY: -- you did a better job than I

17   could with my name. Thank you.

18   MS. RUBIN: Are you representing yourself or an

19   organization?

20   MR. KAZARNOVSKY: I'm representing a property in

21   Scarsdale, called Scarsdale Fairway.

22   MS. RUBIN: Great. So we'll give you five minutes.

23   MR. KAZARNOVSKY: Okay. Hopefully I won't need all

24   five minutes.

25   I don't want to sound redundant and I'm not going to

1 repeat of some excellent points that were made until now,

2 but I'm just making a general observation about the --

3 how we go about this regulatory scheme, and it seems to

4 me that we're using an axe when a scalpel is necessary.

5 One of the key things is that when we make these

6 increases, we're trying to protect -- there's a class of

7 tenants that we're trying to protect, and we do agree,

8 there are many tenants that should be protected.

9   But I'll give an example. COVID is not the -- is an

10 issue -- is the current issue, but a year from now,

11 hopefully, people will barely remember COVID, but COVID

12 is a good example of how this issue comes into play. I

13 think the tenants' representatives, you know, bring up

14 the ERAP program. The ERAP program is designed so those

15 people are at 80 percent of AMI. There are many, many,

16 many tenants who are not paying their rent, who are

17 making far more than 80 percent AMI, who do not qualify

18 for the programs, simply because they're taking advantage

19 of this scheme.

20   Now, yes, I know we have to have a relationship of

21 trust and so on, but it's a two-way street. When you

22 have zero percent increases and you have increases that

23 go substantially below the CPI, then who's really being

24 protected? There are many, many tenants who have

25 substantial increases in their pay, who make more than

1 five percent, maybe increases from year to year, who do

2 not need protection from any agency, and there are

3 tenants that do.

4   It seems to me that if we would have a relationship

5 where a tenant -- and we know we have tenants who can't

6 pay. We work with them, every tenant that can't pay, we

7 sit down with them, and we work out all kinds of

8 different arrangements, enable them to pay, understanding

9 when they get back on their feet, when they're going to

10 get their jobs back, when they're going to get money from

11 the government so they'll be able to repay at that time,

12 and we work with every tenant that way.

13   But there are people who just know they can take

14 advantage, but that's just in the COVID period. I'm

15 talking about year after year after year, people who are

16 making substantial money, substantially well over AMI,

17 who could easily afford paying three or four percent a

18 year increases because they themselves are getting

19 increases in their rent -- in their salaries and their

20 income. They could readily afford to make those

21 payments, and that will enable all the landlords to be

22 able to pay increased expenses and to be able to make

23 timely repairs, and to do everything that they can to

24 maintain the buildings.

25   So here we are, taking this scheme, and we're trying

1 to protect a certain number of tenants that need

2 protection, and they should get protection, and if they

3 could demonstrate the need, we will be there to help

4 them, but then across the board, give that same benefit

5 to people who have no economic right to it. I mean,

6 there is a concept of social justice and economic

7 justice. I mean, doing the just thing and doing the

8 right thing, something that should apply to everybody,

9 including tenants.

10   Tenants that can afford to pay should be able to

11 pay. We shouldn't give a gift to a tenant that is not

12 entitled to it. It shouldn't -- money come out of the

13 landlord's pocket to give it to somebody else who does

14 not need that type of help, in the same way Amazon or

15 Walmart does not give gifts to anybody who walks into the

16 store. There are different government programs that

17 helps people -- help people who can't afford to pay for

18 their food, who can't afford to pay for various things,

19 but we never asked Amazon or Walmart to freeze their

20 prices, or lower their prices in order to subsidize

21 people who make -- who have a need.

22   If there is a need, that need should be met. The

23 landlords should participate in helping the tenants meet

24 that need, but the tenants who do not need that help, why

25 are they getting that? Why are they entitled to zero

1 percent when they themselves are getting increases in

2 their pay and have substantial net worth, and in many

3 case, even wealthier than the landlord. Why should they

4 get help by getting zero, or one percent, or any increase

5 that's under CPI? I think by just simply -- because it's

6 easier to come up with a number that goes across the

7 board is, like, the proverbial (indiscernible) bed. If

8 the leg is too short, we cut it off -- I mean, if the leg

9 is too long, we cut it off. If it's too short, we

10 stretch it out.

11   We shouldn't come out with one size fits all

12 schemes. It's too important. The industry is too

13 important. Housing is too important to come up with

14 simplistic solutions. A simplistic solution of applying

15 one rate to everybody makes no sense. If we're going to

16 do it --

17   MS. RUBIN: Thank you, sir.

18   MR. KAZARNOVSKY: Okay.

19   MS. RUBIN: Anybody has a question from the board?

20 Yes. Ms. Stewart?

21   MS. STEWART: Mr. Kazarnovsky, how many units are in

22 your building?

23   MR. KAZARNOVSKY: 154 units.

24   MS. STEWART: Do you have any tenants who are behind

25 on their rent, sir?

1   MR. KAZARNOVSKY: Yes, we do, and those tenants --

2   we have two classes of tenants, and that's exactly my

3   point. There's a class of tenants that is struggling

4   during COVID, that have demonstrated that they can't pay

5   because they lost their job or for whatever legitimate

6   reason, and we work with them. And that's universally

7   true, not just in the properties here in Westchester

8   County. Wherever we have properties, we work with the

9   tenants, we work closely with them, and we understand

10   that COVID is a societal problem.

11   It's not a tenant problem. It's not a landlord

12   problem. It's a problem that we all have, and therefore,

13   we have to chip in and help people get through. That's

14   our concept of social justice.

15   But when you have somebody who has not been impacted

16   by COVID, there's some people who've done much better

17   during COVID, economically. Those people should not take

18   advantage of a system where the courts are shut down, you

19   can't do evictions and have not paid in over a year, and

20   then when they get close to the point when the courts may

21   open up, they just skip and walk off, owing us tens of

22   thousands of dollars.

23   We have cases where people owed us more than 50,000.

24   Not in this particular property, but it's just not right

25   when somebody is making money and they're basically

1   thumbing their nose at us, so -- and the system cannot

2   support that kind of behavior.

3   MS. STEWART: Approximately how many of your units

4   are behind, sir?

5   MR. KAZARNOVSKY: I would say that there's about ten

6   units that are behind, and I would say that six or seven

7   of them, we're working with them, and there are three who

8   just -- they walk by and they whistle as they walk by

9   with a smile on their face, knowing that there's nothing

10   we can do about it.

11   But I want to address really the point on the

12   percentage increase. I know we're trying to protect

13   tenants that struggle to pay the rent. We will work with

14   those tenants. I don't think those tenants that are

15   struggling -- we can work with them, but the people who

16   are not struggling, the people who are doing well, who

17   pocket a lot of money, buy fancy cars, go on fancy

18   vacations, we -- they are not entitled to zero percent

19   increases.

20   There are tenants who do as well or better than

21   landlords, and they don't deserve protection.

22   MS. RUBIN: Mr. Cherson, did you raise your hand?

23   Mr. Finger, did you raise your hand, or you just

24   made a movement?

25   MS. STEWART: You're on mute, Ken.

1   MS. RUBIN: You're on mute. Okay. Anybody else has

2   a question? No?

3   Thank you very much, sir. Thank you for your

4   presentation, and thank you for your time.

5   MR. CHERSON: (Indiscernible) --

6   MR. KAZARNOVSKY: Thank you for your time and for

7   your service.

8   MS. RUBIN: You have a question?

9   MS. ACQUAH: I think Eliot --

10   MR. CHERSON: Yeah, it's a general question, not for

11   the --

12   MS. RUBIN: Okay.

13   MR. CHERSON: -- for Mr. Kazarnovsky.

14   MS. RUBIN: Okay. So a general question for him?

15   MR. CHERSON: No, for you.

16   MS. RUBIN: Oh, okay. So let's move -- Peter,

17   maybe, is there anybody else waiting?

18   MR. STECKER: Nobody else who's signed up is

19   waiting.

20   MS. RUBIN: No? Okay.

21   MR. STECKER: I think we've reached the end of the

22   line.

23   MR. CHERSON: That was my question.

24   MS. RUBIN: Now I will open -- I will open the --

25   MR. CHERSON: My question was, how many more people

1 | are there?

2 | MS. RUBIN: See, I answered your question.

3 | MR. FINGER: I actually -- can I ask one question to

4 | Mr. Kazarnovsky?

5 | MS. RUBIN: Sure, sure.

6 | MR. FINGER: Mr. Kazarnovsky, do you have buildings

7 | in Greenburgh, or where?

8 | MR. KAZARNOVSKY: The property is on South Central

9 | Avenue, right -- in fact, I'm glad that you mentioned

10 | that. There's a building that was built right next door

11 | to us. It's right next to the golf course on South

12 | Central Avenue. The new property that gets built charges

13 | a fortune. They charge all they can, and whatever they

14 | can get away with. We're taking a property that was

15 | built in the '60s. We invest a lot of money. We've

16 | owned it for many, many years, and we're very proud of

17 | it. We're very proud of what we've done with the

18 | property in terms of maintaining it, and enhancing its

19 | appearance, and so on.

20 | But we're now hamstrung in terms of raising rents

21 | because the law that was passed last year on vacancy, but

22 | all we're asking is for a simple -- get a simple shake on

23 | this thing, and even with the whatever increase, even if

24 | it'll be three percent or four percent, it doesn't come

25 | close to what the building next door is charging. The

1 building next door is charging 50 or 100 percent more

2 than the rents that we're charging, and you can't have

3 that. It makes no sense to have two buildings side by

4 side, one is, like, the best -- the tale of two cities.

5 That is not economic justice. That's not social justice.

6 That's just poor business.

7   MR. FINGER: Are you in Greenburgh or Yonkers?

8   MR. KAZARNOVSKY: No, Greenburgh.

9   MS. STEWART: Greenburgh, yeah.

10   MR. FINGER: That's what I thought. Okay. Look,

11 the point you make is of course a valid one, but it's a

12 legislative point. The ETPA that applies to buildings

13 built before 1974 of six units or more. If you were

14 built in 1975 and you were built in 1972, you're right.

15 You --

16   MR. KAZARNOVSKY: I recognize that. That's the way

17 things work. When we bought the building, we know that

18 going in, but we never bargain for a zero percent. We

19 never bargain for an average of one or a one and a half

20 percent increase. We at least thought we would be able

21 to keep up with inflation. That's where the bargain goes

22 bad, and who are we protecting? People that don't need

23 protection. That's the problem.

24   MR. FINGER: Thank you, Mr. Kazarnovsky.

25   MS. RUBIN: Thank you, Mr. Kazarnovsky.

1   Peter, I understand that we don't have anybody

2   else --

3   MR. STECKER: That's right.

4   MS. RUBIN: -- waiting?

5   MR. STECKER: That's right. Yep.

6   MS. RUBIN: If that's the case, then I will open the

7   discussion for the board if somebody has any comments to

8   make. Yes. Ms. Stewart? I'll go with you after that.

9   Yes, Ms. Stewart?

10   MS. STEWART: It's just a question. Did we have the

11 rest of the stats from Jeff (phonetic) yet that are for

12 Wednesday's meeting?

13   MS. RUBIN: Yes, they emailed them.

14   MS. STEWART: For the second half?

15   MR. STECKER: It was a two part mailing. The second

16 part hasn't been mailed out yet.

17   MS. STEWART: Okay.

18   MR. STECKER: I sent it a little early this week,

19 so --

20   MS. RUBIN: Oh.

21   MS. STEWART: I wanted to make sure I hadn't missed

22 it because I had been looking for it and I hadn't seen it

23 yet.

24   MR. STECKER: I'll send an email and see when we can

25 expect that.

1   MS. STEWART: Okay.

2   MR. STECKER: I'm assuming they'll come tomorrow,

3   but --

4   MS. RUBIN: I hope it's not 100 pages.

5   MR. FINGER: Well, I hope it's --

6   MS. RUBIN: Mr. Finger, you had a comment? Mr.

7   Finger?

8   MS. ACQUAH: I have a question.

9   MS. RUBIN: No, no, Mr. Finger was -- had raised his

10   hand. Hold on, please.

11   MR. FINGER: I was just -- I was just saying, I

12   presume what was coming in will now be the survey from

13   the Westchester numbers; is that correct?

14   MR. STECKER: Yes.

15   MS. RUBIN: I believe so, yeah.

16   MR. FINGER: Okay, thank you.

17   MS. BARNES: I have a question.

18   MS. RUBIN: Eddie Mae, do you have a question or

19   comment?

20   MS. BARNES: Yes, yes. Did anybody receive --

21   MS. RUBIN: Go ahead.

22   MS. BARNES: -- this information? I haven't

23   received it.

24   MS. ACQUAH: I have to go back and check myself as

25   well.

1   MS. RUBIN: I got their first part.

2   MS. BARNES: I didn't get any part.

3   MS. STEWART: I got the first part as well --

4   MS. RUBIN: It was a long --

5   MS. STEWART: -- from Jeff.

6   MS. RUBIN: Yeah. There was --

7   MS. BARNES: Yeah.

8   MS. RUBIN: -- lots of material.

9   MR. FINGER: The first part is the New York City

10 stuff, the --

11   MS. RUBIN: Right.

12   MR. FINGER: -- mortgage and the other stuff.

13   MS. ACQUAH: Yes. I haven't yet seen -- I guess --

14 no, I do -- we did get an email from Jeff, right?

15   MS. RUBIN: Yes.

16   MS. ACQUAH: Okay.

17   MS. BARNES: I got the email but I didn't get the

18 info, but --

19   MR. STECKER: Chair Rubin, there is one more

20 individual in here that I don't see signed up. They're

21 raising their hand. Do you want me to allow them to

22 speak, see if they want to address the board? Actually,

23 no. They just left, so --

24   MS. ACQUAH: Oh, okay.

25   MR. STECKER: -- if you're watching --

1   MS. RUBIN: I was going to say, if anybody came

2 late, we can always give them the chance first place next

3 time.

4   MR. STECKER: Right. I guess I would just reiterate

5 what I said at the top, that if someone wants to speak at

6 the next one, they can contact me at that

7 westchestercountyrgb@nyshcr.org email address.

8   MS. RUBIN: Great, yeah. Any other comments? Well,

9 if -- yes, Mr. Cherson?

10   MR. CHERSON: I move to adjourn.

11   MS. RUBIN: I was going to ask. Before doing that,

12 I would like to welcome our new member, Ms. Hamer.

13 You're welcome and I hope we didn't scare you tonight. I

14 hope you come back to the next meeting, and with that

15 said, I'm open to hear a motion to adjourn.

16   MS. STEWART: Motion to adjourn.

17   MR. FINGER: Second.

18   MS. RUBIN: Second?

19   MR. FINGER: Second.

20   MS. RUBIN: Great. Meeting is adjourned. Thank you

21 very much, everybody.

22   [END RECORDING]

23

24

25

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

2   The prior proceedings were transcribed from audio

3   files and have been transcribed to the best of my

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5   blood, marriage or employment with any of the parties

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8

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10

11

12   Date June 14, 2021

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