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**NEW YORK STATE HOMES AND  
COMMUNITY RENEWAL**  
**Nassau County RGB Public Hearing**  
**Held Via Teleconference**  
**Tuesday, June 22, 2021**  
**7:32 P.M.**



1 [START RECORDING]

2 MR. MICHAEL MILLER: Good evening, ladies and  
3 gentlemen. Welcome to the presentation hearing of the  
4 Nassau County Rent Guidelines Board. I'd like to go  
5 ahead and introduce the members.

6 But just before doing that, there is a statement  
7 that needs to be read into the minutes. I'm going to  
8 turn over to counsel briefly.

9 Go ahead.

10 MR. JAMES FERRARA: This is James Ferrara. In  
11 response to the Governor's directive to take every effort  
12 to keep New Yorkers safe and mitigate the spread of  
13 COVID-19, and pursuant to Executive Order 202-1 and its  
14 updates, which allows for the suspension of the open  
15 public meetings law, the Nassau County Rent Guidelines  
16 Board will be conducting public hearings to determine the  
17 guideline rates of rent adjustments for housing  
18 accommodations within its jurisdiction subject to the  
19 Emergency Tenant Protection Act of 1974 for leases  
20 commencing between October 1st, 2021 and September 30th,  
21 2022, via Zoom video teleconference.

22 Please note that all meetings will be livestreamed  
23 via YouTube, starting at the designated time of the  
24 meeting. Instructions for members of the public to  
25 simultaneously listen to the hearings are posted on DHCRs



1 website for the Office of Rent Administration, under the  
2 public hearings section, prior to the hearings. The  
3 hearings will also later be transcribed, and the public  
4 will have the ability to view the transcript.

5 The YouTube livestream can be viewed on the Nassau  
6 County Rent Guidelines Board YouTube channel. All live  
7 meetings will be recorded and will remain on the Nassau  
8 County Rent Guideline Board YouTube channel for future  
9 viewing.

10 MR. MILLER: Thank you. Members of the board, I'd  
11 like you to introduce yourselves in an alphabetical  
12 order.

13 MS. JEANNETTA ALEXANDER: Good evening. Jeannetta  
14 Alexander, public member.

15 MR. ANDREW M. COHEN: Andy Cohen, landlord member.

16 MR. GARRETT L. GRAY: Garrett Gray, public member.

17 MS. CATHRYN HARRIS-MARCHESI: Cathryn Harris-  
18 Marchesi, tenant member.

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

20 MR. MILLER: Martin?

21 UNIDENTIFIED SPEAKER: He's muted. You're muted,  
22 Marty.

23 MR. BARRY STEIN: Barry Stein, landlord member.

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



1 MR. ROBERT RYCHLOWSKI: Robert Rychlowski, tenant  
2 member.

3 MR. MILLER: My name is Mike Miller, and I'm a  
4 public member. We'll turn over to DHCR.

5 Go ahead, please.

6 MR. FERRARA: This James Ferrara, associate counsel.

7 MR. MICHAEL GUTTENTAG: Michael Guttentag, senior  
8 attorney.

9 MR. GUY ALBA: Guy Alba, assistant commissioner.

10 MR. MICHAEL LANGIULLI: Mike Langiulli, research and  
11 analysis unit.

12 MR. MILLER: Thank you very much.

13 Members of the board, have you had a chance to  
14 review the minutes for the last meeting?

15 MR. GRAY: Yes.

16 MR. MILLER: Do I have a motion for acceptance?

17 MR. GRAY: So moved.

18 MR. MILLER: Garrett.

19 MS. HARRIS-MARCHESI: Second.

20 MR. MILLER: Cathryn seconded.

21 All in favor? Aye, raise your hands for the camera.

22 (Indiscernible). Thank you very much.

23 All right, folks. We're going to move right into  
24 the presentation section. Do we have -- we do have some  
25 written statements, or we're going to have open



1 testimony.

2 Go ahead. I'll turn back over to you.

3 MR. FERRARA: Yes, we have our first speaker. It's  
4 Mr. Richard Rush.

5 MR. MILLER: Mr. Rush, good evening. Go ahead, sir.

6 MR. GUTTENTAG: I'm promoting him now.

7 Mr. Rush?

8 MR. RICHARD RUSH: Hello. Can I be heard, Mr.  
9 Guttentag?

10 MR. GUTTENTAG: Yes. Let's see. I do not see you  
11 yet. I unpinned you. Okay. Let's --

12 MR. RUSH: Thank you.

13 MR. GUTTENTAG: There you go.

14 MR. RUSH: Okay.

15 MR. GUTTENTAG: Perfect.

16 MR. RUSH: Good evening, Chairman Miller, and  
17 members of the board. The prior year and a half was  
18 difficult for everyone, tenants and landlords alike.  
19 Thankfully, we are clearly emerging from the depths of  
20 the COVID pandemic, both in terms of health and the  
21 economy.

22 Last year, the board enacted zero and zero  
23 guidelines, and as our nation's economy improves, it's  
24 time to consider what needs to be done for next year.  
25 Increases are in order for the guidelines that will take



1 effect in a little over three months from now, in  
2 October.

3 Tenants benefitted tremendously from no increases  
4 last year, while for landlords, this served as an added  
5 burden to an already challenging year. Many rents were  
6 not paid, there was a lull in renting vacant apartments,  
7 and there were no real increases in nonstabilized  
8 apartments. Landlords also were saddled with increased  
9 cleaning expenses due to trying to keep their buildings  
10 safe for all residents.

11 The big -- the big economic news during the past  
12 several months is the rise in inflation rates, the likes  
13 of which we have not seen for a long time in this  
14 country.

15 The DHCR survey shows that rent specifically, not  
16 overall income, but rent, is down two-tenths of a  
17 percent. While perhaps not a significant number, it  
18 still shows that the Housing Stability and Tenant  
19 Protection Act of 2019, or the HSTPA, is succeeding in  
20 what it was designed to do, lower rents, following its  
21 first full year in operation. We can expect more of this  
22 in the future.

23 Accordingly, so now it's time for the Board to  
24 demonstrate more even-handedness in its difficult task of  
25 balancing the needs of tenants and landlords. This year,



1 there must be a raise.

2       If you are following the news these days, you have  
3 no doubt heard about this rise in inflation. The New  
4 York Post article entitled Inflation Worries Soar, with  
5 85 percent of Americans are more concerned from today's  
6 paper. The article cites a Harvard CAPS/Harris poll  
7 which reports that 45 percent of people surveyed said  
8 they were very concerned about inflation. The article  
9 goes on to say, "The Labor Department's consumer price  
10 index showed that inflation has risen five percent since  
11 last May, a 13-year high."

12       Landlords fully expect this inflation explosion to  
13 negatively impact our expenses and cause them to rise.  
14 Concerned some of the most major expenses, all  
15 indications are that they will be increasing. Real  
16 estate taxes are our biggest expense. A March 24, 2021  
17 Newsday article entitled, Long Island School Property  
18 Taxes Projected to Rise an Average of 1.8 Percent, this  
19 article indicates that there will be an increase.

20       While it may not be as big of an increase in past  
21 years, it is still an increase, and when a building's  
22 largest expense goes up that much without being able to  
23 raise rents, no matter how modest they may be, it  
24 squeezes cash flow.

25       Based on my experience with insurance renewals this



1 year, I've been -- I have been advised by many insurance  
2 brokers that I deal with that the market is hardening,  
3 and to expect high, single-digit increases in the range  
4 of five to nine percent. In several buildings where I've  
5 renewed insurance already, this has been borne out.

6 We also all know that the price of oil and gas are  
7 increasing quickly. This impacts many expenses landlords  
8 face, including heating costs, and costs of just about  
9 everything else included in repairs and supplies.

10 I know that every year, I beat the drum of concern  
11 about two-year leases, because there is no rent increase  
12 in year two of the lease, when expenses do typically  
13 rise. This year in particular, this will have a worse  
14 impact than usual. Now I'm talking about last year's  
15 guidelines.

16 So tenants who took a two-year lease last year will  
17 get no rent increase this year when their leases renew in  
18 the second term. This will be the case in this high  
19 inflation environment I was just discussing a minute ago.  
20 They are unfairly benefiting from that ill-advised  
21 guideline. The two-year guideline should be fair.

22 I also want to make sure -- I also want to ask the  
23 Board to make sure it authorizes the guideline it puts  
24 into effect to apply to vacancy leases. This is  
25 something called for under the new rent laws. Without





1 this, a landlord is not allowed to change -- charge any  
2 increase for a vacant apartment, meaning the increase, if  
3 you do pass one, that you have passed for occupied  
4 apartments. I'm sure if you have any questions, DHCR  
5 counsel can delve into more detail on that.

6 Thank you very much for this opportunity to address  
7 the Board, and have a good evening.

8 MR. MILLER: Thank you, Mr. Rush.

9 Next speaker?

10 MR. GRAY: James, you're muted.

11 MR. GUTTENTAG: I'm unmuting him right now, and we  
12 will pin the next speaker.

13 MR. FERRERA: All right. Yes. Next, we have Mr.  
14 McKee.

15 MR. MILLER: Good evening, Michael McKee. Go ahead,  
16 please.

17 MR. GUTTENTAG: Mr. McKee, one second, please, while  
18 I pin you. And let me unpin James.

19 Mr. McKee, you ready to go?

20 MR. MICHAEL MCKEE: Thank you. Good evening, Chair  
21 Miller, and members of the Board. Thank you for this  
22 opportunity to testify. I'm Michael McKee, testifying on  
23 behalf of the Tenants Political Action Committee.

24 I want to first commend you for freezing rents last  
25 year. I think it was a very necessary and effective



1 thing to do, considering the pandemic. I want to urge  
2 you to do so again this year, both for one and two-year  
3 lease renewals. And I believe that the data that you  
4 have before you, in table 1, gives you all the  
5 information you need to justify a rent freeze for one and  
6 two-year lease renewals.

7       Essentially, what table 1 shows -- I believe, by the  
8 way, that the rest of the information -- all the other  
9 tables are pretty much irrelevant, except for the cost to  
10 income ratio, a historic table, which is very relevant --  
11 show that net operating incomes have increased every year  
12 of the last three years.

13       And the other thing that's very interesting about  
14 this year's data is that rental income has held pretty  
15 steady. I would have expected a much bigger drop in  
16 rental income, based on the pandemic and the fact that so  
17 many people are out of work, and either -- or if they  
18 still have a job, they had their hours reduced.

19       I know many people personally in all sorts of  
20 locations, including Nassau County, who have indicated  
21 that they've had great difficulty paying the rent.  
22 They've tried to pay some of it, but they have some  
23 arrears. I know other people who've been able to pay  
24 nothing.

25       And furthermore, I would have expected, given some



1 of the restrictions that were put into effect in the  
2 Housing Stability and Tenant Protection Act -- I seem to  
3 be having an echo here. I don't know what's going on --  
4 would have also diminished income. And then, of course,  
5 three months of a rent freeze in 2020, beginning on  
6 October 1st. But it's really kind of striking that  
7 rental income from 2019 to 2020 held pretty steady, with  
8 a very slight decline.

9 By the way, I'm not reading my statement, which was  
10 sent earlier to Mr. Ferrara. I assume it was sent to  
11 you, but I'm just going to talk extemporaneously, but I  
12 would urge you to read my statement.

13 Bottom line, a 36 percent net operating income gives  
14 you a picture of a residential real estate industry in  
15 Nassau County that's doing pretty good. When you  
16 consider how supermarkets operate on a net of 3 to 5  
17 percent, a 36 percent net is pretty good any way you  
18 slice it.

19 I'm not going to get into the methodology stuff.  
20 I've talked about this virtually every year that I've  
21 testified in front of this board. I think it's well  
22 overdue that the members of this board, especially the  
23 public members, take some kind of responsibility for  
24 correcting some of the bad methodology in the income and  
25 expense reports that are given to you. Some of this



1 methodology dates back to 1974. It's that -- it's that  
2 crazy. But I'm not going to dwell on that.

3 I do want to talk about ERAP, the Emergency Rental  
4 Protection -- Emergency Rental Assistance Act -- Program,  
5 ERAP, Emergency Rental Assistance Program, that was  
6 enacted by the State legislature a couple of months ago,  
7 and appropriated 2.4 billion dollars to help pay back  
8 rent for people who have been unable to pay rent or have  
9 fallen behind in their rent because of the pandemic.

10 Unlike last year's 100 million dollar program, which  
11 we told our friends in the legislature would never work,  
12 this time, the legislature listened to advocates and  
13 designed a program that we think is going to be much more  
14 successful.

15 We've been working with the Office of Temporary and  
16 Disability Assistance, OTDA, which is the agency that was  
17 chosen to distribute this money, which makes much more  
18 sense than what the State legislature did last year,  
19 where they had the State Division of Housing on Community  
20 Renewal supposedly having to distribute this money, which  
21 DHCR has no history of doing this, whereas OTDA, what  
22 they do is they write checks for public assistance and  
23 things like that, so this is a much more logical agency  
24 to administer the program. I'm not dissing DHCR, I'm  
25 just saying it was not a -- not a smart choice that the



1 legislature made.

2           This is a much more liberal program. The one from a  
3 year ago, the legislature inserted all sorts of  
4 restrictions, punitive restrictions, to the point where  
5 most people who applied were ineligible on their face.  
6 In this case, the new eligibility requirements are very,  
7 very liberal. There's no immigration status required, so  
8 that undocumented people who are tenants can qualify for  
9 this money.

10           And we understand that as of last week, some 81,000  
11 tenants throughout the state had applied online for this  
12 program, and what we're being told is that OTDA expects  
13 to start distributing money sometime in the next couple  
14 of weeks. They've told us specifically early July. This  
15 is going to make it possible for many tenants to avoid  
16 eviction, and it's going to make it possible for  
17 landlords to catch up and pay their bills. So it's a  
18 very important thing, and it's a very big deal.

19           I want to point out that there is a part of this  
20 program that we don't know how it's going to play out.  
21 The legislature -- 2.3 billion dollars of what ERAP  
22 consists of is federal money, which is limited to  
23 households with incomes below 80 percent of median  
24 income, area median income. The legislature put in 100  
25 million dollars of state money, which is supposed to go



1 to help tenants who are above 80 percent of AMI. We  
2 don't know how that's going to play out. OTDA has not  
3 said anything about it. Everything they've done so far  
4 is directed at households that have incomes below 80  
5 percent of AMI.

6 One final thing about ERAP. Landlords who accept  
7 this program, who accept payments under ERAP, are  
8 supposed to freeze rents for 12 months. That would  
9 apply, in my -- the way I read the law, I'm not sure that  
10 is the way OTDA is going to interpret it, or the courts,  
11 but I believe that would apply to both rent-stabilized  
12 and rent-controlled tenants who are otherwise facing rent  
13 increases.

14 But I think you need to, before you come to the  
15 collusion that if you pass a rent increase this year,  
16 it's not going to affect anyone except more affluent  
17 tenants, I think you need to come to grips with the fact  
18 that we have virtually no proactive enforcement of our  
19 rent laws in New York State, and I predict that many  
20 landlords, not all, but I predict that many landlords  
21 will ignore that requirement for a 12-month rent freeze,  
22 and will continue to raise rents when they're not allowed  
23 to do so, and that tenants -- many tenants will not know  
24 that they are supposed to be protected from 12 months of  
25 rent increases.



1           So in summary, I'm urging you to enact a one-year  
2 and two-year lease renewal rent freeze again this year.

3           I do want to point out to you that many tenants who  
4 would have benefited from last year's guideline of zero  
5 and zero have leases that don't come up for renewal until  
6 after October 1st. So if you enact another rent increase  
7 this year, those tenants will be left out. They will not  
8 benefit from what you did last year. So to me, it's a  
9 matter of equity that you should do this again for  
10 another year. Thank you very much.

11           MR. MILLER: Thank you, Mr. McKee.

12           MR. GUTTENTAG: Okay. Next, we have Mr. Steve  
13 Padyk -- oh, go ahead.

14           MR. MILLER: I have one question for Mr. McKee. Is  
15 there something that would preclude a tenant under 80 AMI  
16 from accessing the funds with a back point or current  
17 (indiscernible) either landlord? Is there something that  
18 would prevent them from accessing those funds?

19           MR. MCKEE: The funds are paid directly to the  
20 landlord, and it's -- the landlord has to be part of this  
21 process. Once the tenant applies, the landlord is  
22 required to produce certain information to OTDA. So --  
23 but once the tenant applies and is accepted, and the  
24 landlord provides the confirmation -- confirming  
25 information, the money is then to be paid directly to the



1 landlord, not to the tenant.

2       The same thing with utility payments. The ERAP can  
3 cover back utility payments where people are in arrears.  
4 Those are going to be paid directly to the utility.

5       Where a landlord does not cooperate, or can't be  
6 found, and I speak to tenants all the time who say, "I  
7 have no idea who my landlord is. I write them, I call  
8 them, I can't get anyone to respond to me." There are  
9 landlords who are hard to find.

10       If the landlord doesn't cooperate, and does not  
11 apply -- does not supply the information to OTDA that is  
12 required, and the landlord then tries to take the tenant  
13 in to court to sue them for nonpayment of rent, those  
14 funds are held in reserve by the State for six months,  
15 and the fact that the tenant has been approved for funds  
16 is an absolute defense in a nonpayment proceeding.

17       Furthermore, after six months, the debt is  
18 cancelled. Meaning, the rent is cancelled. So we've  
19 been pushing for cancelling rent in Albany for a year and  
20 a half now. And this is one case where, in an extreme  
21 situation where a landlord fails to cooperate, there will  
22 actually be a cancelling of rent, the debt will be  
23 erased, and the tenant cannot be sued for the back rent.  
24 That is covered by ERAP.

25       So there's a very good incentive for landlords to





1 cooperate, and in fact, I have encountered situations  
2 where landlords are actually actively reaching out to  
3 their tenants to help them fill out these forms and to  
4 apply. You can only apply online. This is especially a  
5 problem for elderly people, or people who don't have a  
6 new computer. A smart landlord is going to reach out to  
7 tenants in arrears and help them apply for these funds.

8         And I've heard landlords -- and I've testified  
9 recently at the Rockland County Rent Guidelines Board  
10 hearing, and last night I testified at the Westchester  
11 County Rent Guidelines Board hearing, and there were  
12 landlords who testified, saying, we are reaching out to  
13 our tenants and offering them help to fill out these  
14 forms, and where people especially don't have computer  
15 ability, or don't have a computer, or might not be  
16 computer literate, people like me, who I struggle to do  
17 basics, that's a smart landlord.

18         I'm not sure I answered your question, Mr. Miller.

19         MR. MILLER: Oh, you answered my question perfectly  
20 well.

21         My concern is if -- I've heard many times, when  
22 government money's available, but hoops are too high to  
23 jump or it's -- there's no procedure in place to deliver  
24 the money. This -- from what I'm getting, there's  
25 nothing that would preclude someone, a tenant, from



1 accessing the money, but it's in fact paid to the  
2 landlord. The tenant doesn't get the money so they can  
3 just disappear with the money and still -- although they  
4 can't be evicted, they still don't pay their rent.  
5 Unless I'm misunderstanding it, that's how I seem to get  
6 it; am I correct?

7 MR. MCKEE: Yes, you're correct. The program will  
8 pay up to 12 months rent for rent that accrued on or  
9 after March 13th, 2020.

10 MR. MILLER: Okay.

11 MR. MCKEE: It won't cover back rent that was due  
12 before that.

13 And in some cases, where the tenant can show that  
14 they are rent-burdened, meaning they are going to be  
15 paying more than 30 percent of their income for rent,  
16 they can get an additional 3 months, so it would be a  
17 total of 15 months back rent.

18 Now, we have to recognize that for some people, that  
19 may help pay the arrears, but if you have been laid off  
20 from your job, or you are having -- you have reduced  
21 hours, and you don't have an income going forward,  
22 there's going to be continual problems in terms of paying  
23 the rent going forward. But this will certainly be a  
24 very big help.

25 And honestly, I think for once, the State



1 legislature pretty much got it right. We had direct  
2 input into how this law was written, and I think because  
3 the program that they enacted last year turned out to be  
4 such a disaster -- I mean, they only appropriated 100  
5 million dollars, and in two different rounds, they were  
6 only to distribute 60 million dollars of the 40 million  
7 dollars. And here, we're talking about almost 2 and a  
8 half billion dollars. I think the legislature took to  
9 heart -- I think they learned from their mistake.

10 So I have very good feelings about ERAP, and I think  
11 it's going to be a success. I don't often say  
12 government's doing the right thing, but I think in this  
13 case, they have actually done the right thing.

14 MR. MILLER: By the way, I'm not knocking  
15 government, but I just want to be clear.

16 Any other comments or questions?

17 Mr. MELKONIAN: I do have a question about -- ERAP  
18 is a State program, I take it.

19 MR. MCKEE: Yes.

20 MR. MELKONIAN: Are there other programs, as well,  
21 that have been beneficial to either tenants or landlords?

22 MR. MCKEE: Yes. Well, I mean, let's not forget  
23 that -- and we don't know how this is going to be  
24 implemented, but another thing that the State legislature  
25 did this year was appropriate two billion dollars for



1 undocumented workers. People who lost their jobs, or had  
2 their hours cut, but who don't have a social security  
3 number, don't have a green card, might not even have a  
4 driver's license. Although, now with the Green Light  
5 Bill in effect, undocumented people can apply for a  
6 driver's license.

7 But if you're undocumented, you're not eligible for  
8 unemployment or things like that, and it was great, in my  
9 view, that the legislature actually did this this year,  
10 and had the courage to put up 2 billion dollars to  
11 provide income to undocumented workers who did not  
12 qualify for other benefits, including unemployment.

13 We don't know how -- there's not any -- they're not  
14 moving as fast to implement this as they are with ERAP,  
15 although ERAP has been a little bit slow. I mean, this  
16 was adopted as part of the budget on April 1st, but there  
17 is 2 billion dollars out there that is going to provide  
18 income to a lot of people who are not eligible for other  
19 incomes -- for other assistance.

20 MR. MELKONIAN: Thank you.

21 MR. MILLER: Anyone else? No.

22 Thank you, Mr. McKee.

23 MR. MCKEE: Thank you, Mr. Miller, and good evening,  
24 everyone.

25 MR. MILLER: Our next speaker?



1 MR. GUTTENTAG: One second.

2 MR. FERRERA: Yeah. Our next speaker will be Steven  
3 (phonetic) Padyk.

4 MR. MILLER: Good evening, Mr. Padyk.

5 Is he unmuted?

6 MR. GUTTENTAG: He will be.

7 Mr. Padyk?

8 MR. STEVEN PADYK: Yeah, I'm here.

9 MR. MILLER: Thank you.

10 MR. GUTTENTAG: Your video -- I don't see your  
11 video. Is your video on?

12 MR. PADYK: It is.

13 MR. GUTTENTAG: Yeah. It's not giving us the option  
14 for a video. I think we had this problem last time as  
15 well.

16 MR. PADYK: We did. All right. But you can hear  
17 me?

18 MR. GUTTENTAG: I could hear you.

19 MR. PADYK: All right. That's good enough. I'll  
20 just go on. All right. So good evening.

21 Just as a side note, regarding the ERAP website, it  
22 is nonetheless very intimidating. It is -- I personally  
23 know tenants who have given up, and I have stayed with  
24 them, because it's intimidating. You can only load one  
25 document at a time. Get out, reload it, get out, reload



1 it. It is not streamlined by any means. It is a long,  
2 long, process, and for --

3 MR. MILLER: Mr. Padyk, your signal seems to be  
4 weak. You might want to repeat what you said after "long  
5 process".

6 MR. PADYK: Can you hear me?

7 MR. MILLER: We can hear you now.

8 MR. PADYK: I'm sorry. Where was I cut off?

9 MR. MILLER: You were cut off after "long, long  
10 process." That was the last --

11 MR. PADYK: Oh, it's a long, long process. Again,  
12 my tenants, the ones that I'm working with, basically  
13 have given up, and I've gone back to them, and I sit with  
14 them to do it. The people that you call to get somebody  
15 on the phone at the office is like calling the IRS.  
16 You'll sit on hold for hours. So it's not as streamlined  
17 as the prior gentleman said, and it's swift, and the  
18 money comes to you right away. It is -- it is difficult,  
19 to say the least.

20 That being said, I just want to quickly recap items  
21 that we know. The City of Long Beach adopted that budget  
22 of a 6.33 homestead real estate tax increase and a 12.26  
23 nonhomestead tax -- real estate tax increase, and a city  
24 water rate increase of 4 percent. We know that the  
25 Village of Rockville Centre increased their village tax



1 3.9 percent.

2 We know, in May, oil that costed 65 dollars a barrel  
3 in May, which is now over 70 dollars a barrel, was up 35  
4 percent. That heats the buildings and all the water.

5 We know, as Richard had said, that inflation is at 5  
6 percent last month. It was, in April, it was at 4.2  
7 percent.

8 Regarding insurance, I just renewed my insurance  
9 policy, and my increase was 16 percent with no claims,  
10 and the bulk of the increase came from the umbrella  
11 premium because the umbrella underwriters are pulling out  
12 of the State of New York. They are pulling out simply  
13 because of the court system and the lack of law  
14 enforcement, so you are left with only a handful of  
15 underwriters, at their mercy.

16 Lastly, regarding the presentation, rents decrease.  
17 Now, the rent number of 83,169, we all know includes  
18 nonrent-stabilized apartments.

19 So I sent over a schedule, I don't know if people  
20 are looking at it, but I sent over a schedule of what  
21 HUDS rates are for Nassau and Suffolk County for 2021. A  
22 studio, according to them, is 1,343. A one-bedroom is  
23 1,659, and a two-bedroom is 2,035 dollars.

24 My building in Rockville Centre, which is 100  
25 percent rent-stabilized, has 12 units. 4 studios. The



1 average rent is 1,090 dollars compared to HUD's rent of  
2 1,343. Those units, with a zero percent rent increase,  
3 are 253 dollars below HUD's number, and HUD's number is  
4 below the fair market value.

5 A one-bedroom average rate -- rent in this building  
6 is 1,511. HUD's rate -- or rent, is 1,659, which is 148  
7 dollars below HUD's rent. So I'm not even close, with a  
8 zero percent rent increase, to what HUD's numbers are.

9 In Freeport, for a 64-unit, fully rent-stabilized  
10 unit, studio apartment's average rent is 1,132. Again,  
11 HUD's is 1,343, 211 dollars below HUD's rates. One-  
12 bedroom, 1,334. HUD's is 1,659, 325 dollars monthly  
13 below HUD's rent. A two-bedroom in this building, one  
14 and a half bath, with a balcony, the average rent is --  
15 well, I'll round up, 1,600 dollars. HUD's number is  
16 2,035 dollars, 435 dollars below. And none of these  
17 units received a rent increase.

18 In total, a 64-unit building, if I was at HUD's  
19 rent, I have lost 234,000 dollars in rental revenue at  
20 that building, and 26,300 in the other with a zero  
21 percent rent increase.

22 So my point being, when you look at this schedule of  
23 rents that actually decrease include nonrent-stabilized  
24 apartments, that is not the true picture. And the task  
25 of this board is for rent-stabilized apartments.





1           Also, under Schedule Number IV, Roman Numeral Number  
2 IV, cash flow after depreciation, from '19 to 2020, went  
3 down 1.6 percent. Now, that's a -- that's a really  
4 misleading number, because cash flow is defined as actual  
5 dollars spent on capital improvements, not itemized over  
6 27.5 years. But even their way, it decreased. And  
7 that's with nonrent-stabilized units.

8           So I am asking, given the reality of the rent-  
9 stabilized environment, how low the rents actually are,  
10 not what this schedule says, for a 3 and half percent  
11 rent increase for a one-year lease, and a 5.5 percent  
12 rent increase for a two-year lease. Thank you.

13           MR. MILLER: Thank you, Mr. Padyk. Just to back up  
14 a little bit, you mentioned the 64-unit in Freeport. Is  
15 that -- did you say it was 100 percent rent-stabilized?

16           MR. PADYK: Yup.

17           MR. MILLER: Okay. Any other comments, questions  
18 from anyone? No? All right.

19           Thank you, Mr. Padyk.

20           MR. PADYK: You're welcome. Thank you.

21           MR. STEIN: I have one -- hello, Michael? I just  
22 have one --

23           MR. MILLER: Yeah. Go ahead, Barry.

24           MR. STEIN: Well, I just wanted to say, I mentioned  
25 it to the -- to the Board before, and the -- and DHCR,



1 that when we discuss profits, some of the tenants tend to  
2 represent profits before the debt service. Most of  
3 the -- most of the clients that I do business with, most  
4 people that I know in the -- in the real estate business  
5 have debt. There are some that don't, but most, a very,  
6 very high portion of borrowers carry a mortgage. And  
7 there is debt service. And so a profit should be  
8 determined, really, after the debt service, not before.

9       If you're -- if you want to put value to a property,  
10 I understand that you can capitalize it before the debt  
11 service. So I just want to make sure -- clarify. And in  
12 my judgement, it seems to be that a profit -- because  
13 some of the tenants represent that the profit is high,  
14 double-digit numbers, and that's really not a true  
15 reflection, because after you make your mortgage payment,  
16 which is a large -- is large most of the time, it reduces  
17 that profit substantially. And I just wanted to note for  
18 clarification and accuracy. That's all.

19       MR. MILLER: Thanks, Barry. Any other comments?

20       MR. RYCHLOWSKI: Yes. I'd like to make something.

21       MR. MILLER: Go ahead, Robert.

22       MR. RYCHLOWSKI: I'm curious about Mr. Padyk's  
23 numbers. I know some of the numbers came from HUD. I  
24 don't know where he got the other numbers from, though.

25       Is that his personal property?



1 MR. PADYK: Yeah. Those are my properties.

2 MR. RYCHLOWSKI: Okay.

3 MR. PADYK: Those are my -- those are -- those are  
4 what rent-stabilized average rents for a studio, a one-  
5 bedroom, and a two-bedroom renting in my properties.

6 MR. RYCHLOWSKI: Okay. Your properties. Because  
7 it's an anomaly, from what I've seen in Long Beach, I  
8 don't see rents that low over here at all.

9 MR. PADYK: Well, they are. They are. I mean, they  
10 are, in these buildings, in most buildings, rent-  
11 stabilized rents -- because they -- these people have  
12 been in these apartments for a long time, okay? So even  
13 if they move today or tomorrow, there's no vacancy rent  
14 increase or anything. You know? You could do 15,000  
15 dollars' worth of work and get an 83 dollar rent  
16 increase. So a studio that's renting for 705 dollars, 83  
17 dollar rent increase is meaningless. To get to even HUD  
18 rates.

19 MR. RYCHLOWSKI: I can tell you, based on what I've  
20 observed in Long Beach, and I know a lot of people, I  
21 used to be the president of Long Beach Tenants Coalition,  
22 even the people who have been there for years are not  
23 paying the numbers that you're showing over there.

24 Also, I'd like to say about -- you mentioned about  
25 the ERAP, that there is help available. They can call a



1 Met Council, they can call the New York State Tenants  
2 Coalition --

3 MR. PADYK: Can I just cut you off there? I've  
4 tried myself to call New York State --

5 MR. RYCHLOWSKI All right.

6 MR. PADYK: -- and I've been on hold for hours, with  
7 tenants. Okay. I'm intimately involved with the tenants  
8 to try to get this done. And the frustration level --  
9 it's not as streamlined, because you have so many people  
10 calling.

11 MR. RYCHLOWSKI: Did you listen to what I said or  
12 were you too busy talking?

13 I was saying there was ERAP help. They can go to  
14 the Met Council, they could go to New York State Tenants  
15 Coalition, they can speak to their elected official to  
16 try to get help. A lot of elderly people and a lot of  
17 poor people who don't have the computer access, they do  
18 need assistance, and they can be pointed in the right  
19 direction.

20 MR. PADYK: I actually, in that vein -- thank you --  
21 because I have gone down that road. I've actually even  
22 tried to send them to the DSS as a guideline because  
23 those people have an intimate -- intimacy with New York  
24 State, how it operates to help them, because I have a  
25 connection there. And even they admit that this is going



1 to be a long, drawn-out process. It's not an easy system  
2 to work.

3 MR. MILLER: Okay. Anyone else?

4 MR. MELKONIAN: Let me just add something to what  
5 Barry had to say.

6 Namely, it's true, debt service is an important  
7 burden, but interest rates, as you probably know, have  
8 been going down. In fact, they're down to record low  
9 levels. And that probably will continue for a while, so  
10 long as Powell is in charge of the Federal Reserve.

11 The other point is that if debt service is there,  
12 the flip side of debts is assets. And clearly, asset  
13 prices have continued to rise. There's been a housing  
14 increase and most of it is in private, single-family  
15 homes, and so I'm -- but there's also been a rise in  
16 multiple-family homes, in terms of the asset.

17 So we should not forget that even though the return  
18 are not returns in terms of net operating income may not  
19 be what many landlords are hoping for, at the same time,  
20 the value of their assets continue to rise as building  
21 prices go up and as interest rates continue to remain  
22 quite low.

23 MR. STEIN: Can I just respond?

24 MR. MILLER: Go ahead, Barry.

25 MR. MELKONIAN: Unmute.



1 MR. GUTTENTAG: Barry, you're muted. Barry, you're  
2 muted.

3 MR. STEIN: How's it now.

4 MR. GUTTENTAG: Start over. Yes, good. Now you're  
5 muted again, Barry.

6 MR. STEIN: Okay. How's that?

7 MR. GUTTENTAG: Perfect. Now you're unmuted.

8 MR. STEIN: Am I all right, or not yet? I unmuted.

9 MR. MILLER: You're clear, Barry. No. You just  
10 muted yourself again.

11 MR. GUTTENTAG: You muted yourself again. I'm  
12 asking to unmute. Unmute?

13 MR. STEIN: Wait a second.

14 MR. GUTTENTAG: You were unmuted. I'm unmuting you.  
15 You're still muted, Barry. Barry, wait. Don't waste  
16 your breath. You're muted. I'm asking to unmute.

17 MR. MILLER: Can you unmute him?

18 MR. GUTTENTAG: All I could do is ask to unmute.  
19 There you go. You're unmuted.

20 MR. GRAY: Don't touch the computer.

21 MR. STEIN: I'm not going to touch it.

22 MR. GUTTENTAG: Hands up.

23 MR. STEIN: Okay. I'm not touching anything.

24 MR. GUTTENTAG: You're good. You could continue.

25 MR. STEIN: Okay. Regarding Martin's comment, first



1 of all, I don't know what's going to happen with interest  
2 rates. They are low.

3 But I do want to say, regarding stabilized, multi-  
4 family apartment houses, values have not gone up the way  
5 people think they have, for reasons, because of the  
6 particular regulations that were put into effect the  
7 other year or so, which affects a landlord's ability to  
8 be locked in to stabilized apartments, not get any kind  
9 of a increase in return for cap backs or increasing their  
10 property.

11 But I want to make a comment that if an asset goes  
12 up, that has nothing to do with paying the cash flow,  
13 which pays the bills.

14 And I've said this to you before, Martin, and I  
15 always say, I always have a interesting comment that, and  
16 I know you're going to know what I'm going to say, if  
17 your value of your house goes up, should I call the  
18 (indiscernible) and say I don't give you a raise? What  
19 the heck does that have to do with the price of rent?

20 MR. MELKONIAN: They were overpaid, anyway, right?

21 MR. STEIN: So but the point is, the way the assets  
22 may be going up, it's very, very unclear for stabilized  
23 apartments, particularly what we're coming out of, what  
24 the lack of incentives that landlords may have to pay  
25 higher prices for apartments because of the restrictions.



1 The restrictions are -- the restrictions on income but  
2 not expenses. The restrictions are, you invest in the  
3 property, how do you get your money out if you can't  
4 increase your rent? Et cetera, et cetera.

5 But on a more important point, if an asset goes up,  
6 that may happen, that may not happen, but it doesn't  
7 affect the landlord's ability to pay the debt service.  
8 And there is a debt service. There is a cost to carry  
9 that mortgage, and all I'm saying is, it does affect the  
10 returns, the cash flow, the ability to pay expenses, and  
11 that's -- I just want to address that. That's all.

12 MR. MILLER: Thanks, Barry. Moving along.

13 Next speaker?

14 MS. HARRIS-MARCHESI: Can I say something?

15 MR. MILLER: I'm sorry.

16 MS. HARRIS-MARCHESI: Can I say something, Michael?

17 MR. MILLER: Absolutely, Cathryn. Go ahead, please.

18 MS. HARRIS-MARCHESI: Thank you. There's a couple  
19 of things I wanted to say. My landlord has many rent-  
20 stabilized buildings in Hempstead and otherwise. I am  
21 not in one of his. He very nicely raised our rent six  
22 percent in the middle of COVID because there were no rent  
23 guidelines in place or that sort of thing. And we paid  
24 our rent. My husband and I were fortunate enough to be  
25 in a position where we could pay our rent through, and we





1 did not miss one payment.

2 At the same time, with money being cheap, he also  
3 expanded the other businesses he had, and built huge  
4 factories for the other business he's in, too.

5 So when you're also talking about money being cheap,  
6 if you can mortgage a property that you have and take  
7 that money and use it for something else as well, that's  
8 an advantage that you have. There are landlords who  
9 choose to have debt on their property, because they can  
10 make money off of having debt by investing on other  
11 things. That's something else that I just wanted to  
12 raise.

13 MR. STEIN: And I do want to make one comment about  
14 that. Because, first of all, there are restrictions in  
15 financing today, all financing, but particularly multi-  
16 family stabilized apartments, and if anyone doesn't know  
17 what a COVID reserve is, for the past year, it -- most  
18 lenders that I know, and I know a lot of them, require  
19 six months to a year of debt service to be put up.  
20 That's a cost.

21 And they're doing that as an abundance of caution  
22 until the landlord makes sure that the landlord pays  
23 their mortgage payment, because there are difficulties.

24 And as far as choosing to put debt on, I don't know  
25 too many -- I do know some people, but most people that



1 are buying an apartment house that's a million, two, five  
2 million, whatever it is, there aren't a lot of people  
3 that have five million dollars in the till that they just  
4 can go buy a -- could buy an apartment house or a piece  
5 of real estate. So you might say choosing, for the most  
6 part, it's a necessity, not a choosing. They may choose,  
7 but it's a necessity to choose, in order to get financing  
8 to buy the particular property, because of the expense of  
9 the amounts of capital that's required. That's all.

10 MR. MILLER: Anyone else? All right.

11 Thanks, Barry, Cathryn.

12 Next speaker, please?

13 MR. GUTTENTAG: Please give me one second to remove  
14 all the pins. Sorry, guys.

15 James?

16 MR. FERRARA: Okay. Our next speaker is Michael  
17 Schnier.

18 MR. GUTTENTAG: Okay. I'm going to promote him.  
19 Give me one second. I'm going to pin him. There he is.

20 MR. MICHAEL SCHNIER: Okay. Are we ready?

21 MR. GUTTENTAG: Ready.

22 MR. SCHNIER: Okay. My name is Michael Schnier. I  
23 live at 25 Franklin Boulevard in Long Beach, and I am the  
24 president of the Long Beach Tenants Association, and I've  
25 been attending meetings of the Nassau County Rent



1 Guidelines Board since the late 90s.

2       It is important to note, as I have in previous  
3 testimonies, that the number of rent-stabilized units in  
4 Nassau County over the years have been greatly reduced by  
5 a number of factors. According to statistics I have  
6 collected from HCR, in 2001, there were 11,940 ETPA units  
7 in Nassau County. By 2017, that number reduces to 7,953,  
8 and by 2020, that number reduces to 7,508.

9       That calculates to a 39 percent reduction in the  
10 housing stock of rent-stabilized units over a 19-year  
11 period. There has been no effort to increase this  
12 number, and the 2019 rent laws did nothing to re-regulate  
13 the many apartments that were deregulated, nor is anyone  
14 building new affordable units.

15       Just to use my own building, 25 Franklin Boulevard  
16 in Long Beach as an example, as recently as 2001, all 126  
17 apartments were under ETPA regulation. According to HDR  
18 statistics from 2020, that number now stands at 37. The  
19 remaining units are free market units, which the landlord  
20 is free to charge whatever the market will bear.

21       For many years now, it has been almost impossible to  
22 rent a stabilized apartment in my building. I know many  
23 tenants living here for 10 to 15 years in free market  
24 apartments that are offered lease renewals with annual  
25 increases of 100 dollars per month or more. These



1 tenants have no protection against this.

2           Meanwhile, a large number of remaining regulated  
3 apartments have legal regulated rents which exceed what  
4 are considered to be current fair market rates. Many of  
5 these tenants are offered preferential rents which are  
6 lower than the legally regulated rents.

7           Upon examining HCR's 2020 Office of Rent  
8 Administration Annual Report, it should be noted that out  
9 of a total of 910,767 registered rent-stabilized units  
10 state-wide, 296,518 are classified as having preferential  
11 rents. That's nearly 1 out of every 3 rent-stabilized  
12 units in the state. Those figures are for 2019, which is  
13 the last year in the report.

14           Unfortunately, while HCR does break down the total  
15 number of rent-stabilized units by county, they do not  
16 break down the number of preferential rents by county.  
17 This information can be found on page 13 of this report,  
18 which is accessible from HCR's website.

19           What are current fair market rates? According to  
20 rentdata.org, for a studio in Nassau County, it's 1,298.  
21 For a one-bedroom apartment, it's 1,624. For a two-  
22 bedroom, it's 1,992. All the free market apartments, and  
23 most of the remaining ETPA apartments in my building  
24 already have monthly rents that exceed these numbers. It  
25 doesn't seem fair to grant the landlords additional



1 guideline increases on top of these rents.

2 Most of you probably received the Nassau County  
3 vacancy tables in the last few days. According to the  
4 previous rent by current rent, with lease terms of one  
5 year for vacancy units for the years 2018 to 2020, the  
6 median previous rent was 2,053 in 2018, and increased to  
7 2,092 by 2020. Accordingly, the mean rent increased from  
8 2,174 in 2018 to 2,189 in 2020. It should also be noted  
9 that of the 154 total vacancies, 83 of those vacancies  
10 had stabilized rents between 2,000 and 3,500 and up.

11 The next page, which covers two-year leases, shows  
12 an increase in the median rent from 1,570 in 2018 to  
13 1,738 in 2020, and an increase in the mean rent from  
14 1,578 in 2018 to 1,671 in 2020. Further, of 45 total  
15 vacancies, 30 show rents between 1,500 and 2,099. Seem  
16 to me -- it seems to me that these numbers meet or exceed  
17 what rentdata.org calculates as fair market.

18 An examination of the income and expense reports  
19 covering the past three years seems to show the profit  
20 margin for landlords remains consistent and healthy, no  
21 doubt in part, at least, to the factors I've previously  
22 mentioned. I know what some tenants in my building are  
23 earning from Social Security because many of them have  
24 volunteered this information to me. I am continuously  
25 amazed as to how some of these seniors on fixed incomes



1 manage to survive paying 1,700 dollars a month or more,  
2 while receiving a check from Social Security for 1,400  
3 dollars a month.

4 In conclusion, it should be noted that any number  
5 higher than a zero percent increase would only serve to  
6 hurt tenants that can afford it the least, especially at  
7 the current time, with so many tenants struggling to keep  
8 up with their rent due to COVID-related issues. The  
9 evidence shows that landlords continue to profit from  
10 their buildings, and does not support the high guideline  
11 increases they no doubt will lobby for.

12 MR. MILLER: Thank you, Mr. Schnier.

13 Any question or comments for Mr. Schnier? Going,  
14 going.

15 Thank you, Michael.

16 MR. SCHNIER: Thank you.

17 MR. MILLER: Mr. Ferrara, do you have another  
18 speaker?

19 MR. FERRARA: Oh, that concludes the speakers.

20 MR. GUTTENTAG: One second.

21 MR. RYCHLOWSKI: Could I make a comment?

22 MR. MILLER: Go ahead. There's a echo.

23 Are you close to your wife's speaker?

24 MR. RYCHLOWSKI: No, she doesn't have another  
25 speaker on.



1 MR. MILLER: All right. Go ahead, Robert.

2 MR. RYCHLOWSKI: Okay. This is to address Mr.  
3 Rush's comments about inflation. There was an article in  
4 the New York Times yesterday that's saying the Fed has  
5 been arguing that recent price rises are transitory.  
6 That they're not coming from food and energy so much as  
7 from pandemic-related disruptions that caused surging  
8 prices of used cars, lumbers, and other nontraditional  
9 sources of inflation. But the Fed feels that this  
10 episode, like the inflation blip of 2010/2011, will soon  
11 be over. That's it.

12 MR. COHEN: You see the price of lumber, you see the  
13 price of oil? I mean, I know what you're -- I know where  
14 they get the information from. I heard what Powell said,  
15 but he also said there's going be two interest rate  
16 increases during the year as well.

17 MR. RYCHLOWSKI: Yeah, but if you look at the price  
18 of oil if we look back a few years, it was probably  
19 higher than it is now.

20 MR. COHEN: The Times have been wrong in the past,  
21 also.

22 MR. RYCHLOWSKI: Right now it's up, but I'm sure  
23 it'll be down soon again, also.

24 MR. COHEN: We'll see.

25 I have questions for --



1 MR. MILLER: More questions, comment?

2 MR. COHEN: I have questions for DHCR.

3 MR. MILLER: Go ahead. Go ahead, Adam.

4 MR. COHEN: Adam?

5 MR. MILLER: I'm sorry.

6 MR. COHEN: So my question is --

7 MR. MILLER: I apologize.

8 MR. COHEN: -- I'm looking at the two pages called  
9 Nassau or EPTA (indiscernible) Schedule Survey 2021. It  
10 says the total notices mailed out were 242. And then  
11 when I look at the next page, it says the total buildings  
12 were 334. What happened to the other 98? How do we get  
13 from 334 to 298? Or 7,554 apartments to 4,597? What am  
14 I missing here?

15 MR. GUY ALBA: Okay. So before we get to discuss  
16 the tables, I just want to say thank you very much to  
17 everyone. Throughout this entire COVID period, it's been  
18 very difficult, and the entire research and analysis, we  
19 have Sal Haughie here, and Mike Langiulli, and the entire  
20 team, really a big thank you to them for making this  
21 happen. It's a -- it's a very, very tedious and very,  
22 very difficult job in making sure that we compute  
23 everything, and that we reach out to owners and make sure  
24 that they fill in the information.

25 So on this note, I just want to let either Mike or





1 Sal -- Mike are you taking the lead on this?

2 MR. MICHAEL LANGIULLI: Yeah. Okay. Well, the  
3 registration numbers also contain buildings that are co-  
4 op, that have converted -- they have alerted us that  
5 they've converted to co-op, which we do not mail in the  
6 survey. So the registration numbers may be higher than  
7 the tabulated results for that matter.

8 Also, the 2020 registration is still an ongoing  
9 process, so we expect the numbers -- that 7,508 number  
10 for 2020 for total rent-stabilized registered apartments  
11 in Nassau County, we expect that number to increase  
12 slowly but steadily over the next few months, as owners  
13 continue to register for the year 2020.

14 Would that answer your question, Mr. Cohen?

15 MR. COHEN: Not really. Not really.

16 MR. LANGIULLI: What number are you alluding to,  
17 then?

18 MR. COHEN: I mentioned, if you look at page 2, that  
19 is says there's total buildings of 334 buildings for  
20 2020, yet you only sent out 242 schedules, of which you  
21 got --

22 MR. LANGIULLI: Those are the co-op buildings that  
23 we do not mail to.

24 MR. COHEN: There's 98 co-op buildings?

25 MR. LANGIULLI: Very possibly, yeah.



1 MR. COHEN: So there could be a lot of co-op  
2 buildings that have just enough units to close, they  
3 could have 15, 20, 30 percent, and they could have 70  
4 percent of stabilized apartments. I'm not sure I -- I'm  
5 not really sure I understand.

6 MR. LANGIULLI: I would -- I would probably think  
7 that most co-op buildings are very highly de-regulated,  
8 and that's the reason why we don't mail to them anymore,  
9 because they would just be deemed not comparable, anyway.

10 MR. SALVATORE HAUGHIE: Also, Mike, I believe the  
11 Board -- it's in the instructions to the Board that  
12 Nassau County does not want, or the Board at a previous  
13 time, did not want to include co-op buildings, so that  
14 was something that the Board probably decided at a  
15 previous time that we do not mail out to co-op buildings.

16 MR. COHEN: Well, I don't recall that, and I've been  
17 on the Board for a long time.

18 MR. ALBA: Well, this is probably one of the initial  
19 votes of the Board, which was established already during  
20 the time of the manual survey. So we're talking about  
21 something over a 35-year period.

22 MR. LANGIULLI: And we have a few co-op buildings  
23 that I know from the building records that we examine,  
24 some of them may only have one or two rent-stabilized  
25 units left, so that's why we don't even use them, we



1 don't mail to them, because they would never be included  
2 in the tabulations, anyway. Especially, there are quite  
3 a few in Great Neck, off the top of my head. Great Neck,  
4 Great Neck Plaza.

5 MR. MILLER: Does that answer your question, Andy?

6 MR. COHEN: I'm just having trouble understanding  
7 that there are 98 buildings that are not included.

8 They're all co-ops? There's 98 co-op buildings? Do  
9 you know that for a fact?

10 MR. LANGIULLI: I can't say I know that for a fact.  
11 I can only attest to who responded to the survey.

12 And the registration, like I said, that's still  
13 ongoing. So we might have some more buildings coming in  
14 throughout the next few months. That number is going to  
15 go up.

16 MR. COHEN: Which number's going up?

17 MR. LANGIULLI: The 2020 registration numbers, where  
18 I have -- okay, total buildings 334. That's probably  
19 going to go up. 7,508 units, that's probably going to go  
20 up. Again, we don't mail to co-ops or condos.

21 MR. RYCHLOWSKI: I don't know if it helps, Andy, but  
22 there are a lot of co-op buildings in Long Beach, and I  
23 know Marilyn Topper (phonetic) had bought a few units  
24 years ago as an investment, and they did have rent-  
25 regulated tenants in them at the time. Now it's just



1 that all the apartments occupied by owner, or rented and  
2 de-regulated, and she'd been complaining about this one  
3 woman who had been living there 30 years and how little  
4 she paid and everything, but it's a very, very small  
5 minority in the co-ops.

6 MR. COHEN: Well, I know Long Beach and Great Neck  
7 have co-op buildings. I'm not -- and I think Rockville  
8 Centre has, also.

9 MR. LANGIULLI: Again, also, another reason can also  
10 be, we only mail to buildings that pretty much  
11 consistently register, because we need a valid owner's  
12 mailing address, email address, and a lot of buildings  
13 haven't registered in years. We don't hear from the  
14 owners for years, so sometimes, they get dropped as well.  
15 I mean, if we don't hear from you for 20 years, we're not  
16 going to -- we're not going to mail you a notice anymore.

17 I mean, we still -- we still -- we do email -- we  
18 email out three or four times throughout February, March,  
19 April, as a reminder to owners to please file your  
20 survey.

21 MR. COHEN: Okay.

22 MR. LANGIULLI: We send out one round of notices in  
23 February. Those are mailed through U.S. Post Office.

24 MR. COHEN: Generally, a survey, if you get 40  
25 percent, that's pretty good, but this is more than a



1 survey. This is -- this determines what rents should be.  
2 So 40 percent on 242 is not --

3 MR. LANGIULLI: We did get a -- we got a 51 percent  
4 response rate --

5 MR. COHEN: Yeah, but you're only using --

6 MR. LANGIULLI: -- which is pretty good.

7 MR. COHEN: No. You sent out 242 and you're  
8 tabulating 98. That's 40 percent.

9 MR. LANGIULLI: Well, we received 124.

10 MR. COHEN: I understand, but the --

11 MR. LANGIULLI: We excluded -- we excluded 26 --

12 MR. COHEN: I see that.

13 MR. LANGIULLI: -- for various reason.

14 MR. COHEN: I see. I see.

15 MR. LANGIULLI: Right. So we mailed out -- 242 were  
16 mailed out. I mean, 242 buildings are included in our  
17 survey, and we got 124 responses, which is a 51 percent  
18 response rate.

19 MR. COHEN: What are the 16 that are noncomparable?

20 MR. LANGIULLI: They're excluded for, usually, a  
21 high number of de-regulated units, or maybe a building  
22 had an MCI, and it was reported, and we confirmed that an  
23 MCI was granted, and they received a rent increase based  
24 on the expenditures of the MCI, which would have been  
25 maybe a million dollar expense.



1           That we can't really use, because that would skew  
2 the tables, so we do exclude a few like that. We do --  
3 we do exclude a few which had high vacancy. I think we  
4 had two or three buildings that were close to 50 percent  
5 vacant, which we excluded as well.

6           MR. COHEN: Why would those be excluded?

7           MR. LANGIULLI: Maybe one or two building had fire  
8 damage. Things like that.

9           MR. COHEN: If the vacancies are due to --

10          MR. LANGIULLI: Those are some of the ones that are  
11 noncomparable.

12          MR. COHEN: If the vacancies are due that they can't  
13 rent them, why would that be excluded?

14          MR. LANGIULLI: Well, if the building's half vacant,  
15 that's not really a comparable building. If I have a 25  
16 unit building with 16 vacant units, that's not really a  
17 usable building for us around the survey.

18          MR. ALBA: So keep in mind that they cannot provide  
19 information for the three years, some of them --

20          MR. COHEN: Well, that's something else. That's  
21 something else.

22          MR. LANGIULLI: And sometimes we'll -- we have the  
23 ability to send the survey back and ask the owner for an  
24 explanation of what's going on. Why are you not re-  
25 renting? And if we don't get a response, or he never



1 sends it back, then it's not a usable schedule.

2 By no means are we going out of our way to exclude  
3 buildings. We want as many as we can. We try to use as  
4 many as we can. That's for sure.

5 MR. MILLER: Thank you, Michael, Guy, Salvatore.

6 Andy, are you good now, sir?

7 MR. COHEN: I got the -- I heard their answer.

8 MR. MILLER: Okay. All right. Let me move along,  
9 then.

10 Andy, I've been -- I don't know why, I just can't  
11 seem to hear from Adam tonight, to the point where I'm  
12 giving him credit for you.

13 Adam, any comments, any questions? You've been  
14 quiet tonight.

15 MR. MAHONEY: I'm just listening to all the  
16 presentations.

17 Mr. McKee did mention the table 1, and I was a  
18 little bit surprised at the net operating income going up  
19 this year. I would -- I would have anticipated it going  
20 down. But there were also a lot of stimulus by federal  
21 government, local, State, in other areas. Extended  
22 unemployment, other pieces of the CARES Act, which would  
23 benefit individuals.

24 I know right now with the -- there's a lot of  
25 tenants, I think, are coming up to be evicted, or at



1 least that rule is going to come into effect soon. I  
2 don't know what the results of that will be. But I am  
3 curious of some of the other types of government funding  
4 that was available for tenants, and was that helpful in  
5 the rent-stabilized market for those type -- for those  
6 tenants? Did that help more tenants pay their rents over  
7 the past year or 15 months compared to previous years?  
8 I'm definitely curious about that.

9 MR. MILLER: Specifically as it has resulted in an  
10 increase of the rental income; is that what you're  
11 saying, Adam?

12 MR. MAHONEY: Yeah. I mean, also maybe an  
13 accounting question for Andy.

14 These tables are -- they're on a cash basis, I would  
15 assume, as compared to the accrual basis? You're muted,  
16 Andy.

17 MR. COHEN: Got it. So they're not necessarily on  
18 the cash basis, because most companies report based on  
19 how they file their tax returns, so some companies are  
20 accrual basis, some are cash basis.

21 Just to follow-up on the stimulus, a married couple,  
22 especially couples Mr. Schnier was talking about, should  
23 have gotten 6,400 dollars in stimulus checks.

24 MR. MAHONEY: So is that a reasonable influence to  
25 the positive in net operating income in the last period?





1 Or is that mainly an accrual type of a number, where  
2 there may be some outstanding collections on those -- on  
3 those revenues for these -- for these companies?

4 MR. COHEN: Well, if they're on the accrual basis,  
5 they may have recorded the income with some reserve. If  
6 they're on the cash basis, it's just what they got. So  
7 you don't -- we'll never -- we'll never know that.

8 MR. MAHONEY: Sure.

9 MR. COHEN: Actually, I think the reports ask you  
10 what your basis is. Isn't there a box that you check  
11 what your accounting basis is? I haven't seen one in a  
12 while, but I thought there was a box, or there used to be  
13 a box.

14 MR. MAHONEY: Yeah. So Michael, those were just  
15 some of my thoughts on it.

16 And then anticipating inflation, obviously, is --  
17 you could argue many points of it, but I think it was,  
18 what, CPI was 5 percent year over year, so that's pretty  
19 high.

20 And then moving forward, there may be some -- I  
21 don't know what the case will be 12 months from now, but  
22 definitely, it's an issue at this point. It's an issue  
23 for the end of this year, and we'll see how we --  
24 hopefully, everyone can kind of get back to where  
25 normalized situation with hopefully COVID getting behind



1 us at some point, and then get back to more of a  
2 normalized economics.

3 MR. MILLER: (Indiscernible).

4 MR. COHEN: I understand there are 9 point something  
5 million dollar jobs available.

6 MR. MELKONIAN: Yeah. There's more than that. I  
7 have a job to pick the crabgrass from my lawn. A dollar  
8 a day, I'm paying.

9 MR. MILLER: All right. Jeannetta, any comments?

10 MS. ALEXANDER: Yeah. I was interested, I didn't  
11 see it on the survey, but I may have missed it, if we  
12 know what buildings received any of the PPP loans. Do we  
13 have that information?

14 MR. COHEN: Should be zero. Real estate's not  
15 allowed to get them.

16 MS. ALEXANDER: Really? Even if they're in -- not  
17 for their properties, but I mean, just their operating  
18 costs for administrative needs or anything like that?

19 MR. MELKONIAN: I think that's not quite correct. I  
20 think there are -- there is a PPP program by the SBA that  
21 allows certain payroll costs to be --

22 MS. ALEXANDER: Right.

23 MR. MELKONIAN: -- met for property managers and  
24 other employees.

25 MS. ALEXANDER: That's exactly what I'm thinking.



1 MR. COHEN: No PPP. There is no PPP for rental real  
2 estate.

3 MS. ALEXANDER: All right. So then let me back it  
4 up. My question is, do you know if any of the -- anyone  
5 received any monies from the federal government as a  
6 result of the pandemic?

7 MR. COHEN: I don't know if they got the -- there  
8 was the employee retention credit that's possible, but  
9 there wasn't -- there was not a lot of money.

10 MS. ALEXANDER: And I guess we didn't ask that or  
11 anything like that on our survey, I presume, this year?

12 MR. LANGIULLI: No, the survey does not specifically  
13 ask that question, nor did I see any mention of PPP in  
14 any of the comment boxes from the owners' responses.

15 MS. ALEXANDER: Okay. Okay.

16 MR. LANGIULLI: In all three counties, including the  
17 other -- Westchester or Rockland. We look at all of  
18 them. I didn't see anything.

19 MS. ALEXANDER: Got it. Okay. Thank you.

20 MR. MILLER: Thanks, Jeannetta.

21 Garrett?

22 MR. GRAY: Yeah. Actually, it's the flip side of  
23 Adam's question and building on what Jeannetta was  
24 saying.

25 Was there any monies stimulus, loans, et cetera made



1 available to landlords from either the state or the  
2 federal government to assist them during the pandemic?  
3 And also, what percentage of rents weren't paid from  
4 tenants that got the benefit of not being evicted during  
5 the time?

6 Barry? Andy? Anyone?

7 MR. COHEN: There's no way to know that about the  
8 rents. And the stimulus to landlords, I represent a  
9 bunch of landlords, and I think it was not much of  
10 anything.

11 MR. MELKONIAN: I kind of googled it myself, and I  
12 saw that there was something called Economic Injury  
13 Disaster Loan, EIDL, which apparently was available up  
14 until 10,000 dollars, and it's a small addition, I think,  
15 but it's something. I think there was something. How  
16 many landlords took advantage of it, I don't know. I  
17 don't have that statistic.

18 MR. MILLER: Thank you. Am I missing anybody?

19 Cathryn, any closing comments?

20 Barry?

21 All right. Well, that being said, no other comments  
22 from anyone? Going, going. All right.

23 MR. FERRARA: Michael I --

24 MR. MILLER: Go ahead.

25 MR. FERRARA: Michael, it's James Ferrara. I just



1 want to let you know that I received an email from Mr.  
2 McKee, who would like me to forward everyone an article  
3 that he attached regarding inflation. So after we end,  
4 I'll forward it to the Board.

5 MR. MILLER: Okay. Okay. Thank you. Thank you  
6 very much.

7 All right. Our next meeting's this Thursday -- I'm  
8 getting a bad echo. Thursday. This Thursday, June 24th,  
9 at 7:30. That will be our deliberation and voting night.  
10 I encourage everybody to attend promptly like you did  
11 today.

12 I want to thank you for your time. I want to thank  
13 also James, Michael, Michael, Guy, Salvatore, everybody,  
14 all members of the Board, we appreciate your service, and  
15 those members of the public also. All the speakers  
16 tonight.

17 Do I have a motion for adjournment?

18 MR. GRAY: Motion to adjourn.

19 MR. MILLER: Garrett. Seconded by?

20 MS. HARRIS-MARCHESI: I second.

21 MR. STEIN: Barry?

22 MR. MILLER: Oh, seconded by Cathryn. All right.

23 All in favor? Aye, raise your hands.

24 Thank you very much, folks. Again, have a wonderful  
25 night. Be safe, and I will look forward to seeing you on



1 Thursday at 7:30. The meeting is adjourned.

2 [END RECORDING]

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

Signature



Date June 27, 2021



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