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

Westchester County RGB Public Meeting
Held Via Teleconference
Monday, June 21, 2021
7:02 p.m.



1 [START RECORDING]

2 MR. PETER STECKER: Okay, good evening. It is
3 Monday, June 21st at 7:02 p.m. This is the second public
4 hearing for the Westchester County Rent Guidelines Board.
5 I'll start this meeting by reading the introductory
6 notice.

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, Westchester County Rent Guidelines Board
11 will be conducting public hearings to set guideline
12 rates, rent adjustment for housing accommodations within
13 its jurisdiction subject to the ETPA for leases
14 commencing between October 1, 2021, and September 30th,
15 2022, via teleconference.

16 Instruction for members of the public to
17 simultaneously view or listen to the meeting have been
18 HCR's website for the Office of Rent Administration under
19 the public hearings section prior to the meetings.
20 Hearings will also later be transcribed, and the public
21 will have the ability to view the transcripts.

22 So with that being said, Chair, I'll send it over to
23 you.

24 MS. ELSA RUBIN: Thank you, Peter. My name is Elsa
25 Rubin, chair of the Westchester Rent Guidelines Board. I



1 welcome you to this virtual meeting. This is the second
2 of two public meetings to consider comments concerning
3 rent adjustments for leases -- leases commencing or being
4 reviewed -- renewed between October 1st, 2021, and
5 September 30th, 2022.

6 I will now take roll call. Please respond if you
7 are present. Velene Acquah, Public Member?

8 MS. VELENE ACQUAH: Here.

9 MS. ELSA RUBIN: LaMont Badru, Public Member?

10 MR. LAMONT BADRU: Here.

11 MS. ELSA RUBIN: Eddie Mae Barnes, Public Member.

12 MS. EDDIE MAE BARNES: Here.

13 MS. ELSA RUBIN: Eliot Cherson, Owner
14 Representative?

15 MR. ELIOT CHERSON: Here.

16 MS. ELSA RUBIN: Kenneth Finger, Tenant
17 Representative?

18 MR. KENNETH FINGER: I am here.

19 MS. ELSA RUBIN: Sylvia Hammer, Tenant
20 Representative?

21 MS. SYLVIA HAMMER: Here.

22 MS. ELSA RUBIN: Evelyn Santiago, Public Member?

23 MS. EVELYN SANTIAGO: Present.

24 MS. ELSA RUBIN: Tamara Stewart, Tenant
25 Representative.



1 MS. TAMARA STEWART: Present.

2 MS. ELSA RUBIN: And Elsa Rubin, Public Member,
3 present. Let the quorum show that we have a quorum. Let
4 the record show that we have a quorum.

5 Our next virtual meeting will take place on
6 Wednesday, June 23rd at 7:00 p.m. for the presentations
7 of the Tenant and owner representatives. Also if anybody
8 is watching online right now and wants to participate in
9 this meeting, please let us know if we have the
10 opportunity, if we have the time, we will try to
11 accommodate you.

12 And I will ask our Counsel, Mr. Peter Stecker, to
13 please give the instructions on how to -- if people want
14 to participate, how they can do it, and any other
15 comments that you may have.

16 MR. PETER STECKER: Okay. Thank you, Chair. The
17 instructions for anyone who would like to contact me to
18 sign up for tonight is an email address of
19 westchestercountyr gb@nyshcr.org, and as I do every night,
20 I will be monitoring this email address throughout the
21 meeting in case somebody wants to sign up. They can send
22 me an email.

23 Other than that, I don't have any other -- any other
24 announcements. I do note that we have 18 people signed
25 up for tonight. So I did send you the list Madam Chair



1 before the --

2 MS. ELSA RUBIN: Yes.

3 MR. PETER STECKER: Before the meeting, if you want
4 to go ahead and you know, call the first individual.

5 MS. ELSA RUBIN: Yes. Before I call the -- the
6 speakers, I would like to ask everybody who comes to
7 speak to introduce yourself and let the Board know if you
8 are representing yourself or an organization because if
9 you are representing yourself, you're going to have three
10 minutes to speak. And if you are representing an
11 organization, you have five minutes.

12 Also, since we have many people come in today, we
13 will stick very strictly to the timeframe. And I
14 apologize in advance if we have to cut you off. But we
15 had to hear from -- in all fairness, we have to hear from
16 anybody -- everybody who wants to come before us.

17 I will now call the speakers in the order in which
18 they signed up prior to this meeting. And the first
19 person is Tim Foley.

20 MR. PETER STECKER: Okay, Chair. So there's
21 somebody that I think they're raising their hand that's
22 not identified. So I'm going to let them speak and see
23 if it's Mr. Foley.

24 FEMALE VOICE: Hello.

25 MR. PETER STECKER: Good evening. Is that Mr.



1 Foley?

2 FEMALE VOICE: No.

3 MR. PETER STECKER: Oh no. Never -- never mind. I
4 actually see him in here as a different person. Thank
5 you. Okay. I'm promoting Mr. Foley right now.

6 MR. TIM FOLEY: Hi. Good evening, everyone.

7 MS. ELSA RUBIN: Good evening.

8 MS. EDDIE MAE BARNES: Good evening.

9 MR. TIM FOLEY: Am I okay to begin?

10 MS. ELSA RUBIN: Yes. Go ahead.

11 MR. TIM FOLEY: All right.

12 MS. ELSA RUBIN: Just please before you -- state if
13 you are representing yourself or an organization.

14 MR. TIM FOLEY: I'm representing an organization.

15 MS. ELSA RUBIN: You have five minutes.

16 MR. TIM FOLEY: Thank you so much. So my name is
17 Tim Foley, and I'm the CEO of the Building and Realty
18 Institute which includes the Apartment Owners Advisory
19 Council.

20 You've heard many of our members throughout the
21 first public session and you will again tonight. But I
22 wanted to give some county-wide observations which may be
23 useful in assessing this year's unique circumstances for
24 tenants and landlords.

25 First, I want to emphasize how strongly and



1 vigorously the BRI is encouraging our landlords to pull
2 out all the stops to assist, nudge, cajole, and persuade
3 their tenants who may qualify to sign up for the
4 Emergency Rent Assistance Program or ERAP. Many of our
5 landlords supported their tenants' efforts to apply for
6 relief and the last year's far more limited state and
7 county relief programs, only to be endlessly frustrated
8 by the woefully inadequate, and harshly restricted state
9 program and the extremely long delays in receiving
10 payments from the county's program.

11 It was frustrating for them and agonizing for many
12 of their tenants. Through ERAP, there is 20 times as
13 much money available as there was in all of 2020. And
14 the administrative burdens and restrictive eligibility of
15 last year have been substantially eased. The BRI pushed
16 for this program in Albany. We've been in frequent
17 contact with the Office of Temporary Disability
18 Assistance and the City of Yonkers, and we're happy that
19 BRI members of Community Housing Innovations is one of
20 the not for profits helping to sign up eligible tenants
21 in Westchester. And there's much more to be done and
22 we're deeply invested in doing what it takes to make it a
23 success.

24 But I also want to be clear what ERAP is not. It is
25 not a windfall for landlords. It is not even new



1 revenue. It clears out the arrears of tenants who are
2 only in debt because of the financial hardship
3 attributable to COVID-19. But essentially, for those
4 tenants, it just gets us back to zero. Even if the
5 program runs perfectly and all COVID-related arrears are
6 covered which we hope is the case.

7 Plus the projected three months for those who
8 continued to be going through a financial hardship even
9 as we come out of the pandemic, it doesn't begin to
10 address the additional costs of the past year or
11 projective future cost. Those can only be addressed
12 through this process. It does not cover increases in
13 property taxes, utilities, payroll, interest, and another
14 increase in the insurance at merely three times the rate
15 of inflation. There's nowhere else where those costs can
16 be addressed except through the rent guidelines Board
17 process.

18 I also want to underline two unique circumstances
19 this year, one for tenants and one for landlords. For
20 those tenants who have suffered a financial hardship and
21 qualify for ERAP, the benefits don't just end with the
22 government paying their arrears and potentially three
23 months of prospective rent.

24 As part of the terms of ERAP, the landlord must
25 agree to provide eviction relief for a year as well as to



1 freeze rent for a year. That means a tenant who
2 experienced financial hardship last year and qualified
3 for ERAP already will have the rent frozen for next year,
4 no matter what this Board decides. This is perhaps the
5 only time that you will consider an appropriate level to
6 increase rents knowing that the tenants most and
7 financial need already have another source of relief,
8 separate and apart from this process.

9 Now on the landlord side, the story is not so
10 positive. You will notice that one area where costs went
11 down substantially last year was maintenance and repairs.
12 But that's not a good sign.

13 Within the context of the pandemic, many buildings
14 deferred nonessential maintenance for months at a time.
15 And that made sense given how frankly scared a lot of us
16 were to let anyone else out of our family into our homes
17 for any reason. In order cases, landlords put off
18 repairs because money was tight. And they'd prefer to
19 offer flexibility and payment plans, or other
20 accommodations to struggling tenants. But those needs
21 for repairs didn't disappear. They were just deferred.
22 They need to be caught up this year, if at all possible,
23 or they'll start to impact the quality of life for
24 tenants.

25 Now unfortunately the cost of making these repairs



1 is through the roof in an unprecedented way through the
2 first few months of 2021. Due to a nationwide shortage,
3 the price of lumber surged over 200 percent over the past
4 12 months, and that's bad enough. But it's also
5 accompanied by shortages in nearly a dozen other building
6 materials and supplies.

7 95 percent of home builders report they've had
8 delays or difficulty getting the appliances they need for
9 construction, renovations. The same is true for rosin-
10 based paints, for foam, copper, steel, gypsum, plywood,
11 windows, and doors. And every so often you might see a
12 spike in one category of home improvement supplies from
13 time to time.

14 MS. RUBIN: Mr. Foley?

15 MR. FOLEY: Yes.

16 MS. RUBIN: Could you please wrap up. Your five
17 minutes is up. Thank you.

18 MR. FOLEY: To have them -- absolutely. To have
19 them all surge at once like this is truly unprecedented.
20 We have no idea how long it will last.

21 So we think the situations are ripe for a reasonable
22 increase to cover among other things the cost of these
23 supplies knowing with security that those who went
24 through a financial condition already have relief through
25 ERAP. Thank you.



1 MS. RUBIN: Thank you. Any questions for Mr. Foley
2 from the Board? No. Thank you very much, Mr. Foley, for
3 your presentation.

4 MR. FINGER: No. There was a question from Tamara.

5 MS. RUBIN: Oh, Tamara, okay. We're dealing --
6 question.

7 MS. STEWART: I -- I really just wanted to thank Mr.
8 Foley for his organization encouraging owners to help
9 tenants for filing out ERAP applications. I've talked to
10 -- to folks who are on the -- the end of nonprofits that
11 are trying to help folks. And it seems like some owners
12 are -- are helping their tenants, and other ones not as
13 much. So we appreciate your partnership in trying to get
14 tenants out of arrears and to -- to get owners the money
15 that's rightfully due them. So thank you.

16 MR. FOLEY: Thank you.

17 MR. FINGER: I have a question also.

18 MS. RUBIN: Yes.

19 MR. FINGER: Mr. -- Good evening, Mr. Foley. How
20 are you tonight?

21 MR. FOLEY: Good evening. How are you?

22 MR. FINGER: Okay. What is the BRI with the AOAC
23 working with the county in some fashion to assist the
24 tenants in getting this ERAP money?

25 MR. FOLEY: Yeah. So we'd -- the county just got us



1 a whole bunch of flyers that we're going to distribute to
2 all of our members in both English and Spanish, for both
3 landlords and tenants again advocating for this type of a
4 program. We've been having some discussions with the
5 county about possibly co-organizing some pop-up sites
6 where if there's a particular area or we know that
7 there's a particular set of buildings, where there are
8 tenants with a lot of arrears or for whatever reason,
9 they're not working with their landlord or they're not
10 working with the nonprofit, maybe we can get someone
11 there.

12 Really at this point, we're open to any creative
13 ideas. We're all in this together. It's going to help
14 landlords. It's going to help tenants. The money is
15 there and it's there for this purpose. And it's not
16 going to be there for future problems. So we need to
17 make sure that as many people as we can make solid, we
18 are doing so.

19 MR. FINGER: Is there a limitation on the amount of
20 money on the ERAP that a tenant can get in terms of the
21 economics of the tenant?

22 MR. FOLEY: So the main criteria is that they have
23 to be at 80 percent of the area median income, or below,
24 or -- and they need to have experienced some type of
25 hardship. The documentation of restraints on ERAP are



1 much less than they were for the previous program.

2 We know a lot of tenants applied. They jumped
3 through a lot of hoops. They supplied a lot of
4 documents. At the end of it, they were told surprise,
5 you're not eligible. And then they were just stuck.

6 That's not the way, as we understand it, this
7 program has been working. They are keeping to the
8 minimum to determine that you actually experience a loss
9 of income or had higher healthcare cost, or are taking
10 care of a family member, or some type of a financial
11 burden along those lines.

12 Now, just so you know, we have also been pushing for
13 some state money to be dedicated to land -- to tenants
14 who are in substantial arrears but who are above 80
15 percent AMI because we know there are some people who are
16 in that realm there where they, you know, they had an
17 apartment that was completely affordable pre-COVID. And
18 they had a loss of income but they're now still
19 struggling.

20 You can't use Federal dollars above that 80 percent
21 threshold. So we're encouraging the state to step in.

22 MS. RUBIN: Yeah. I believe Ms. Stewart had another
23 question.

24 MS. STEWART: Mr. Foley, have -- have your members
25 -- have you worked with your members to come up with



1 let's say a list or lists of tenants in different
2 buildings that might qualify or that are behind in
3 arrears? Like are you guys keeping track? So that --
4 because one of the things that the nonprofits are, you
5 know, all they can do is wait for people to come to them
6 and say listen, I need some help even as they try to get
7 the word out in different communities that the program is
8 available. The landlords have a much better sense of
9 who's behind.

10 Now you may not know, if -- if the person, the
11 tenants meet the -- all the eligibility criteria. But it
12 seems like there's an opportunity for the landlords to
13 help those of us who are trying to help the tenants
14 identify who may need help. And then maybe it's the --
15 it's -- it's the nonprofits and tenants representatives
16 and tenant advocates that could then approach tenants
17 because we're in many cases maybe a more trusted source
18 for information to -- to talk to them about why they
19 might want to consider applying to the program. But you
20 guys know better than we do who those people might be.

21 MR. FOLEY: Well, I agree. And I think at a certain
22 point, we need to start taking a hard look at who hasn't
23 applied. I know there are lot of people who try to apply
24 and they hit some technical snags here or there.

25 The one area that we are also paying very close



1 attention to is the City of Yonkers. The City of Yonkers
2 is running its own program. They're confident that they
3 know how to do that, working with some of the local
4 nonprofits because they think they can triangulate it
5 that way. But they do not have a web portal.

6 So it's going to be a little bit harder, I think, to
7 keep track of everybody in the City of Yonkers. So I
8 don't think we'll have any choice but for landlords to
9 sort of work with nonprofit agencies once we get through
10 the initial flush of people applying to figure out who
11 the folks are who haven't applied for whatever reason and
12 see if we can't do things that are more targeted or if it
13 involves like I said, a pop-up session on the weekend, or
14 something where someone just plunked down in a courtyard
15 with some WIFI and just signing people up on the spot.

16 You know, we're happy to put some resources behind
17 it. And I -- we're willing to get as creative as we can.

18 MS. STEWART: Okay. I definitely know we have
19 communication issues in Mount Vernon. I know Mount
20 Vernon United Tenant is trying to do what they can but
21 there is -- my sense is that there's a tremendous need in
22 the Mount Vernon community for -- for help through the
23 ERAP Program except that -- that it's hard to get the
24 word out to everyone who may need and qualify for the
25 help. So whatever can be done in that regard would be



1 good.

2 I hope that the courts are trying to help us too.
3 Like the people who are going on these Zoom calls to, you
4 know, their court appearances. I hope that there's
5 something happening on that end because that obviously
6 they know who's having -- whose being, you know, hauled
7 into court because, you know, for nonpayment.

8 MR. FOLEY: Yeah. I -- I can't say. I haven't
9 heard what the courts are or are not doing on this case.
10 But I would agree, you know, it -- you know, any possible
11 way we can get the word out we need to take advantage of
12 it.

13 MR. FINGER: I have one more question, Madam
14 Chairwoman.

15 MS. RUBIN: Go ahead.

16 MR. FINGER: Okay. Mr. Foley, I -- one, I may have
17 missed it. If we -- if assuming we can get some money
18 for tenants from the ERAP Program, is it still necessary
19 for this Board to give some type of reasonable increase
20 in rent?

21 MR. FOLEY: In my opinion, yes, because as I said
22 the ERAP, it's important to clear out the arrears that
23 came from COVID-19. But it doesn't take into account the
24 fundamental charge of this, which is to make sure that
25 costs ultimately are covered.



1 I -- I think in this year, in some ways, it is an
2 easier case than in others because precisely because of
3 ERAP and because ERAP comes with strings attached to the
4 landlord to the benefit of the tenant specifically
5 eviction relief, and then freezing rents for a single
6 year. You have some, you know, confidence that if
7 someone has gone through the ERAP Program because they
8 suffered a financial difficulty, the state has already in
9 effect frozen their rent for a year.

10 So the folks who -- the only folks where -- who are
11 open for consideration, number one, are folks who didn't
12 sign up for a two lease -- two-year lease last year which
13 are not a lot. And also people who didn't have a
14 financial condition that was covered by ERAP which again
15 means that they have some ability to float a reasonable
16 modest increase without the thread of financial hardship.

17 And then fundamentally, you know, for us, it's a
18 question of the economics and the finances of maintenance
19 and repairs have just started to breakdown on a way
20 that's unsustainable. And many of my landlords you've
21 heard from some of them, including Carol Dazinger the
22 other night, really just don't even know how to make the
23 math work on some of the basic repairs that they need to
24 do.

25 A lot of the financial supports that they relied on



1 have been changed. They haven't figured out how to adapt
2 to the new circumstances. They're not a corporation with
3 a big, you know, bankroll, you know, operating in
4 multiple states behind them.

5 A lot of these folks are local-born and bred here in
6 Westchester and are trying to figure things out as best
7 as they can. So I think the cases is honestly more
8 clear-cut because if we continue to defer maintenance and
9 repairs, no one's going to be happy. The tenants are
10 really going to be furious, and the landlords for their
11 part don't quite know how to make ends meet without some
12 assistance.

13 MR. FINGER: Thank you.

14 MS. RUBIN: Thank you very much, Mr. Foley. I think
15 we have to move on. I'm going to call the next --

16 MR. ELIOT CHERSON: Can I have a quick question?

17 MS. ELSA RUBIN: Yes.

18 MR. CHERSON: Very quick question. Thank you. Mr.
19 Foley, based upon what you just stated and your research,
20 has your organization come up with any figures as to what
21 you deem a fair guideline would be this year?

22 MR. FOLEY: So we have our figures based on what the
23 backlog of repairs are. But to be perfectly honest, I'm
24 not even going to give you that number because I think
25 it's not real -- it's not a -- not -- certainly not on



1 the cards. I think a reasonable increase would be based
2 off of CPI.

3 We know that CPI is around 2.6 percent this year.
4 So something on the order of let's say, a 3 percent
5 increase for a one year and a 4.5 for a two year is
6 something that is modest enough. That if someone is not
7 suffered a financial hardship, and again, those who have
8 and go through ERAP, have their rents frozen anyways,
9 would be able to sustain in this environment.

10 MR. CHERSON: Thank you.

11 MS. RUBIN: Thank you very much, Mr. Foley. And
12 Peter, at this time, I'm going to call Emma Loftin-Woods
13 representing the tenants.

14 MR. STECKER: Promoting her right now. Okay,
15 Reverend Loftin-Woods, can you hear us.

16 MS. EMMA LOFTIN-WOODS: Yes, I can.

17 MR. STECKER: Okay.

18 MS. RUBIN: Good evening, Reverend.

19 MS. LOFTIN-WOODS: Good evening. Can you hear me?

20 MS. RUBIN: Yes. We can hear you. Can you state if
21 you are representing yourself or an organization?

22 MS. LOFTIN-WOODS: I'm representing myself and my --
23 my -- my neighbors who are seniors like myself. So we
24 just have a very small tenant group.

25 MS. RUBIN: So you're with -- is that an



1 organization or an entity?

2 MS. LOFTIN-WOODS: It's an -- it's just an entity
3 here in the cooperative. Three minutes will be just
4 fine. Thank you.

5 MS. RUBIN: Thank you.

6 MS. LOFTIN-WOODS: All right. Good evening
7 everyone. I am Reverend Emma Loftin-Woods, a former
8 tenant representative on the Westchester Guidelines
9 Board.

10 I am -- and I know Mr. Cherson, you don't want to
11 hear this. But I'm a long-term rent-stabilized tenant at
12 300 North Broadway in Yonkers.

13 If I'm not mistaken, I think last year's guidelines
14 were zero. Zero. All right. Having been on this Board
15 for many years and having been a part of the zero
16 increases several times. There is always an imbalance
17 there for the leases that will expire the next year. An
18 example, most of us here at 300 North Broadway, our
19 leases are expiring in 2022. So we will not have the
20 option of getting a zero unless this Board votes for
21 another zero this year.

22 I am not asking this because we are facing financial
23 hardships because some of us are, but because I think
24 it's right and just. I've been here 40 plus years, Mr.
25 Cherson. This year since April, we have been without gas



1 in the entire building. I heard the gentleman speak
2 about maintenance. Well, maintenance and the lack
3 thereof is what has us in the predicament we are in.

4 There was a gas leak here, Con Edison shut the gas
5 off. We have no means of preparing meals other than a
6 hot plate. And I'm sure that Ms. Barnes knows what a hot
7 plate is. It is difficult. It is a challenge, not only
8 for us seniors but for these families here that are ETPA
9 renters.

10 We are incurring additional electrical costs because
11 we all have to go out and purchase electric appliances.
12 There is no timeframe as to when we will ever see gas or
13 be able to operate our stoves, which have all been
14 disconnected.

15 So I appeal to the Board this year to give us the
16 balance and the benefit of what the tenants received last
17 year because of various COVID hardships. I'm alive. I
18 survive COVID by God's grace. I want to see next year,
19 but I want to be able to pay my rent as well.

20 And many of the seniors here, we paid our rent
21 throughout this COVID disaster, this pandemic. We've all
22 paid our rent, and we've tried our best to stay on top of
23 it. But now we are incurring expenses that were beyond
24 our control.

25 I ask you all again, think about the other half that



1 did not get the zero from last year. Thank you so much.

2 MS. RUBIN: Thank you. I have a question for you
3 Reverend.

4 MS. LOFTIN-WOODS: Yes, ma'am.

5 MS. RUBIN: How many -- how many people live in the
6 -- in the -- in your unit?

7 MS. LOFTIN-WOODS: This is a cooperative --

8 MS. RUBIN: In your coop.

9 MS. LOFTIN-WOODS: There's about -- there is about
10 12 ETPA. There are 70 families and none of us have any
11 gas right now.

12 MS. RUBIN: Since when you said?

13 MS. LOFTIN-WOODS: April 15 Con Edison disconnected
14 our building from the main gas line on North Broadway.

15 And they speak of maintenance, they knew that there
16 was a gas leak. But because of an ineffective Board that
17 does not know how to run a cooperative, they ignored us
18 renters. They did nothing until Con Edison came in and
19 discovered the leak for themselves.

20 Our lives were in jeopardy for over a year. But by
21 God's grace, we didn't have an explosion. But now, it's
22 \$100,000 worth of repairs that the shareholders including
23 one -- onto my unit -- will have to bear, but we're all
24 suffering the inconvenience of not being able to feed our
25 families that way that we once did. It cost a lot of



1 money to have Uber, and all those -- not Uber but whoever
2 -- whatever those places are. I can't use them because
3 it costs too much money.

4 So ordering in is not an option for many of us. I
5 want you all to take that into consideration. It's not
6 just COVID. It's everyday life that we're living and
7 trying to live. Thank you.

8 MS. RUBIN: Any other questions for the Reverend?
9 Yes, Mr. Cherson. You're on mute.

10 MR. CHERSON: Okay. Reverend Woods, Loftin-Woods,
11 it's very good to see you.

12 MS. LOFTIN-WOODS: How are you, Mr. Cherson?

13 MR. CHERSON: I'm good and it's very good to see
14 you.

15 MS. LOFTIN-WOODS: I survived. I survived.

16 MR. CHERSON: I can see that. I just have a real
17 quick question for you. I just want to clarify to make
18 sure there's no misunderstanding amongst the Board
19 members, or anybody else for that matter.

20 The gas in your building has been turned off for all
21 of the units.

22 MS. LOFTIN-WOODS: Every one of them.

23 MR. CHERSON: All right. So even if a person owns
24 it, they're a cooperator, they have no gas either. This
25 is not confined to just ETPA rentals, correct?



1 MS. LOFTIN-WOODS: No, no, no.

2 MR. CHERSON: Okay. I just wanted to know. Thank
3 you very much. Thank you.

4 MS. LOFTIN-WOODS: No, no, no, the stoves have been
5 disconnected. And we are -- we are blessed to be able to
6 have hot water, and that's it. But it affects the entire
7 residence.

8 MS. RUBIN: Mr. Finger?

9 MR. FINGER: I just wanted to say, it's good to see
10 you, Reverend.

11 MS. LOFTIN-WOODS: Hey. Hey, Kenneth.

12 MR. FINGER: I'm glad you're -- you're well. You
13 look happy. And --

14 MS. LOFTIN-WOODS: Well, it was touch and go there.
15 And they did not expect me to pull through. But there's
16 someone greater than man, that's -- she got too much to
17 say -- a lot right now.

18 MR. FINGER: We know that -- that there's no way you
19 wouldn't pull through in flying colors. It is really
20 nice to see you again and all -- all our best.

21 MS. LOFTIN-WOODS: Come and join me, July the 10th,
22 and we're going to celebrate life. I'll send you the --
23 I sent the email already.

24 MR. FINGER: Knock on wood. We're all trying.

25 MS. LOFTIN-WOODS: Hallelujah. You all do -- do



1 what you do and do it good, okay. Take good care.

2 MS. RUBIN: Thank you, Reverend.

3 MR. CHERSON: Thank you, Reverend.

4 MS. BARNES: Thank you, Reverend. It's good to see
5 you.

6 MS. LOFTIN-WOODS: Take -- take -- take good care.

7 MS. RUBIN: Peter, I'm going to call Fernando
8 Barbosa.

9 MR. STECKER: Chair, I do not see Mr. Barbosa in
10 here.

11 MS. RUBIN: So the next person I have in the list is
12 Lisa DeRosa.

13 MR. STECKER: Yes. I'm going to promote her right
14 now. Ms. DeRosa, can you hear us?

15 MS. LISA DEROSA: Yeah. And can you hear me?

16 MR. STECKER: Yes.

17 MS. DEROSA: Okay.

18 MR. FINGER: But we can't see you.

19 MS. DEROSA: I don't know.

20 MR. FINGER: There we go.

21 MS. BARNES: Now we can. We can see you.

22 MR. FINGER: A shining light.

23 MS. DEROSA: Shining light from above.

24 MS. RUBIN: Thank you. Ms. -- Ms. DeRosa, are you
25 representing yourself or an organization?



1 MS. DEROSA: I am representing an organization.

2 MS. RUBIN: Which organization is that?

3 MS. DEROSA: I'm representing my company, DeRosa
4 Builders, and I am representing the Building and Realty
5 Institute as the first female president.

6 MS. RUBIN: Congratulations.

7 MS. DEROSA: Thank you very much.

8 MS. RUBIN: You have five minutes.

9 MS. DEROSA: Thank you very much. Good evening. My
10 name is Lisa DeRosa. Many of you on the board have heard
11 my testimony each year. But this year, it's both in my
12 role as a landlord for a multigenerational apartment
13 owner, DeRosa Builders, and as not just the President but
14 the first female President, sorry, I had to say it again,
15 of the Building and Realty Institute.

16 This is a special honor for me because my father had
17 been President of the BRI in 1968. And my mother was
18 President of the Women's Council of the BRI back when
19 there was such a thing.

20 I bring this up because it cements something I've
21 always found to be true. The landlords that come before
22 you each year were not faceless corporations, fly-by-
23 night investors, or people looking to make a quick buck.
24 We have deep roots in our communities. We have deep
25 connections with many of our tenants, and we're dedicated



1 to investing in our buildings to keep them in good
2 conditions and the type of apartments our residents --
3 residents deserve, want, and will hopefully want to live
4 in for a long time.

5 There has been a lot of talk about ERAP. We are
6 very grateful for the aid and we are doing whatever it
7 takes to get our tenants signed up. We know many of them
8 were in tough situations, not because of anything they
9 did but because of COVID-19.

10 But I want to be clear about what ERAP is not. It
11 is not a windfall. It is not new money. In fact,
12 accepting the aids, we have to agree not to raise rents
13 on those tenants for one year. So over the year, it's
14 technically less money. It pays off the debts and the
15 arrears from 2020. It works perfectly it only gets us
16 back to zero.

17 Like many landlords, I postponed some repairs and
18 improvements in my building, including installing energy-
19 efficient windows on when stabilized units when HSTPA
20 passed in 2019 because it wasn't clear how we would be
21 able to pay for them under the new rules. When landlords
22 cancel or postpone repairs, everyone loses. The
23 contractors which are almost always local lose the work.
24 The tenants do not receive the improvements that the
25 landlord wants to do, and nobody wins when the condition



1 of the building deteriorates.

2 I had some IAI requests in the works when the new
3 law passed. And it's honestly been a quagmire trying to
4 in compliance. For example, landlords were not informed
5 until February of 2020 that before and after pictures
6 were needed for IAIs. And it was not until very
7 recently, a full two years after the law was passed that
8 we had the full ability to be in compliance.

9 Like many landlords, I had to postpone other repairs
10 for many months of 2020 because of COVID. My tenants
11 weren't comfortable with workers being in their
12 apartments, and the local contractors and my
13 superintendents were not thrilled with the idea of going
14 into apartments and exposing themselves to risk.

15 But all those repairs and improvements can't be put
16 off forever without harming the quality of life of my
17 tenants and the conditions of my buildings. They have to
18 be done. They also have to be done now. When the
19 sticker shock of huge price increases and shortages has
20 got me again wondering how we're going to pay for lumber,
21 for plywood, for doors and windows, for paints, and
22 especially for appliances, that is if you can actually
23 get them. It's crazy right now and we don't know how
24 much longer it would be like this.

25 We are asking for an increase because honestly, we



1 had no place -- nowhere else to go. We used to be able
2 to cross-subsidize jumps in costs like this through
3 vacancy bonuses, through fully reimbursed IAI's, for
4 reasonable repayments related to MCIs, or from
5 flexibility from market-rate tenants or even commercial
6 tenants helping to subsidize when stabilize units.

7 Well, HSTPA did in vacancy bonuses IAIs and MCIs
8 under the old formulas. I've been as flexible as I can
9 be with my market-rate tenants dealing with situations
10 arising out of COVID-19. And I had a period last year
11 when my vacancy rate was the highest it had ever been
12 including the financial downturn of 2008.

13 The commercial rent to market has been even worse.
14 It's a disaster right now. When we come before you as
15 landlords and discuss IAIs, MCIs, and vacancy increases,
16 we bring these items up with the full knowledge that you
17 cannot make any changes. We know that. However, we
18 bring this up to remind you that fair guideline increases
19 from this board are currently the only way we can
20 maintain our properties.

21 If you look hard enough, you can find examples of
22 bad landlords. You can also find bad tenants, crooked
23 politicians, unethical doctors, and unprincipled lawyers.
24 There are no doubt bad apples in any industries. The
25 property owners that care enough to come before you this



1 evening do not compromise that minority population.

2 We are the ones who have worked, and sacrificed, and
3 cared. There is pride in what we do and how we do it.
4 And in order to do what we do so well or even mediocre,
5 we need the funds to maintain our buildings. And the
6 only means we have is this board. Thank you.

7 MS. RUBIN: Thank you. Ms. DeRosa, I have a
8 question for you. How many buildings and how many units
9 do you have?

10 MS. DEROSA: We have three buildings comprising 403
11 units.

12 MS. RUBIN: Thank you. Any questions?

13 MR. FINGER: I have a question.

14 MS. ELSA RUBIN: Yes, Mr. -- yes, Mr. Finger.

15 MR. FINGER: Ms. DeRosa, you mentioned putting in
16 sustainability green type of repairs or construction,
17 were you able to do that?

18 MS. DEROSA: We started the project, and we've
19 stopped at part of the way through. We've stopped all
20 projects. If it's not absolutely falling down in a
21 safety issue, it's not getting done.

22 MS. RUBIN: Any other question? Yes, Mr. Cherson.

23 MR. CHERSON: Ah, yes, thank you, Ms. DeRosa. Can
24 you give us some examples of those projects specifically
25 that you had to either postpone or cancel?



1 MS. DEROSA: We were putting in new double-pane
2 windows in a building built in 1971 that had single-pane
3 windows, that was a terrible source of heat loss. We
4 started to put the windows in. When HSTPA passed, we
5 were only putting them in the deregulated units. And
6 since then, we stopped it all together.

7 Our window contractor is a local company. We only
8 use local companies. He lost the business. He lost a
9 tremendous amount of income every year from us cancelling
10 this project.

11 We have a leaking roof that I'm hoping that we can
12 patch very inexpensively because it's in a building that
13 did a lot of brickwork for leaks that were coming in.
14 And that building is in debt. I mean, there's no place
15 for me to go to get money on this building.

16 MR. CHERSON: Would your preference be to replace
17 that roof?

18 MS. DEROSA: Yes. I believe I'm coming up on about
19 25 years with that roof. It's our first leak, so I think
20 right now what we would do is we would patch it until the
21 leaks got to the point where we need to replace the whole
22 roof.

23 But when you're talking about a very large building
24 with 100,000 units, you know, this Board talks about
25 small landlords and large landlords. I'm a medium-sized



1 landlord. I don't fit into any category. But when you
2 have a -- 100-unit building, you have a tremendous,
3 tremendous roof. It's not a small repair. It's a major,
4 mid-six-figure repair to put a new roof in.

5 MR. CHERSON: And how would you pay for that repair
6 and replacing it?

7 MS. DEROSA: How would I pay for it? I don't know.
8 I'm sorry. I just -- I don't --

9 MR. CHERSON: That's not an answer.

10 MS. DEROSA: In the past, we've been able to, you
11 know, refinance buildings, pull out equity. We put a
12 tremendous amount aside for improvements and maintenance
13 of the buildings. My father built these buildings in the
14 60s and 70s. My name is on everything in these buildings
15 from the ladders to the garbage cans. There's a
16 tremendous amount of pride.

17 I lost both my parents back to back in '16 and '17.
18 So it's very important for me to maintain these buildings
19 to honor my father. I also have 12 families that rely on
20 me to keep a roof over their head, to feed their
21 families, for health insurance, for their livelihood.
22 That's also a tremendous responsibility and I -- I cannot
23 make a wrong move in the business and jeopardize these
24 people's livelihoods. They're my superintendents,
25 they're my office staff. They're good, dedicated



1 employees, and I need to make sure that my business
2 continues for them as well.

3 MR. CHERSON: Thank you. Thank you very much.

4 MS. RUBIN: Thank you. Anybody else has a question?
5 Thank you very much, Ms. DeRosa.

6 MS. DEROSA: Thank you for having me.

7 MS. RUBIN: Peter, I'm going to call Genevieve Roche
8 if she's available.

9 MR. STECKER: Yes. I'm promoting her right now.

10 MS. GENEVIEVE ROCHE: How do I get the camera going?
11 Let's see. Start video. Did that work? There we go.

12 MS. RUBIN: There you are.

13 MS. ROCHE: Hello.

14 MS. RUBIN: Welcome.

15 MS. ROCHE: Thank you.

16 MS. RUBIN: And for those who don't know Ms. Roche,
17 she used to be a member of this Board, representing the
18 tenants. So Ms. Roche are representing yourself or an
19 entity?

20 MS. ROCHE: No. I'm representing Mount Vernon
21 United Tenants.

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

23 MS. ROCHE: Thank you. Good evening. My name is
24 Genevieve Roche, and I am testifying tonight on behalf of
25 Mount Vernon United Tenants. There's no way I can



1 possibly go through all the material in my written
2 statement and supporting handouts in my allotted five
3 minutes. But I do hope you will take the time over the
4 next week to go through the materials deliberately
5 because the research conclusively confirms the following
6 three points.

7 One, this year's renewing tenants need just as much
8 as last year's did, a rent freeze while they dig
9 themselves out of the devastating and disproportionate
10 economic impact of the -- of the pandemic and as they
11 begin the slow climb back to pre-pandemic levels of
12 employment. There is no reason not do to do this when
13 landlords' net operating income was a robust 38.72
14 percent last year despite various factors they've
15 predicted wrongly would be devastating to their bottom
16 line.

17 Two, we are all aware of how serious the affordable
18 housing crisis was even before COVID-19 shutdown jobs in
19 the service industries for most low-income rentals work.

20 Three, the disproportionate impact of the pandemic
21 and nascent recovery hit low-income workers hardest.
22 Tenants have used up their savings, maxed out their
23 credit cards to forestall evictions that may come anyway
24 if the eviction moratorium expires before ERAP funds can
25 be processed and distributed. Now would be the worse



1 possible time to inflict higher rents when it is neither
2 warranted nor justified.

3 Point 1, honoring our NOI continued its escalation
4 for a fifth straight year averaging a very solid 38.4
5 average and jumping more than 3 percent notwithstanding
6 the pandemic and nearly 11 percent drop in rent-
7 stabilized units. Last year's rent freeze that affected
8 4th quarter renewals and the effective HSTPA's
9 elimination of a year and a half worth of vacancy
10 increases and permanent MCIs and IAIs.

11 In hindsight, unnecessary rent increase has passed
12 in both 2019 and 2020 contribute -- 2018 and 2019
13 contributed to the escalation of NOI to levels not seen
14 since 2002, 20 years ago. But tenant unemployment in
15 Yonkers, Mount Vernon, and New Rochelle, where 73 percent
16 of ETPA renters live, hit the 20 percent levels of metro
17 New York City and like New York City still remain at
18 twice their pre-pandemic levels.

19 Two, the worsening severe lack of affordable housing
20 persists and has been exacerbated by the frustrating
21 escalation of market rents at the bottom quartile due to
22 shortage while rents for over-developed luxury rental
23 highs -- housing have declined. There is a shortage of
24 more than 600,000 units in Westchester for extremely low
25 incomes, and even for those making 50 percent of area



1 median income, 75 percent pay more than 30 percent, and a
2 third pay more than 50 percent of income for rent.

3 Even rent-stabilized rents now exceed housing wages.
4 The average stabilized rent is now \$1,514 which to be
5 considered affordable requires an income of more than
6 \$60,000, 150 percent of the average renter wage of
7 40,000.

8 Put in another way, the average stabilized rent
9 consumes 45 percent of the average renter wage. Even
10 more telling, the average 2 and 1-year renewal rents last
11 year required respected incomes of 64 and \$74,000,
12 consuming 48 to 56 percent of the average renter wage.
13 These figures are the very definition of severely rent
14 burden.

15 Three, the disproportionate uneven impact of the
16 pandemic and nascent recovery demand a rent freeze for
17 those who did not get it last year. There has been no
18 shortage of reports on how the pandemic hit low-wage
19 workers the hardest. Over 50 percent of jobs were lost
20 in three industries, hotel and food, retail, trade, and
21 healthcare services.

22 Sectors that account for the largest share of low-
23 income renter household who often struggle to pay their
24 rent even when times are good. And the recovery for the
25 low-wage workers will also be tough while the upper half



1 prospers. The high number of failed small businesses
2 which disproportionately employ lower-paid workers had
3 led to permanent lay-offs. And even those lucky enough
4 to had been called back from furlough will still have
5 considerable difficulty paying off past due bills and
6 catching up with delayed rent payments given that their
7 incomes were already insufficient to meet their housing
8 and other basic needs.

9 Conversely, the wealthier job -- the wealthier kept
10 jobs who were able to work remotely and increased their
11 savings during the pandemic shutdown of retail,
12 restaurants, and travel, not to mention the galloping
13 stock market. They are also benefiting from the
14 recovering labor shortage.

15 Wall Street Law Firms boosted salaries starting --
16 starting salaries for newbies to over \$200,000, and it
17 was just reported today that bankers are being posts with
18 extravagant pay packages to meet the pent up demand for
19 deal work, this while the lower quartile of earners got
20 the monumental boost to a minimum wage of \$14 an hour,
21 enough to afford a non-existent rent of \$928 but far, far
22 less than needed to pay the average rent-stabilized rent
23 of \$1,514.

24 MS. RUBIN: Ms. Roche?

25 MS. ROCHE: Yes.



1 MS. RUBIN: Can you please wrap up?

2 MS. ROCHE: I am doing that. Thanks.

3 MS. RUBIN: Five minutes.

4 MS. ROCHE: I urge you in the strongest terms to not
5 leave out those tenants up for renewal this year. They
6 too have to somehow make it through another year as the
7 bottom half slowly recovers. Life was hard enough before
8 the pandemic. Let's not add insult to injury, and let's
9 freeze rents for the second half of pandemic hit tenants
10 this year.

11 MS. RUBIN: Thank you. Any questions from the Board
12 for Ms. Roche? No questions?

13 MS. ROCHE: I might -- I might add, Elsa. I am
14 available all week if anyone has any questions on the
15 materials that I submitted. I realize you didn't get
16 them until today.

17 MS. RUBIN: Yes. We got it this afternoon. I
18 didn't have time to go through everything. I just came
19 through -- through some of it. But I definitely will
20 give you a call.

21 MS. ROCHE: Please do. I welcome it.

22 MS. RUBIN: Thank you. Peter -- oh, Tamara has a
23 question for you.

24 MS. STEWART: Hi Genevieve.

25 MS. ROCHE: Hi, Tamara.



1 MS. STEWART: Can you please address the concern
2 that we've been hearing from owners about the materials
3 and how the -- how expensive it's going to be for them to
4 make their repairs and claiming that they must have, you
5 know, 3 or 4 percent increase because of the materials
6 cost.

7 MS. ROCHE: I address it every year. And I address
8 it more -- in more detail in my materials. It's not the
9 cost, the expenses. It's their net operating income
10 after expenses that is relevant.

11 And for five years running, it's been over 38
12 percent, close to 39 percent. That's the highest it's
13 been since 2002. The -- the rent increases, hindsight
14 shows the rent increases of the past few years, obviously
15 except for last year, were not warranted. All it has
16 done is contribute to the -- the escalating net operating
17 income. So while I appreciate the discussion about
18 expenses, as I argued every year. That is not relevant
19 unless there were some real issue with them having any
20 net operating income.

21 And quite frankly, people who own rent-stabilized
22 units in a downturn economy have a fixed, you know, rents
23 don't go down for them, right? They had it fixed. And
24 as they're pointing out, ERAP's going to try to help
25 make, you know, make them whole so no. That -- that



1 argument to my mind holds absolutely no water.

2 MS. STEWART: Thank you.

3 MS. RUBIN: Anybody else? Yes, Mr. LaMont.

4 MR. BADRU: Yeah. I'm sure that this is probably
5 available on the reading materials. But what do you use
6 as a source in the data to collect the balance statements
7 of the -- the --

8 MS. ROCHE: What do I use to do what?

9 MR. BADRU: Under -- on the data for the --

10 MS. ROCHE: The source -- the source of the data
11 every year has been the DHCR data that is supplied by the
12 landlords, and as mostly of late been the National Low
13 Income Housing Coalition Data because they do such a
14 phenomenal job. And I urge everyone to look at their
15 website and check out the articles that I've cited.

16 Their annual Out of Reach Report for this year, I
17 think due to -- to the pandemic is not being issued until
18 -- until July 14 this year, so too late for our vote.
19 But the 2020 Out of Reach Report which was actually
20 issued just a day or two after last year's vote, I did
21 rely on this year. And so that data is excellent,
22 bearing in mind that it doesn't even take into account
23 the effects of the pandemic.

24 And then for your information, LaMont, the -- the NA
25 -- NLRIHC also relies on the census information and the



1 New York Department of Labor.

2 MS. RUBIN: Anybody else? Thank you, Ms. Roche.

3 MS. ROCHE: You're welcome.

4 MS. RUBIN: Peter, I'm going to call Abraham Hatar.

5 MR. STECKER: Mr. Hatar -- actually Chair, if I
6 could. I want to allow somebody to speak with their hand
7 up just to identify who they are. I can't tell from
8 their --

9 MS. RUBIN: Okay.

10 MR. STECKER: Hello. Eleanor is being allowed to
11 speak to. Identify who you are?

12 MS. WHITE: I'm Lynn White.

13 MR. STECKER: Okay. You're on -- you're on the list
14 to speak so if you could just hold tight until it's your
15 turn to call. I'll --

16 MS. WHITE: I wanted to respond to what --

17 MR. STECKER: You'll have -- you'll have an
18 opportunity to do that.

19 MS. RUBIN: Well, -- please. We're going to the
20 order --

21 MS. WHITE: Because what she said --

22 MS. RUBIN: -- where the people who sign up. So the
23 -- Mr. Hatar is not available. Then I'm going to call
24 Dale Kaufteil. I think I'm --

25 MR. STECKER: I'm loading him to our panelist right



1 now, Chair.

2 MS. RUBIN: Thank you.

3 MR. FINGER: Who's that?

4 MS. RUBIN: Dale, D-A-L-E Kaufteil, K-A-U-F-T-E-I-L.

5 MR. CHERSON: I just have a question.

6 MS. RUBIN: Yes.

7 MR. CHERSON: I'm a little confused about land R --

8 MS. RUBIN: Landlord. It says -- this is a
9 landlord. It's a person that is not identified in -- on
10 -- on in here. But it's Lynn White, and she's -- she's
11 one of the speakers.

12 MR. CHERSON: Okay. So why is she though in -- in
13 one of the boxes?

14 MS. RUBIN: She's waiting her turn. Wait. She's
15 still there, Peter.

16 MR. STECKER: So I now I temporarily enabled her to
17 talk so we could identify who she was. But I'm disabling
18 it now so it'll be gone now.

19 MS. RUBIN: Okay.

20 MR. CHERSON: Thank you.

21 MS. RUBIN: Thank you.

22 MR. STECKER: And Mr. Kaufteil, I'm trying to
23 promote to our panelist. He keeps dropping off.

24 MS. RUBIN: If you're having difficulty, maybe we
25 should move to the next person and go back to him.



1 MR. STECKER: Let me just try one more time if I
2 could.

3 MS. RUBIN: Okay.

4 MR. STECKER: I mean, it's up to you if you want to
5 try to call the next person.

6 MS. RUBIN: Yes. I'm going to call the next person,
7 Ed Nukho.

8 MR. STECKER: Ed Nukho is not available.

9 MS. RUBIN: No? What about Mike -- Michael Nukho?

10 MR. STECKER: Michael Nukho is available.

11 MS. RUBIN: Okay.

12 MR. STECKER: Mr. Nukho.

13 MR. FINGER: It's me that --

14 MS. RUBIN: Hello, Mr. Nukho.

15 MR. NUKHO: Hi. Can you hear me?

16 MR. FINGER: Yes.

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

18 MR. NUKHO: How are you doing?

19 MS. RUBIN: Can you please let us know if you are
20 with -- representing yourself or an entity?

21 MR. NUKHO: Sure. I am representing NNC and myself.
22 So my name is Michael Nukho. I'm a certified --

23 MS. RUBIN: Wait. Can you please tell us what
24 entity?

25 MR. NUKHO: Sure. It is the -- the entity is the



1 Westchester Owners Association. The companies that I
2 represent are Jam Management Partners and New Reality
3 Advisers which is a commercial brokerage company.

4 So my name is Michael Nukho. I'm a certified
5 property manager. And I don't have anything very formal
6 prepared. But I just want to comment on the -- the woman
7 that had expressed a lot of emphasis on net operating
8 income.

9 I am an accountant as well by -- by trade. I worked
10 for Deloitte and Touche for many years. Net operating
11 income is collectible -- to make it clear, it's
12 collectible rent minus operating expenses. Operating
13 expenses are those things that come no matter what would
14 the territory of a property, taxes, water, utilities,
15 insurance, employees, repairs and maintenance, things of
16 that nature. Then you arrive at net operating income.

17 What -- what we're failing to discuss is that there
18 are several things that come after net operating income
19 such as paying your mortgage, such as capital
20 expenditures. Capital expenditures like changing your
21 roof, your boiler, doing a pointing job on the facade of
22 the building. Those things aren't a standard operating
23 expense. They don't come annually. They come at a point
24 in time.

25 So once you go through that waterfall which is after



1 net operating income, that's when you get to cash flow
2 after debt service followed by your capital. And to be
3 clear, a lot of folks here on this panel may not be
4 landlords. You -- you folks might have a government job
5 and you collect a salary or whatever the case may be.
6 Being a landlord for some folks, that is their salary.
7 That is it.

8 So once you get to the very bottom and you pay all
9 those bills, now you got to turn around and say okay, now
10 I have to pay my own bills. Maybe you have rent, maybe
11 you have a mortgage on your personal residence. Maybe
12 you have children to put through school, insurance to --
13 to pay for medical insurance because you don't work for a
14 company and the company isn't offering you some kind of
15 pension plan or some type of medical plan. So we have to
16 be clear on that and be fair to the process.

17 I want to just really make it clear that landlords
18 don't collect their rent. I mean I -- I have about 500
19 tenants that I manage. I am actively texting them,
20 speaking to them, holding their hand trying to bring them
21 into the COVID Relief Program, and doing all we can,
22 writing letters in English and in Spanish, doing
23 everything under the sun. And unfortunately we -- we
24 don't have the kind of success that one may think.

25 The other thing that you guys get to realize is that



1 some of these properties that we manage may not just only
2 be a residential building. It could be a mixed-use where
3 you have stores on the bottom. And I think everyone here
4 on the panel understands that the Amazon's of the world
5 have really destroyed the retail business. You hear on
6 the news and if you start reading articles, malls are
7 starting to shut down. They're starting to -- to go into
8 bankruptcy because the retail sector is falling apart.

9 So if you have a building that's mixed-use, which is
10 in a lot of situations here in New York, those retail
11 tenants are -- are also hurting, and this COVID Relief
12 Program is only attributable to residential tenants, not
13 those that -- that have retail as well. I have one
14 tenant that owes me \$46,000 and she has a salon, and she
15 also has a deli. They can't pay their rent. And so
16 that's one piece of a building that has a ton of tenants
17 that are not paying.

18 So, you know, there's a lot of things here. I'm not
19 going to try to reiterate the things that were touched
20 upon before like the deferred maintenance and yes, the
21 cost of -- of repairs are higher, and it's -- you have to
22 think about the whole effect of our world. We all are
23 suffering. If -- if a landlord is not collecting enough
24 money especially, you know, with, you know, the reaction
25 -- the aftermath of the rent law reform which someone



1 stated earlier, illuminated those vacancy bonuses so
2 that's out the window.

3 All those factors, the MCS, whatever, is out the
4 window, so now we are relying on these annual rent
5 increases to just compete and try to balance the
6 increased expenses. Your income is -- stuck flat on
7 paper even though you're arguably not in collecting it in
8 full and your expenses are going up. How do you compete
9 when you cannot perform repairs?

10 I cannot hire that local contractor. If I cannot
11 hire the local contractor then that person may be losing
12 money and that person may not be paying their bills, and
13 employing people, and paying their rent. So the economy
14 as a whole starts to really collapse rapidly.

15 These are -- these are things that we have to all,
16 you know, take responsibility, work together, and try to
17 move this -- this environment, this horrible environment
18 that we're all in if we got to move forward. So that --
19 that's something that's very important.

20 Another thing that I like to mention is that you
21 know, you turn on the news, you see unfortunate fires and
22 disasters. I mean I -- I've been monitoring this stuff.
23 You know, how many times it's in the news and hear about
24 a fire in a building. How do we know exactly what the
25 root of those problems are? I mean, we could get



1 statistics and really go down into it.

2 But just to point out the obvious. New York,
3 buildings in New York were predominantly build -- built
4 in the early 1900s.

5 MS. RUBIN: Mr. Nukho?

6 MR. NUKHO: Yes.

7 MS. RUBIN: Your five minutes are up.

8 MR. NUKHO: Okay. I'll wrap it up. The buildings
9 are old. We're in 2021. We have a lot of old electric.
10 Think about it. Most people today, unlike in the early
11 1900s, have computers, iPhones, printers, AC units,
12 things that weren't in existence back in the 1900s.
13 Therefore, the electric wiring that was designed back
14 again for those buildings are not compatible with our --
15 our buildings today.

16 We must advance our buildings. That requires money.
17 It requires your help. And that's what we all --

18 MS. RUBIN: Thank you. Any questions for Mr. Nukho.

19 MR. FINGER: I had a question.

20 MS. RUBIN: Yes, Mr. Finger.

21 MR. FINGER: Tamara, why don't you go first.

22 MS. STEWART: That's all right, Ken. Go ahead.

23 MS. RUBIN: I saw -- I saw you first.

24 MR. FINGER: It's -- my thoughts. Oh, I remember
25 what it was. If -- if you're going to do some type of a



1 capital improvement, I know you mentioned that that's not
2 included in the -- the above the lines so to speak. How
3 about if you had to borrow the money? Is the interest
4 included?

5 MR. NUKHO: No. No. So --

6 MR. FINGER: So that -- that's also below the line
7 as you were saying.

8 MR. NUKHO: Correct. Correct.

9 MR. FINGER: That -- that was my question. Thank
10 you. I'm sorry, Tamara.

11 MR. NUKHO: You're welcome.

12 MS. RUBIN: Yes, Ms. Stewart.

13 MS. STEWART: I'm just going to use this opportunity
14 because this is the -- at least the second person today
15 that had incorrectly stated that owners can no longer
16 collect MCI and IAI. While the formulation for how much
17 they can collect has changed post-HSTPA as somebody who
18 had not one but two MCIs that started on my rent this
19 year. I assure you that MCIs and IAIs are still
20 collectible by owners.

21 MR. NUKHO: Right. But then --

22 MR. FINGER: I -- I like to respond to that, Madam
23 Chairperson.

24 MS. RUBIN: Yes, Mr. Finger.

25 MR. FINGER: There -- there are aspects of the law



1 where things that went into effect before the HSTPA as
2 possibly your increase might continue and might be
3 granted. The problem of course is that if you're going
4 to spend \$100,000 on a boiler, or -- or whatever, and you
5 can only get back 2 percent a year, \$2,000 and that is
6 what's allowed. I don't think any of us will be around
7 to see the day when that ends, because number 1, in 30
8 years, you have to take it off your rent anyway and if
9 this Board gave let's say a 10 percent increase now, I
10 know that isn't happening. That increase on top of the 2
11 percent would have to be taken off also.

12 So these are -- the 2 percent gets you nowhere. And
13 as far as the IAI is concerned, you know as well as I do
14 that there is a \$15,000 maximum payment over 15 years.
15 And \$15,000 today, given the cost I heard the other day
16 that a sheet of plywood is now \$80, one 2 by 4 is \$10.

17 The appliances, I have a builder, I represent, that
18 now has to wait six months to get appliances. It just
19 isn't happening. The economy is such that you cannot get
20 the money back for the improvements that you're talking
21 about.

22 Yes, there are exceptions. But within two or three
23 years, your MCI will be history because nobody's going to
24 do it unless they're put up against the wall and have to
25 do it and/or else have their building fall apart.



1 MS. STEWART: Well, forgive me if, you know, I'm
2 correcting the record. First and foremost because people
3 have stated it as if they're not collectible. Well, they
4 may not be as attractive as MCIs than IAIs were in the
5 past where some owners took advantage of loopholes and
6 did, you know, MCIs and IAIs that may not have been
7 necessary, but they were trying to push rents up.

8 And keep in mind, okay? The MCIs and the IAIs that
9 have already been passed, people are still paying for
10 those ad infinitum, okay? They are baked into the rents.
11 This is the money for -- for projects that were long
12 since completed, where owners long since got their money
13 back. So forgive me if I just want to make sure that I
14 don't let another person get by and act like MCIs and
15 IAIs are no longer applicable. That is inaccurate.

16 MR. FINGER: Well, we're talking 2021, not 2005. So
17 we're -- we're looking for the future, and we're looking
18 for what the HSTPA did two years ago. And you're right
19 in the sense that there, of course, were MCIs, IAIs. If
20 you hadn't had them for the past 20, 30, 40 years, you
21 would -- you would probably have lost half your housing
22 stock in Westchester, New York City.

23 I'm sure, as we heard from some witnesses before,
24 most of the buildings we're talking about were buildings
25 built in, you know, hundred years ago, 80 years ago.



1 These buildings have to -- have to be kept up.

2 This is the affordable housing that we have in
3 Westchester. It can't be kept up if you don't have the
4 money to do it. It's as simple as that.

5 You know, everyone is trying to make sure that the
6 tenants are protected, and we understand that. But we
7 want the tenants to have reasonable, safe, modern
8 housing, with modern appliances, appropriate and
9 nonleakable units, heat when -- when they can get it.
10 And as Reverend Loftin-Woods said, you don't have a
11 building going to the state where you can't get gas to
12 the tenants or the others 88 people that live in her
13 building, which doesn't do anybody any good. So we want
14 a fair shot for everybody.

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

16 MR. NUKHO: You're welcome.

17 MS. RUBIN: Peter, I'm going to -- are there -- the
18 previous people, is any of them available now?

19 MR. STECKER: I can try to promote Mr. Kaufteil
20 again.

21 MS. RUBIN: Okay.

22 MR. STECKER: As an alternative, I can allow him to
23 speak for the time that he would get if you're
24 comfortable with my doing that.

25 MS. RUBIN: Allow who to speak?



1 MR. STECKER: Mr. Kaufteil who is the individual
2 that I'm having an issue promoting so that we can see him
3 on video.

4 MS. RUBIN: Okay. So we can -- he -- he can just --
5 we can just listen to him.

6 MR. STECKER: I can see if that works.

7 MS. RUBIN: Okay. Mr. Kaufteil, are you there? You
8 have to unmute yourself. You're muted. You have to
9 unmute.

10 MR. STECKER: I'll -- I'll send him an email --

11 MS. RUBIN: Okay.

12 MR. STECKER: -- privately and see if I can figure
13 out what's going on. None of the other individuals that
14 you called previously, though, and --

15 MS. RUBIN: Okay. So let's call Mr. Michael McKee.

16 MR. STECKER: I'm promoting him to a panelist right
17 now. Mr. McKee?

18 MS. RUBIN: Hello, Mr. McKee.

19 MR. MICHAEL MCKEE: Good evening, Chair Rubin,
20 Members of the Board, thank you for the opportunity to
21 testify. My name is Michael McKee. I'm testifying on
22 behalf of the tenant's Political Action Committee.

23 I want to first compliment you for freezing rents
24 last year for both one and two-year lease renewals. And
25 I want to urge you to do it again. I think the testimony



1 by Reverend Loftin-Woods is very relevant.

2 This would not be the first time that you froze
3 rents for one group of tenants and then left the next
4 group of tenants out just based on when their leases come
5 up for renewal. We have this Russian roulette system of
6 one and two-year lease renewals. Our reform bill would
7 eliminate all of that, would eliminate lease renewals
8 entirely, would eliminate -- will eliminate this two-year
9 rent adjustment. But that's what we're stuck with right
10 now. So I think it would only be fair for you to do zero
11 and zero again this year.

12 I want to -- I'm not going to have time to obviously
13 read my testimony. I sent it in this afternoon. I'm not
14 sure if you saw it yet or not. But I would urge you to
15 read the entire thing.

16 I just want to talk about net operating income and
17 what that means. I mean, first of all, the numbers that
18 you have in front of you do not lie. The numbers show
19 and these are numbers that are provided by owners of ETPA
20 apartments. They show that for many, many years now, net
21 operating incomes have been on the rise. They are higher
22 than they have ever been since 2002. And -- and despite
23 attempts to minimize what that means by some of the
24 landlord witnesses, it means you've got a picture of a
25 real estate industry in Westchester County that is doing



1 very well.

2 Net operating income is not a precise measure of
3 profit. To actually determine profit, you would need
4 individual tax and financing information for an
5 individual property, or a group of properties, but net
6 operating income is a pretty good surrogate and I'm
7 sorry, a 39 percent net, 39 cents of the dollar is a very
8 healthy even robust net and there's a picture of a real
9 estate industry that's doing very well.

10 The other thing that table 1 shows you, and I was
11 surprised at this, is that rents held pretty steady from
12 year to year, from 2019 to 2020. They declined by about
13 \$79,000 total.

14 I would have expected a much larger decrease in
15 rents collected by landlords because of COVID, but
16 apparently, despite COVID and despite the three year --
17 three months of a rent freeze that is covered by the 2020
18 income and expense reports, rents have held pretty
19 steady, and landlords are not suffering as much as I
20 would have thought they would.

21 I think that, you know, all this talk about capital
22 improvements, net operating income does not cover capital
23 improvements. That's true. But DHCR, the State Division
24 of Housing Committee Renewal published a study in 1989.
25 I don't even know if the agency still has access to it.



1 I used to have a copy of it, and somebody stole it off of
2 my bookshelf a few years ago.

3 But they did a study of -- of major capital
4 improvements that found that these investments were
5 extraordinarily profitable, that most landlords don't pay
6 for MCIs for capital improvements out of their cash
7 reserves or their rent role. Almost all of them are
8 financed. And furthermore, the study found that
9 financing MCIs is more profitable than paying for them
10 out of your cash reserves because of tax considerations.
11 So I think it's -- it just -- it's a red herring for you
12 able to be talking about or worried about capital
13 improvements. That is really not your function.

14 I do want to comment. I -- I -- I -- both Mr.
15 Finger and Mr. Nukho referred to interest as below the
16 line. And I want you to read the section of my testimony
17 called bad methodology.

18 Some years ago, this Board departed from proper
19 methodology, unlike the Rockland County Board and the
20 Nassau County Board, which treat interest as a below-the-
21 line expense where it should be. This Board instructed
22 the Office of Rent Administration to put it above the
23 line as part of ONM. That is simply improper bad
24 methodology. I've raised this with you year after year.
25 You've never done anything about it.



1 I do think a motion from some of the public members
2 to instruct RIA to put interest back below the line would
3 be very useful. And I want to point out to you that
4 Office of Rent Administration implicitly agrees with us
5 otherwise they would not be doing the second column on
6 the historic cost to income ratio table.

7 So let's get it straight. Now, ERAP, very
8 important. We fought very hard to convince the state
9 legislator to --

10 MS. RUBIN: Mr. McKee?

11 MR. MCKEE: Yes.

12 MS. RUBIN: I'm sorry. But your time is up.

13 MR. MCKEE: Okay. That was quick. That was a quick
14 five minutes.

15 MS. RUBIN: Yeah.

16 MR. MCKEE: Let me just say about the rent -- one
17 thing about the rent freeze that if a -- if a landlord
18 accepts ERAP funds, they're supposed to freeze the rent
19 for a year, that's correct.

20 MS. RUBIN: Perhaps you can -- perhaps you can
21 continue your train of thought when somebody asks you a
22 question.

23 MR. MCKEE: Okay.

24 MS. RUBIN: Anybody has a question for Mr. McKee?
25 Yes. Yes, Mr. Badru.



1 MR. BADRU: Yeah. I was going to give him the
2 opportunity. Can we talk about your concerns with the
3 ERAP Program?

4 MR. MCKEE: I'm sorry. I can't quite hear you.

5 MR. BADRU: No. I said I wanted to give you an
6 opportunity to talk more about your concerns about the
7 ERAP.

8 MR. MCKEE: Oh, thank you. Thank you. You know,
9 the program that the legislatures enacted last year was
10 nothing short of a disaster. We told them it was not
11 going to work, and it didn't work. They did listen to us
12 this year and I think they pretty much got it right.

13 We think this program is going to be helpful. It's
14 going to make it possible for tenants to avoid eviction.
15 And it's going to make it possible for landlords to pay
16 their bills and catch up. With the buzz I'm hearing from
17 OTDA is that they expect that funds will be starting to
18 flow in the next couple of weeks, early July, they said.

19 Some 80,000 -- 81,000 tenants have applied since
20 June 1st. There were some problems with the rollout that
21 the website crashed on the first day. But OTBA has
22 worked with us very closely in terms of fixing some of
23 those problems.

24 As Mr. Foley testified, the punitive and restrictive
25 restrictions that were put into the law last year are no



1 longer there. There's no immigration test so
2 undocumented tenants are eligible for this money as well
3 as citizens. And we think it's going to be have -- a
4 very helpful thing.

5 But I do want to point out to you about the one-year
6 rent freeze. You have to worry about whether that's
7 going to be enforced. And how many landlords are going
8 to simply ignore it? Yes. If the landlord takes the
9 money from ERAP, they're supposed to freeze the rent for
10 one year. But I would bet there are going to many, many
11 cases where landlords are going to ignore that.

12 MS. RUBIN: Any other questions? Yes, Ms. Stewart.

13 MS. STEWART: Hi, Michael.

14 MR. MCKEE: Hi Tamara.

15 MS. STEWART: I read through your testimony and as
16 usual, it was excellent. Can you speak to the concerns
17 -- one of the concerns that I have in what I've heard so
18 far from folks is the people acting as if the only
19 tenants that have been harmed are the ones that are
20 eligible for ERAP. But I know people who went into their
21 savings, who maxed out credit cards, who because they did
22 not know that there was going to be a relief for renters,
23 they did whatever they could.

24 They borrowed money from people in order to keep up
25 with their rent. And now they've got all these debt that



1 they've taken on or they've depleted their savings and
2 they're not eligible for ERAP funds but they were harmed
3 nonetheless during the pandemic. I know that you're --
4 you know, your organization is actually in check with a
5 lot of tenant. Have you found that this is also the case
6 that it's sort of like a hidden tier of people who aren't
7 eligible for ERAP but who certainly were -- were
8 financially harmed during the pandemic?

9 MR. MCKEE: Well, it's been a tough 15, 16 months,
10 let's face it. A lot of people were laid off. A lot of
11 people have their hours cut. I have friends who
12 completely lost their source of income entirely and have
13 been unable to pay rent.

14 I have friends who have struggled and paid some rent
15 but still owe a lot back rent. I mean, basically, the
16 way ERAP is structured, if anyone is in the hardship,
17 because of anything related to the pandemic, they should
18 qualify. And I would also point out to you that there
19 was a -- an additional \$100 million of state funds that
20 the legislature appropriated which is supposed to be used
21 for people who are above 80 percent of AMI.

22 Now, we don't know how OT -- OTDA is going to
23 administer that and so far they're only talking about the
24 main fund which by Federal Law is restricted to
25 households with incomes of 80 percent or below of AMI.



1 But there is an extra \$100 million that is supposed to be
2 used for people who are above that income threshold, who
3 might or might not benefit from it.

4 So it's just been a very tough year and -- and I do
5 hope that this program is going to make a very big
6 difference and it's going to -- I know of -- I know -- I
7 know people for whom this is not going to cover the
8 entire arrears, who -- who owe more than 12 months' rent
9 because the -- for most people, it's going to -- it will
10 cover up to 12 months' rent.

11 In some cases, the ERAP funds can cover up to 15
12 months' rent. But if your -- if your back rent is now
13 cleared or a substantial amount of your back when it's
14 cleared and you don't have an income, going forward,
15 you're going to be in trouble. So at some point, the
16 legislatures and Congress is probably going to have to
17 deal with that.

18 But we do hope that these funds will start flowing
19 well before the August 31st expiration of the state
20 moratorium on evictions. But we -- there's no guarantee
21 about of this.

22 MS. RUBIN: Mr. McKee.

23 MS. STEWART: Thank you.

24 MS. RUBIN: Oops. Sorry. I -- I read your
25 testimony and I appreciate the time that you take to



1 educate us, and however, I have the big objection about
2 the characterization that you give to this Board that we
3 just follow whatever was done last year.

4 I assure that you there are new people in this
5 Board. There are old people. Old people that have been
6 -- I don't want to say old people. People who had been
7 here previous to me, and they are all take their time,
8 and their effort to come to conclusions that are the best
9 to our knowledge and the best to our abilities.

10 So I don't -- I didn't like that. So I wanted to
11 mention it to you.

12 MR. MCKEE: I'm sorry, I don't know what you are
13 actually referring to. I don't quite understand what
14 your complaint is.

15 MS. RUBIN: There was a sentence, I don't have the
16 paper in front of me when you say that this Board just
17 does whatever was done the year before. It doesn't --

18 MR. MCKEE: No. No. That's not what I said. I
19 said I -- I said that all of the Boards, all four of
20 them, at Guidelines Boards, I'm talking about
21 methodology. That all four of the Rent Guidelines Boards
22 including the New York City Board have a tendency to do
23 -- do the research the same way every year. That's what
24 I was referring to.

25 And there's a syndrome of we've always done this way



1 so we'll continue to do it that way. That's my comment
2 about the methodology. Not about the substantive
3 decisions that you have to make as a Board.

4 MS. RUBIN: Thank you for clarifying that. Anybody
5 else has a question? Thank you, Mr. McKee.

6 MR. MCKEE: Thank you.

7 MS. RUBIN: Peter, can we call Len Sepano?

8 MR. STECKER: Mr. Sepano does not look as though
9 he's here.

10 MS. RUBIN: So the next person I have in my list is
11 Brigitte Rocha.

12 MR. STECKER: Yes. She's here, and I'll promote her
13 now.

14 MS. RUBIN: Thank you. Hello, Ms. Rocha. You are
15 on mute. You have to unmute.

16 MS. BRIGITE ROCHA: Sorry about that.

17 MS. RUBIN: It's okay. How are you?

18 MS. ROCHA: I'm good. Thank you. So I'm
19 representing an organization.

20 MS. RUBIN: Great. You have five minutes.

21 MS. ROCHA: Thank you. Good evening to all. My
22 name is Brigitte Rocha. I have worked for 19 years now
23 for DeRosa Builders, a family-owned and operated
24 landlord.

25 Managing buildings with rent-stabilized units has



1 become harder and harder with the passing of each year.
2 This past year was probably one of the most challenging
3 years so far. Some of the challenges we already face on
4 the daily basis became harder to deal with while new
5 challenges surfaced.

6 Unfortunately, many of our residents lost their jobs
7 which affected their ability to pay rent. Some just did
8 not pay any rent for months, others paid whatever they
9 could.

10 We did everything we could assists them during these
11 trying times. We offered payment plans and agreed to let
12 some residents downsize to another unit while carrying
13 renting arrears which meant added expense for us, because
14 now, we have to renovate the unit they moved out from.
15 We made sure our residents had a home even when they
16 could not pay rent while we still have to pay the
17 electric bill, the elevator maintenance, the insurance,
18 the taxes, the payroll, the water.

19 I also would like to address the fact that we
20 currently have a resident was delinquent pre-COVID. We
21 have the court date set for March 19, 2020, which was
22 canceled due to COVID. He never lost his job. It just
23 stopped paying his rent. He currently owes over \$19,000.

24 June 1st, I reached out to him to let him know about
25 ERAP. I emailed him. I called him. I started the



1 application for him. I tried to set up an appointment to
2 meet with him so we could finish the application. He
3 never came through.

4 One time, we have an appointment at 1:00 p.m. on a
5 Friday. He sent me an email the next day to tell me that
6 he had to take a nap. Today is January -- is June 21st,
7 2021, and he has yet to submit the application.

8 Applying to ERAP does not mean that the application
9 is going to be approved or that 100 percent of the rent
10 in arrear will be paid to the landlords. Additionally,
11 since some residents will not apply for ERAP as they are
12 comfortable not paying their rents and take advantage of
13 the moratorium on evictions.

14 Another challenge we have to face was the increase
15 of our vacancy rate. We went from a 3 percent to a 10
16 percent vacancy rent rate in less than a year with units
17 sitting vacant for more than six months. A unit that is
18 not rented for six months is income we will never get
19 back.

20 ERAP does not cover this lost income. We suddenly
21 found ourselves competing with Class A buildings that
22 were also affected by the pandemic, and started lowering
23 their rents drastically, and offered promotions such as
24 two months of rent-free.

25 Most of Class A buildings are newly built and have



1 brand new everything inside the units and offer amenities
2 such as gyms, patios with grill, et cetera. We do not
3 have that.

4 Some of our residents who thankfully were not
5 affected financially by this pandemic and to whom we
6 actually offered at lease renewal with no rent increase
7 decided to move out to a Class A building because the two
8 last month of rent were free. And for 200 more dollar --
9 200 more dollars, they have -- they had the gym.

10 Building Class A do not face the restriction -- the
11 restrictions we face with rent stabilized units. They
12 can raise their rents accordingly to other rental marks
13 that is doing. They do not have to keep track of the
14 legal regulated rent of each unit. They do have to
15 submit pictures of the before and after refrigerator they
16 replaced or keep proof of payment for that appliance.

17 Lastly, we saw the cost of operating of our building
18 increase exponentially which ERAP is not going to cover.
19 For example, a stove went from \$470 to \$500. It's an
20 increase of 6.38 percent. Our refrigerator went from
21 \$566 to \$597. It's a 5.48 percent increase.

22 A light bulb went from 90 cent to \$1.25. It's an
23 increase of 34 percent. And I could go on.

24 To conclude, we have been faced the loss of income
25 and expenses that keep on rising. ERAP is not going to



1 cover that. For us to be able to maintain our buildings
2 and provide good housing accommodations to our residents,
3 we need help. We no longer should carry the burden of
4 zero rent increase rates.

5 I think that 3.5 percent for one year lease and 4.5
6 percent for a two-year lease would be fair and would be a
7 good start in helping landlords. Thank you all -- all
8 for your time.

9 MS. RUBIN: Thank you, Ms. Rocha.

10 MS. ROCHA: You're welcome.

11 MS. RUBIN: Great timing.

12 MS. ROCHA: Thank you.

13 MS. RUBIN: Anybody has a question for Ms. Rocha?

14 MR. FINGER: I didn't hear the increase she
15 suggested.

16 MS. ROCHA: 3.5 for one year and 4.5 for two years.

17 MR. FINGER: Thank you.

18 MS. ROCHA: You're welcome.

19 MS. RUBIN: Anybody else? Thank you for -- yes, Mr.
20 LaMont.

21 MR. BADRU: Out of curiosity, how many -- many units
22 do you own and where are they distributed throughout the
23 county?

24 MS. ROCHA: I work for DeRosa Builders, three
25 buildings, 400 unit on Lake Street, in White Plains.



1 MS. RUBIN: So you're an employee of Ms. Lisa
2 DeRosa?

3 MS. ROCHA: Yes, proudly.

4 MS. RUBIN: Thank you.

5 MS. ROCHA: You're welcome.

6 MS. RUBIN: Thank you very much for your testimony.

7 MS. ROCHA: Oh, thank you for your time.

8 MS. RUBIN: Peter, is Len Sepano around or any of
9 the others that we missed before?

10 MR. STECKER: I can try to promote Dale Kaufteil
11 again.

12 MS. RUBIN: Okay.

13 MR. FINGER: Maybe we demoted him rather than
14 promoted him.

15 MR. STECKER: The next, it looks like he just
16 dropped out. So --

17 MS. RUBIN: Okay. So we'll move to Antoinette Rose.

18 MR. STECKER: Yes. I'll promote her now.

19 MR. FINGER: Whose that, Madam Chairwoman?

20 MS. RUBIN: Antoinette Rose, representing the
21 tenants.

22 MR. FINGER: Antoinette Rose. Okay. Thank you.

23 MS. RUBIN: Hello, Ms. Rose.

24 MS. ANTOINETTE ROSE: Hello.

25 MS. RUBIN: Can you tell us if you are representing



1 yourself or an entity?

2 MS. ROSE: I'm representing an entity.

3 MS. RUBIN: Which entity is that?

4 MS. ROSE: 1199 SCIU Union --

5 MS. RUBIN: Thank you very much. You have five
6 minutes.

7 MS. ROSE: Okay. Let me make sure I'm logging off.

8 Good evening, my -- good evening Board Members,

9 Westchester Council Residents, and interested guests.

10 My name is Antoinette Rose. I live in Mount Vernon
11 and I work for the Montefiore Medical Center in
12 Tarrytown. I am a proud delegate for 1199 SCIU Union,
13 the country's largest healthcare worker union with over
14 450,000 members, over 12,000 of whom live in Westchester
15 County.

16 I am appeared before this body last year to tell you
17 about how badly the pandemic was affecting me and my co-
18 workers. Today, I am back to give you an update on how
19 1199 members are doing and to respectfully request that
20 you freeze rent for Westchester Tenants.

21 Every day the members of 1199 SCI save lives,
22 deliver babies, and care for the sick, seniors, and
23 people with disabilities. We are frontline caregivers in
24 hospitals, nursing home, home care, clinics, pharmacies,
25 and all other areas of the healthcare industry. We are



1 nurses, nurse aide, techs, lab workers, clerks,
2 housekeepers, dietary workers, transporters, pharmacists,
3 social workers, and many other types of medical
4 professions. We are the healthcare heroes that inspire
5 the noisy 7:00 p.m. tributes during the pandemic.

6 My co-workers and I face many challenges and
7 suffered many losses over the past 15 months, and our
8 struggles continue. While most of our members kept our
9 jobs during the pandemic, hundreds of our member caught
10 COVID. Some became seriously ill, and sadly some died.
11 I attended another one of my co-worker's funerals just
12 this Wednesday.

13 Due to the high cost of housing in our community --
14 our country, our county, many of our members had a hard
15 time paying rent even before COVID. And the pandemic
16 just made things worse. Many of our members also are
17 required multiple people working, multiple shift to pay
18 for rent, food, childcare, and other necessities.

19 Some of our members had to quit their job or reduce
20 their hours to stay home and take care of their children
21 while daycare centers and school have been closed. Some
22 family lost income due to layoff, reduction in hours,
23 illness, or death of breadwinners last year. Some of our
24 members have only managed to pay rent by using their
25 savings, withdrawing money from their 401(k)s or running



1 up their credit cards. While we thank God for the
2 vaccines that are saving life and helping our country to
3 reopen, many 1199 members are still regularly visiting
4 food pantry, slowly digging out of debt, and struggling
5 to deal with grief from their loss of family, friends,
6 and co-workers.

7 For many, it was be -- it will be several years
8 before we can financially return to where we were in
9 March 2020, if we return at all. If this Board truly
10 appreciates the sacrifices the healthcare workers made
11 during this work of the pandemic then please help our
12 rents stabilize members recover financially by freezing
13 rent again this year. Thank you.

14 MS. RUBIN: Thank you, Ms. Rose. Any questions for
15 -- yes.

16 MS. ROSE: Yes, I have one thing. Where is it can I
17 upload my statement to the -- to the email that Peter
18 sent me so everyone on the Board can have a copy to read.

19 MS. RUBIN: Yeah. That's a good idea.

20 MR. STECKER: Yes, you can --

21 MS. RUBIN: Peter -- Peter will let you know where.

22 MR. STECKER: Sure. Ms. Rose, the email I sent you
23 previously with the instructions to join tonight. You
24 can just respond to that and send me any upload and I'll
25 forward it to the board.



1 MS. ROSE: Thank you.

2 MS. RUBIN: Any questions for Ms. Rose? Yes, Ms.
3 Santiago.

4 MS. SANTIAGO: It's not a question, just a comment.
5 I just wanted to thank you and all the frontline workers
6 for all the sacrifices that you made during this
7 pandemic. It is very much appreciated so thank you.

8 MS. RUBIN: Yes.

9 MS. ROSE: Thank you. You're welcome.

10 MS. RUBIN: Anybody else? Thank you, Ms. Rose for
11 your presentation and we're looking forward to seeing it
12 in writing.

13 MS. ROSE: You're welcome. I will sub -- submit it.

14 MS. RUBIN: Thank you.

15 MS. ROSE: Thank you.

16 MS. RUBIN: Peter, can we promote Isabelle Hoyos?

17 MR. STECKER: Yes. I'll promote her right now,
18 Chair.

19 MS. ISABELLE HOYOS: Hello. Can you guys hear me?

20 MS. RUBIN: Yes, we can hear -- hear you but we
21 cannot see you.

22 MS. HOYOS: Okay. I'll just speak then because I
23 don't want to hold this up for too long. I appreciate
24 all your time and allowing me to speak tonight. I am
25 myself an owner. I would like to just reiterate a couple



1 of the points that were already spoken by some of the
2 other owner representatives.

3 Firstly, we are extremely thankful for the ERAP
4 Program. However, it still does not account for pre-
5 COVID arrears that are still not made right. And like
6 some of the other owner representatives said before, we
7 as well have people that were in arrears prior to COVID
8 who were in court and their court dates got pushed or
9 cancelled. And they still have not made up the arrears,
10 and instead, have fallen further into arrears.

11 In addition, the ERAP Program requires that all
12 applicants be at or below 80 percent of the median
13 income. However, many of our residents do not qualify
14 under this category.

15 I also like to reiterate the point that months of
16 vacancies are going by with no income coming into us.
17 And since 2019, there has been no vacancy bonus, which
18 during these times would help make up for some of this
19 loss. In addition, we have had many capital improvements
20 that are needed to be done over the past year, including
21 elevator repairs, laundry room repairs, leaks in rooms
22 that all together have cost us over \$100,000 within the
23 year of 2020.

24 At a zero percent increase for two years, it is
25 becoming unacceptable and unreasonable. Prices are still



1 increasing, and if another year passes as zero percent,
2 many more people are going to sign up for a zero percent
3 two year increase, and it will leave us in an even worse
4 position. Thank you.

5 MS. RUBIN: Thank you. Any questions from the
6 Board? You unmute -- unmute yourself, Mr. Finger.

7 MR. FINGER: I just did. Thanks. Where is the
8 building that she's an owner of?

9 MS. HOYOS: We have two in Mount Vernon as well as
10 Nassau.

11 MR. FINGER: And how big are they?

12 MS. HOYOS: One is 16 units, the other one is 35.

13 MR. FINGER: Thank you.

14 MR. HOYOS: Thank you.

15 MS. RUBIN: Any other questions? Yes, Ms. Stewart.

16 MS. STEWART: Hi. Have you been assisting your
17 tenants who may need the help in completing their ERAP
18 paperwork there?

19 MS. HOYOS: Yeah. On the first week of June, I
20 would like to say this second or third after some of the
21 technical difficulties were resolved on the website, I
22 did have phone meetings as well as in-person meetings
23 with each of our tenants who would qualify for ERAP. We
24 have completed all the paperwork, and we're now just
25 waiting for funds to be assigned as well as a case



1 manager to be assigned.

2 However, we saw people in arrears who would not
3 quality for ERAP nor refuse to apply for whatever reasons
4 they see fit.

5 MS. STEWART: May I suggest that for a tenant to
6 maybe a little bit reluctant -- and I do know that
7 sometimes, depending on the relationship that some
8 tenants have with their property managers that referring
9 people to Mount Vernon United Tenants which is a trusted
10 partner in the community. People may be more receptive
11 to getting the message and getting the information from a
12 different source.

13 MS. HOYOS: Thank you. I really appreciate that,
14 especially in Mount Vernon. Thank you.

15 MS. RUBIN: Any other question? Yes, Ms. Santiago.

16 MS. SANTIAGO: Yeah. I was just curious and this is
17 not just for Isabelle but anyone who can answer the
18 question. What are some of the reasons that tenants
19 might be hesitant to apply for ERAP?

20 MS. HOYOS: Personally, I wouldn't necessarily know.
21 I would say that throughout the past year, I've developed
22 a very close working relationship with some of our
23 tenants since we have tried to be so understanding. I
24 know that some people have been not -- been denied
25 assistance before from previous programs such as the



1 COVID Rent Relief Program that was released last year.
2 So I do believe they're just hesitant to complete the
3 work and jump through those hoops just to be denied
4 again.

5 MS. RUBIN: Yes, Ms. Stewart.

6 MS. STEWART: Just as an added piece of information,
7 Miss. The city itself is sponsoring a Zoom on Thursday
8 at 6 o'clock, the workshop on Rent Arrears Assistance.
9 And that's being sponsored. It's -- it's a Zoom at 6
10 o'clock, Thursday, the day after tomorrow. And if you
11 just check with the Planning Department at Mount Vernon
12 City Hall, we can get the information to share with your
13 tenants or we can refer people to them.

14 But I do know that the city itself is trying to do
15 its part to kind of help the tenant who need help and
16 then to connect the tenants and the landlord so that they
17 can apply for the funds that are available to help folks.

18 MS. HOYOS: Thank you for that information.

19 MS. RUBIN: Thank you. Thank you for your
20 testimony, Ms. Hoyos. Peter, I would like to call
21 Francesca Delmonte.

22 MR. STECKER: Okay. I'm promoting her now, Chair.

23 MR. FINGER: What was the last name, Elsa?

24 MS. RUBIN: Delmonte.

25 MR. FINGER: Delmonte. Okay.



1 MS. RUBIN: D-E-L-M-O-N-T-E.

2 MR. FINGER: E, okay. Thank you, Madam Chairman.

3 MR. RUBIN: Ms. Delmonte, you are on mute and we
4 can't see you.

5 MS. FRANCESCA DELMONTE: Hello. Can you hear me?

6 MS. RUBIN: Yes.

7 MS. DELMONTE: Okay.

8 MS. RUBIN: We can hear you. We cannot see you.

9 MS. DELMONTE: I don't know why. I'm sorry.

10 MS. RUBIN: Are you representing yourself or your --
11 or an entity?

12 MS. DELMONTE: I'm representing myself. I'm the
13 owner of two multifamily buildings in White Plains, New
14 York. One is about 30 units and one is 50 units.

15 MS. RUBIN: Okay. You have three minutes.

16 MS. DELMONTE: Thank you.

17 MS. RUBIN: Thank you.

18 MS. DELMONTE: You know, I really feel we need to
19 consider an increase that will allow for us to make
20 necessary improvement and follow through with pending
21 renovations. This year alone, I had to put various
22 renovations and improvements on hold. And as we all
23 know, this is not only impacting the landlord.

24 Even at a 1 or 2 percent increase, we are not even
25 slightly making a dent in the debt accrued during 2020.



1 And most tenants this year alone selected a two-year
2 option at zero percent.

3 I have had at least five tenants that we started the
4 legal process for prior to the courts shutting down and
5 the eviction moratoriums. These tenants have not made a
6 single rent payment since nor have they returned our
7 calls in an effort to support and a system with the ERAP
8 program.

9 One of my tenants that was legal prior to the
10 moratorium, owes close to \$20,000 and recently as of last
11 week moved out in the middle of the night. How are we
12 supposed to recover from this debt especially with the
13 increased cost of supplies, labor, and gas?

14 As stated earlier, we are definitely grateful for
15 the ERAP program. However, this program will only be
16 beneficial for those that we can get to comply and take
17 advantage of this program.

18 I've reached out to multiple tenants, text messages,
19 calls, emails, having supers knocked on their doors. And
20 they're not responding. Do I have an answer as why, no.
21 But you know, this is I think some of the barriers and
22 the difficulties we face.

23 Now, I'm not speaking for every tenant. There are
24 tenants there -- here that we know are really facing
25 difficulties, that have lost their jobs that are trying



1 to feed their families. But at the end of the day, I do
2 know that there are some people taking advantage of this
3 system. And I think that that needs to be recognized and
4 heard. Thank you.

5 MS. RUBIN: Thank you. Any questions for Ms.
6 Delmonte? Yes, Ms. Stewart.

7 MS. STEWART: Hello. Once again, I -- I do
8 understand that there are folks that it can be difficult
9 to get to them with regard to the information. Some
10 tenants have had really bad experiences with their
11 landlords and avoid them as a result without knowing
12 whether or not the landlord is trying to communicate with
13 them about something good or something bad. Mostly
14 because usually when the landlord is trying to get in
15 touch with them, it's about something bad.

16 You may want to contact the county's Planning
17 Department which is mostly coordinating the nonprofit
18 organizations throughout the county that are reaching out
19 and helping tenants with ERAP application. It may be
20 that if you partner with some of the local organizations
21 or with the county to try to have somebody different who
22 the tenant may have a different relationship with reach
23 into them to inform them about the program and to offer
24 assistance that they may be open to it.

25 I'm not saying you're a bad landlord. That, you



1 know, your people don't want to talk to you. I have no
2 idea why whoever isn't responding. But I do know from my
3 own experience in talking to tenants that there are just
4 some that are -- are naturally suspicious and/or
5 reluctant to -- to deal with their landlord, and
6 especially if they're way behind in their rent.

7 So if -- if you want to try a different approach,
8 please contact the county planning department and/or some
9 of the -- the local nonprofit. If you don't know, the
10 county planning department can tell you who's in your
11 area and see if maybe you can work to towards you know,
12 getting these people to apply for ERAP through a trusted
13 partner.

14 MS. DELMONTE: Okay. Thank you. I appreciate that
15 advice. You know, and I -- I just find it hard because,
16 you know, we're writing letters slipping the ERAP form
17 with instructions on how to apply under their doors.
18 And, you know, so obviously, we are coming from a place
19 where we're trying to help them. So they should get that
20 at that point.

21 I just think that -- you know, and I'm speaking for
22 a handful of tenants obviously. But I just think that
23 that is definitely one of the biggest barriers we're, you
24 know, facing with trying to take advantage of these
25 funds.



1 MS. STEWART: I know that a lot of owners may not
2 think about it but there are a lot of people, a lot of
3 people who were -- who are in low to middle income. They
4 don't have broadband. They may not be technology, you
5 know, technologically savvy. That's the reason why we
6 haven't been seeing a lot of them in our Zoom meetings,
7 et cetera. There is -- there is a -- a real
8 technological educational divide between owners in
9 general and tenants in general.

10 So what may be something that's very clear to you as
11 an owner that, you know, well, obviously these papers
12 that you can read them, and interpret them, and then
13 follow the instructions on them, and then you have the
14 resources to go, and complete an application if you were
15 to have been in that situation. I have met people that
16 need a lot of hand-holding. I knew that from when we --
17 I was out doing the census. There are people who could
18 not complete the census without somebody there to hold
19 their hand.

20 Trust and believe that they couldn't do the census
21 and answer those questions without assistance, they need
22 help and I mean substantial help to -- to the ERAP
23 application.

24 MS. RUBIN: Anybody else?

25 MS. BARNES: Yes, I just wanted to -- I'm sorry, Ms.



1 Rubin?

2 MS. RUBIN: Yes.

3 MS. ACQUAH: Elsa, yeah, I also wanted to actually
4 sort of repeat what Ms. Stewart said as well. Again, I
5 always said this last time and the last meeting that the
6 agencies are really out there waiting to hear from
7 people, to assist with this -- with this ERAP Assistance.
8 They're really waiting.

9 And its -- its also a great resource, the agencies
10 out there, the landlord representatives, the, you know,
11 whomever, you know, whoever out there to help. The
12 landlords can reach out for assistance. The tenants can
13 reach out for assistance. And, you know, Google, I know
14 some people are not technologically, you know, there.
15 But it's -- it's important to get as much information on
16 what agencies are participating, and assisting with this
17 program in your area, and what it's trying to help one
18 way or another.

19 So just, you know, reach out to the county, to your
20 city, to your municipality, whomever, you know, wherever
21 you can get the help, just yeah, try -- try to get that
22 because not everyone is receptive to everyone,
23 comfortable with everyone assisting them also so yeah.
24 There's quite a -- quite a bit out there. It's a lot.
25 It's a lot. And it's a lot of work.



1 And it's also intense work. So it's expected that
2 some people will, you know, whether it's -- if they're
3 having literacy, you know, issues. You don't know that.
4 No one knows that. So it's good to get helping agencies
5 out there involved. That's what I have to say.

6 MS. RUBIN: Thank you. Peter, regarding -- Eddie
7 Mae, you want to talk?

8 MS. BARNES: No.

9 MS. RUBIN: Peter, I have a question regarding this
10 matter. Is the -- the website for the organization have
11 any -- any information about this?

12 MR. STECKER: To be honest with you, Chair, off the
13 top of my head, I'm not sure.

14 MS. RUBIN: And maybe April knows.

15 MR. STECKER: Now that April is on the line, I'll
16 defer to her if she knows.

17 MS. GRAY-HUERTAS: Sorry. I'm not sure that
18 anything is done on our website because it's not being
19 run by our agency any longer. The last year's program
20 was when through -- through a part of DHCR. So, with
21 this, they would have to go to the correct website,
22 probably through the Governor's office. But I'll look it
23 up right now and see if I can get you some information
24 before the end of your meeting.

25 MS. RUBIN: Okay. Thank you. Thank you Ms. -- Ms.



1 Delmonte.

2 MS. DELMONTE: Thank you.

3 MS. RUBIN: And Peter, can we promote our next
4 person, please.

5 MR. STECKER: Sure. That would be --

6 MS. RUBIN: I have in my list Dennis Hanratty.

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

8 Mr. Hanratty, can you hear us?

9 MR. DENNIS HANRATTY: Yes, can you hear me?

10 MR. STECKER: Yes.

11 MS. RUBIN: Yes, we can hear. We can't -- we can't
12 see you though.

13 MR. HANRATTY: You can't see me. Start video. Can
14 you see me now?

15 MS. RUBIN: Nope.

16 MR. HANRATTY: All right. I may need some -- share
17 -- what do I push, share screen? No.

18 MR. STECKER: No. That wouldn't be it.

19 FEMALE VOICE: The video, it's the video.

20 MS. RUBIN: Use the video.

21 MR. HANRATTY: Our video. There's a -- I hit the --
22 how is that?

23 MS. RUBIN: Now -- now we can see you. Hello.

24 MR. HANRATTY: -- want it. I don't know.

25 MS. RUBIN: Welcome.



1 MR. HANRATTY: Thank you. Thank you. Welcome to
2 you guys. Did you guys receive my statement?

3 MS. RUBIN: Yes, we did.

4 MS. STEWART: Yes.

5 MR. HANRATTY: Let me read this out. I have -- by a
6 couple of other things if you already have my -- my
7 statement. Is that okay?

8 MS. RUBIN: Okay. You have -- are you representing
9 an organization?

10 MR. HANRATTY: Yeah. I'm representing Mount Vernon
11 United Tenants and I'm representing them tonight. When I
12 saw the --

13 MS. RUBIN: You have five minutes.

14 MR. HANRATTY: I'm not going to read the whole
15 statement. I probably won't even need the full five
16 minutes. You guys can read that yourself. I just like
17 to respond to a couple of the issues.

18 We're one of the agencies that would -- that people
19 have been talked about that is/are helping people fill
20 out these applications. So people can come here,
21 landlords or tenants. We get a couple of applications
22 out every day plus we're referring people to the website
23 where they can do it themselves if they so choose.

24 Probably over 50 people today and we've already
25 completed about 20 applications. But we also participate



1 -- you mentioned the county. We participate with the
2 County Planning Commissioner and with about 15 other
3 agencies in the buildings. And we have weekly check-ins
4 to go over the process about how many people are doing
5 the -- doing the application, how many are getting
6 referred. So there is a coordinated attempt.

7 Just today I got an email from the -- from the
8 County Executive's Office about new flyers that they have
9 out there. And there's going to be a flyer coming out I
10 believe tomorrow that's going to list all the agencies.
11 So that should be helpful for the people as well and
12 also, you brought that up about not being, knowing where
13 to go.

14 That's stuff is going to be available from the
15 county plus anybody can call my office. We'll provide
16 any of those information -- any of that information.
17 Feel free to, you know, promote my phone number to
18 anybody who calls or gets in touch with you. We can do
19 that.

20 Now we talked a little bit about some of the -- the
21 rents and stuff like that. What I've talked about the
22 last number of years, there's a lot of the -- you know,
23 so nobody else is paying attention. The landlord's real
24 big source of income has vacancy allowances. They've
25 cleaned up on vacancies over the years. That's why you



1 can't find the rent-regulated apartment now for under
2 1,800, \$2,000 on the market. They've gotten so high,
3 more and more landlords are doing preferential rent
4 because they can't even rent the apartments that are so
5 high that they're beyond the market.

6 So, you know, this stuff about them needing this --
7 this time. And nobody has gone out of business now even
8 without all this money, they're not collecting. So
9 they're going to be getting a lot of money under ERAP.
10 And I recognize that's not an improvement. That's money
11 that's owed to them. But it's going to be a huge -- huge
12 input into their operating course.

13 So the last thing tenants need right now is a rent
14 increase on top of that. I think it's very, very clear
15 that the tenants didn't receive the zero to zero
16 guidelines last year's options. They have that this
17 year. Those tenants have got to be protected especially
18 coming to this pandemic.

19 Every day we get calls from people who've lost jobs,
20 who've had their hours cut, who've had other expenses
21 related to the pandemic who just can't get by. We deal
22 with that on a day-to-day basis, on a grassroots level,
23 and the pain and suffering that people are experiencing
24 is real. And then the rent increase is the last thing
25 people need to hear about right now.



1 I mean, people always ask me, is my rent going to be
2 -- be all right for a while. And we do say and one of
3 the things I think that makes it easier for you guys is
4 about no increase is the fact that acceptance of the ERAP
5 Funds requires them to -- to not raise their rent for a
6 year. And like Michael McKee mentioned to you guys
7 before, what's the enforcement of that.

8 But I think that's just so obvious, they're not
9 going to -- a good number of people are going to be
10 eligible for ERAP, they can't pay increases anyway. So
11 this should be -- this Guidelines Board should not pass
12 any increases based upon all of that.

13 Where -- Tamara mentioned also about a workshop this
14 Thursday night. I'm holding up a -- and I hope people
15 can see that. Mount Vernon Clearing Department is
16 sponsoring that with us and with legal services of the
17 Hudson Valley. I'll be doing a zoom presentation right
18 from this office on that.

19 And you can see the one on the first instance,
20 workshop on rent arrears assistance. So we're working
21 day in and day -- day out on this trying to inform people
22 about their rights, the tenants and how to go about in
23 making the process of the application, informing
24 landlords on (inaudible). We'd helped, you know, maybe a
25 half dozen landlords which are throwing out the



1 applications and referring them out.

2 So we're in this, you know, right to end with
3 everybody. We're trying to get, you know, tenants are
4 not going to get this money. This money is going to go
5 to landlords. We're not going to -- ourselves of that to
6 get the landlords money that's owed to them because they
7 do that and we don't begrudge them that. But the last
8 thing anybody really needs now are -- and outside of
9 landlords is a rent increase now.

10 Given the circumstances, the dire economic situation
11 tenants are facing, they can't be subjected to any more
12 increases at this time. They deserve the same benefits
13 that tenants whose leases expired last year have
14 received.

15 So we're calling -- my organization is calling for
16 zero guidelines for 1 and two-year renewals. I mean if
17 anything as Michael McKee mentioned and Genevieve Roche,
18 they can make the argument there should be a reduction
19 with the numbers, what they show with the net operating
20 income.

21 I think both Genevieve and Michael presented very,
22 very compelling economic arguments. Mine is more about
23 the social arguments that our members are experiencing.
24 But feel free to pro -- you know, to promote my phone
25 number to anybody whose interested, landlord or tenant on



1 how to fill out the ERAP application. Like I said, we're
2 doing that around the clock. And that's I guess all I
3 have to say and thank you very much for having me.

4 MS. RUBIN: Thank you. Thank you. Any questions?
5 Yes, Ms. Stewart.

6 MS. STEWART: Hey, Dennis.

7 MR. HANRATTY: Hey, Tamara.

8 MS. STEWART: Anecdotally, are you also finding that
9 there are people who make sacrifices financially to keep
10 up their rent, you know, liquidating savings, maxing out
11 on credit cards, et cetera just to try to stay current
12 with rent during COVID?

13 MR. HANRATTY: Yes.

14 MS. STEWART: And then --

15 MR. HANRATTY: I haven't seen a lot of that. But I
16 have seen -- there's a couple, yes.

17 MS. STEWART: Yeah. But then now they're not
18 eligible for ERAP like if they would have stopped paying
19 their rent --

20 MR. HANRATTY: Exactly.

21 MS. STEWART: And then held on to what they had, --

22 MR. HANRATTY: Yup.

23 MS. STEWART: They'd be getting relief right now
24 from ERAP. But because they sacrificed in order to keep
25 up with their rent they've got --



1 MR. HANRATTY: Exactly.

2 MS. STEWART: They've got the financial burden of
3 debt that they cannot recover because the ERAP Program
4 does not recognize that -- that they were harmed because
5 they managed somehow to keep up with their rent.

6 MR. HANRATTY: No. You're right. That -- that --
7 that we've had a number of cases like that, not a real
8 lot. But, you know, unfortunately, ERAP program has just
9 come out fairly recently so people were trying to keep
10 all along. Remember, this is going back to March 13th of
11 last year so people like you said, some of our clients,
12 some of our members, you know, do whatever they could
13 just to keep current not realizing there was going to be
14 money available towards the end. I mean it's great, the
15 ERAP Program is a phenomenal, phenomenal program like so
16 many people have mentioned.

17 They've learned a lot from the year prior when they
18 made a lot of mistakes with the administration of the
19 program. This one looks like it's going to be good even
20 though the money hasn't started flowing yet. They're
21 expecting it to start coming out in early to mid-July so
22 we're really -- we have our fingers crossed that it's
23 going to go smoothly from there. And like I say, my
24 agency and other nonprofits are working, you know, every
25 day, all through the week about how -- helping people



1 process applications and trying to monitor them.

2 Like I say, every Friday, 11 o'clock, we have a
3 check-in with the County Department of Planning and all
4 of the 15 or so agencies that are processing these
5 applications.

6 MS. STEWART: Thank you.

7 MS. RUBIN: Yes, Ms. Santiago.

8 MS. SANTIAGO: Yeah, just to piggyback on Tamara's
9 question. Dennis, do you have -- is there any indication
10 that there will be any type of program to help those --
11 those tenants who sacrificed, went through their savings,
12 borrowed people, went to borrow from their retirement,
13 and are currently either unemployed or underemployed. Is
14 there anything in the works for those people?

15 MR. HANRATTY: Not that I'm aware of. But as you're
16 aware, there is -- part of the ERAP is going to -- will
17 allow people for up to three months after they're caught
18 up on their rent. So maybe that will be available if
19 they couldn't pay at this time. And as Michael McKee
20 mentioned before, we're fully expecting or well, not
21 fully. But somewhat expecting that this to be revisited
22 by the state legislature and ultimately by the county
23 then to make this happen for a future date because they
24 don't think it's a magic number, after three months,
25 after the 12 months everything is going to be hunky-dory.



1 There's going to be continuing problems.

2 So there's going to have to be some legislative
3 initiatives down the road. And, you know, we'll
4 participate after the -- the degree we're able to or
5 lobby for great benefits to be available.

6 MS. SANTIAGO: Thank you.

7 MS. RUBIN: Thank you.

8 MS. ACQUAH: I want to say something.

9 MS. RUBIN: Yes, Ms. Acquah.

10 MS. ACQUAH: Yes, Dennis. Hi. How are you?

11 MR. HANRATTY: How are you, Velene?

12 MS. ACQUAH: Good. Good. It's good to see you and
13 I'm glad you're here to also, you know, give information
14 on how people can get help.

15 MR. HANRATTY: You know, Velene, let me -- let me
16 just say --

17 MS. ACQUAH: Yeah.

18 MR. HANRATTY: You know, the -- the poster that I'm
19 showing, people come and get this. This tells you how to
20 get involved on our Tenant Rates Workshop on Thursday
21 evening like we're co-sponsoring with the city. So
22 people can come to my office. They had copies of this if
23 they'd like for their buildings and for the stores.
24 We're flooring the neighborhood. We're posting these in
25 the stores up on Gramatan Avenue, on 4th Avenue, on Mount



1 Vernon Avenue. We have them covered in English and in
2 Spanish.

3 MS. ACQUAH: Wonderful. And I just got an email
4 actually with that flyer.

5 MR. HANRATTY: Okay. Good, good.

6 MS. ACQUAH: From City Hall, yeah. That's great.
7 It's out there. Yeah, the help is out there. So that's
8 a good thing.

9 MR. HANRATTY: Yeah, we're working very closely with
10 the planning department. And I don't know if people are
11 aware of it. There's -- the planning department is
12 hiring a couple of -- well, the city is hiring a few new
13 code enforcement officers. If recognized, we've been
14 working with the county -- I mean the city's planning
15 department over the last couple of years. And I know
16 it's called the city's Rise Program. And they've
17 recognized, you know, Mount Vernon has got a very aging
18 housing stock.

19 And so especially -- haven't always had the
20 incentive to keep their buildings up as long as they know
21 their tenants can't go anywhere else. I mean they don't
22 always maintain the buildings as well as they should. So
23 we're going to have I think a more robust code
24 enforcement system coming up. They hired two new code
25 enforcement officers and they're going to hire a third



1 one as well. So we're excited about that. We think
2 that's going to help really maintain services to tenants
3 throughout town.

4 MS. ACQUAH: Okay. All right. Thank you.

5 MS. RUBIN: Thank you. Yes, LaMont. You -- you are
6 muted. Okay. Good.

7 MR. BADRU: I wanted to say --

8 MR. HANRATTY: Hey, LaMont.

9 MR. BADRU: And thank you for the work that you do.
10 I think you're making a really big impact and I've
11 witnessed it personally so I'd like to give you a shout-
12 out and say thanks.

13 MR. HANRATTY: Thank you.

14 MS. RUBIN: Anybody else? Well, thank you, Dennis,
15 for your presentation.

16 MR. HANRATTY: Thank you.

17 MS. RUBIN: Good to see you.

18 MR. HANRATTY: Good to see you guys.

19 MS. RUBIN: I would like to call the next person,
20 Lynn -- Lynn White.

21 MR. STECKER: Okay. I'm promoting her right now,
22 Chair.

23 MS. RUBIN: Hello, Ms. White?

24 MS. LYNN WHITE: Can you hear me?

25 MS. RUBIN: Yes, we can hear you. We cannot see



1 you.

2 MS. WHITE: Well, let's see if I can do anything
3 about that. I don't seem to be able to do anything about
4 that.

5 MS. RUBIN: So just let us know if you're
6 representing yourself or an organization.

7 MS. WHITE: An organization.

8 MS. RUBIN: Now we can see you. Which -- which
9 organization is that?

10 MS. WHITE: The Apartment Owners Advisory Council
11 and the Building and Realty Institute.

12 MS. RUBIN: Okay. You have five minutes.

13 MS. WHITE: I am an owner of some multifamily
14 buildings. I have owned these for many years. It is
15 been hard to maintain them because I don't get rent
16 probably I'm owned a moment about \$100,000 in rent.

17 The people who spoke tonight, I don't know where
18 they're getting their statistics. But I know that I've
19 had to put in new refrigerators this year to tenants who
20 had not paid me rent. And I've done it because they need
21 to have food that's refrigerated.

22 A woman spoke, the Reverend spoke about Con Edison
23 and the leak, and that I'm sure is a very big problem but
24 I know because I had a leak in one of my buildings that
25 Con Ed took a long, long time to fix the leak. It wasn't



1 my fault. It wasn't anything I did. I called them to
2 get it fixed but it was Con Ed who stole, not me.

3 So I hear these complaints and I feel that the
4 tenants think that the landlord should not make any
5 money. But we work very hard just as the tenants work
6 very hard. For some reason, the tenants feel that we
7 shouldn't, you know, we should do everything for free.
8 Well, that just doesn't work out very well. It doesn't
9 work out well for the tenants and it doesn't work out
10 well for the landlord.

11 Then you talk about the capital improvements, the
12 MCIs, the AIA -- the IAIs. Frankly, I can't get any
13 money for the MCIs and the IAIs. So you know what?
14 Those apartments will stay vacant. I will do better
15 having that -- using that as a loss. The inventory of
16 apartments will go down. That was not the intention of
17 HSTPA.

18 So I think that the Board should think about all
19 these issues very carefully. Utilities have gone up,
20 insurances has gone up, taxes have gone up, oil is going
21 way up. How are we supposed to pay? Not only that,
22 Section 8, oh, there's a dent in the wall, you need to
23 get it fixed, a dent in the wall?

24 I think you -- there's a lot to think about here.
25 That's all I have to say. Thank you.



1 MS. RUBIN: Thank you. Any questions for Ms. White?
2 Yes, Ms. Stewart.

3 MS. STEWART: Hi, Ms. White. How many buildings and
4 how many units do you have?

5 MS. WHITE: I have three buildings in White Plains,
6 86 units.

7 MS. STEWART: And have you been helping your tenants
8 that are in arrears with ERAP application that they might
9 qualify, ma'am?

10 MS. WHITE: Absolutely. I have gotten -- there are
11 some just don't want to do it and there are also some who
12 make too much money to do it. Not that they pay me.
13 They have other issues. Some were out of work, now are
14 working and are making too much money.

15 MS. STEWART: Well, for the ones that may be
16 reluctant, I hope you've been listening to our plea that
17 landlords contact that County Planning Department and
18 work with the nonprofit that are trying to reach tenants
19 in your -- in your community who may be --

20 MS. WHITE: And I will put up notices.

21 MS. STEWART: -- for tenants to partners.

22 MS. WHITE: And I will put up notices and I will
23 again try to help them. I'm more than willing to help
24 them, and I am more than willing to put notices in my
25 buildings which I've already done to -- in an attempt to



1 help them.

2 MS. STEWART: Well that's one way. But sometimes,
3 like I said, if there's a trust issue, it may -- the
4 information may be more effective coming from a different
5 source.

6 MS. WHITE: I agree. And I will try to help them in
7 every way I can. But that still --

8 MS. STEWART: Thank you.

9 MS. WHITE: -- very limiting from -- for the
10 landlord, in this case for me.

11 MS. RUBIN: Yeah. Mr. Cherson, you have a question.

12 MR. CHERSON: Yes, I do. Thank you. Ms. White,
13 thank you very much for your testimony. Can you please
14 explain to the members of the Board, expand upon why it
15 is that you're not going to rent a vacant -- apartment
16 that becomes vacant. I don't -- a lot of people on the
17 Board -- I may understand that and Mr. Finger may
18 understand that. But if you can explain to the other
19 members as to why it is that you're not going to rent a
20 vacant apartment these days?

21 MS. WHITE: Okay. I have an apartment at one of my
22 buildings, the lady has lived there for 40 or 50 years.
23 I get a -- a whole hundred, \$647 for that two-bedroom
24 apartment. To just keep that apartment cost more than
25 this 647. So it is a benefit to me not to rent it. Plus



1 I'd have to upgrade it. I'd have to put in a new stove.
2 I'd have to paint it. I would have to put in a new
3 refrigerator, probably, you know, do the floors.

4 MR. CHERSON: And what would the rent be for the new
5 tenant?

6 MS. WHITE: Very close to 647. I can't -- I cannot
7 increase that rent so it's not worth it to me to rent it.
8 So you're losing stock, housing stock, the whole reason
9 for HSTPA was to increase housing stock. They're going
10 to lose it. I'm not going to rent that apartment.

11 There's a studio apartment that just became vacant.
12 I doubt I'll rent it. Again, it's the same reason. I
13 don't get enough rent to make it worthwhile. And I can
14 take it off my taxes. So it becomes more beneficial to
15 me not to rent it.

16 MR. CHERSON: Thank you.

17 MS. WHITE: Yes.

18 MS. RUBIN: Yes, sir. You're on mute. Okay.

19 MR. BADRU: Yeah, I'm sorry. I think -- so you said
20 the operating cost of the unit is more than the cost?

21 MS. WHITE: Correct.

22 MR. BADRU: What's that -- a minute. You got to get
23 off the camera. I'm sorry guys.

24 MS. WHITE: It's okay. She's cute. I can't hear --
25 if you're talking I can't hear.



1 MR. BADRU: So what type -- what type of operating
2 cost for these units do you have on a monthly basis that
3 -- that outweigh the rent that you would collect on the
4 unit?

5 MS. WHITE: Well, he -- the cost of a refrigerator,
6 the stove, there's a certain amount of electric that goes
7 into it, maintaining the building. It's a unit I don't
8 have to maintain. And then if the tenant has a problem
9 or an issue, that's a whole another thing. It just makes
10 it worth -- well, if I was making money on it or even
11 breaking even maybe I'd rent it. But when it comes to
12 losing money, I'm losing money on this apartment.

13 So I don't see the sense in running it except, you
14 know, you would say well, it benefits certain people
15 which it does. But I work very hard for my own
16 buildings. I am the manager. I'm the landlord and the
17 manager. I work very hard to try to make a buck, just
18 like I'm sure you do.

19 MR. BADRU: Thank you.

20 MS. RUBIN: Anybody else? Thank you for your
21 testimony, Ms. White.

22 MS. WHITE: Thank you. I thank all of the Board.

23 MS. ACQUAH: You're welcome. Thank you.

24 MR. FINGER: Thank you.

25 MS. ACQUAH: Thank you for being here.



1 MS. RUBIN: Peter, I have the last person in my list
2 is Sandra Borducci.

3 MR. STECKER: Yup. I'm promoting her right now.

4 MR. FINGER: Could you spell that?

5 MS. RUBIN: B-O-R-D-U-C-C-I.

6 MR. FINGER: Borducci.

7 MS. RUBIN: Hello, MS. Borducci.

8 MS. SANDRA BORDUCCI: Hi. How are you?

9 MS. RUBIN: Am I pronouncing your name correctly?

10 MS. BORDUCCI: Borducci, yes.

11 MS. RUBIN: Borducci, okay.

12 MS. BORDUCCI: You did much better than Siri.

13 MS. RUBIN: Are you representing yourself or an
14 entity?

15 MS. BORDUCCI: No. I'm representing an entity. I'm
16 testifying on behalf of two landlords, Radford Management
17 Associates which has 58 units in Grand Terrace,
18 Associates which as 38 units in Southwest Yonkers in
19 Mount Vernon respectively.

20 According to a case, case law of Rose Associates
21 versus DHCR, the appellant division indicated that the
22 purpose of the Rent Guidelines Board is balance the
23 landlord's needs against the tenants. There has to be a
24 rational basis for the determination, the guidelines, and
25 considering substantial evidence on both sides.



1 Now that the pandemic is mostly over, keeping
2 increases at zero percent seems highly unreasonable
3 especially since Mr. Hanratty just said that only a
4 couple of Mount Vernon tenants had to dip into their
5 savings. In the case of Casado versus New York City Rent
6 Line Guide -- Rent Guidelines Board 2011, the Court of
7 Appeals of New York opine that small annually authorized
8 increases do not come close to covering increased cost.
9 Further in rent stabilization association -- association
10 of NYC versus NYC Rent Guidelines Board, the Supreme
11 Court of New York in 2017 held that while tenant
12 affordability is a proper factor for the Board to
13 consider in establishing guidelines, tenant affordability
14 is not the only factor. The Board also has to consider
15 the economic condition of the residential real estate
16 industry and the affected area including such factors as
17 real estate taxes, utility rates, maintenance cost,
18 operating costs like insurance, government fees, cost of
19 fuel, labor cost, of unavailability of financing, cost of
20 living.

21 I'm asking the Board to consider a 4 to 5 percent
22 increase. A lot of these points have been mentioned
23 before but Mount Vernon Real Estate Taxes increased 13
24 percent after net operating income which Genevieve claims
25 as 38 percent profit. Well, real estate taxes at a



1 100,000 -- of a \$100,000 a year plus mortgage interest
2 are deducted. So that's huge deduction coming out of
3 profit. We can't evict -- evict non paying tenants. Our
4 union wages are up 12 percent, utilities 20 to 30
5 percent, insurance up 30 percent because insurance
6 companies found that landlords can't invest in money in
7 their buildings when rents aren't coming in.

8 Most of our tenants were able to pay the rent but
9 that's because our rents are low. They're preferential
10 and they're below the legal regulated rents. I do annual
11 rent registration every single year, and I see this.
12 More code enforcement in Mount Vernon, we already get
13 code enforcement from Section 8 and the city. These are
14 just more cost for -- for landlords out of their bottom
15 line. Every code violation in a paying and non-paying
16 tenant's apartment is less in the bottom line. In
17 Westchester, tenants have all the love during the
18 pandemic.

19 We like many other landlords, one of our way to help
20 struggling tenants with programs offered by the state and
21 the city thanks to the completely pro-tenant ETPA Laws
22 passed in 2019. We can't charge vacancy increases. We
23 can't suddenly charge legal regulated rents after
24 charging preferential rents. The RGB gave zero percent
25 increases for 1 and two-year lease renewals. Most



1 tenants showed zero percent.

2 If landlords accept ERAP, the RGB passes that
3 increase, landlords may at least have legal regulated
4 rent increases on their registrations for the next round
5 of tenants, that -- that could be a positive thing for
6 landlords, you know. All the judges in Westchester are
7 pro-tenant. They got months up to a year, maybe more to
8 pay. And forget about IAI's because before we might get
9 \$10 increase on rent. Now it's more like \$1 or \$2
10 increase at rent.

11 One tenant asked me to move to an updated apartment
12 with an updated kitchen and how could we do it for a zero
13 percent increase. It's unfathomably low. It just makes
14 no financial sense. \$16,000 kitchen with a \$1 a month
15 increase, could you do that if you owned a home? No.
16 No. That would be ridiculous. Where is the love from
17 landlords?

18 As hardworking tenants know, charity does not pay
19 the bills. For teams of owners, managers, and
20 superintendents who go to work every day to make sure the
21 buildings are operating well, to make sure tenants have
22 gas, electric, heat, hot water which we pay for, you
23 know? It's tough. We can't turn off utilities or stop
24 paying a mortgage, shut off the elevator, and then we
25 have all these administrative duties, filing annual rent



1 registrations.

2 Now more code enforcement, ETPA reports, the list
3 goes on. It's -- it's intense. Who wants to do this for
4 free? On top of that, tenants, you know, are not all
5 angels. There're drugs. There's domestic violence.
6 There's, you know, some leaves the newspaper on their
7 toaster oven. You know, the buildings got smoke damage
8 and water damage from the sprinklers. It's a non-stop,
9 24 hour, weekend, holiday job. This is not a for free
10 job.

11 I'm sorry. You know, if tenants need to get more
12 than one job, that's great. And landlords are not
13 stopping from 9:00 to 5:00. Okay. That's all I want to
14 say.

15 MS. RUBIN: Okay. Yeah, that's your time allowed.
16 Anybody has a question?

17 MS. ACQUAH: I do.

18 MS. RUBIN: Okay. Ms. Acquah?

19 MS. ACQUAH: Yes. No, I -- I may have missed it.
20 Where are the buildings located and how many units?

21 MS. BORDUCCI: Southwest Yonkers, Mount Vernon, 58
22 and 38 respectively.

23 MS. ACQUAH: Oh, okay. Thank you.

24 MS. BORDUCCI: Taxes are really high, you know, it's
25 ridiculous because they're going to programs, right?



1 MS. RUBIN: Anybody else?

2 MS. BORDUCCI: Or corrupt politicians in Mount
3 Vernon which we all know have been written about in the
4 papers. So we're paying for it. But we're the ones
5 whose paying for it.

6 MS. RUBIN: Anybody else? Anybody else has a
7 question?

8 MS. ACQUAH: That's it for me.

9 MS. RUBIN: So, okay. Thank you very much for your
10 presentation.

11 MR. FINGER: Thank you.

12 MS. ACQUAH: Thank you.

13 MR. FINGER: Thanks.

14 MS. RUBIN: Peter, do we have any other previous
15 people that were waiting or not waiting?

16 MR. STECKER: No, I was able to email Mr. Kaufteil.
17 He said he had technical difficulties. I told him to try
18 to call Lynn but he doesn't try to come back on. So
19 other than that, none of the other people who we missed
20 have come on either so that's the end of the list as far
21 as I have it.

22 MS. RUBIN: Okay. So, that's it for tonight for the
23 presentation. As I said before, our next meeting is on
24 Wednesday, the 23rd. And unless anybody has any other
25 questions or comments, I will ask for someone to make a



1 motion to -- to adjourn the meeting.

2 MR. CHERSON: Motion to adjourn.

3 MS. RUBIN: I knew you were going to do it.

4 MS. ACQUAH: Second.

5 MR. CHERSON: It's been a long day.

6 MS. RUBIN: I know. Thank you very much for your
7 time and your patience, and have a great evening.

8 MS. ACQUAH: Thank you.

9 MS. BARNES: Yeah. Thank you, everybody.

10 MR. CHERSON: Good night everyone.

11 MS. ACQUAH: Good to see you. See you next time.

12 MS. RUBIN: See you Wednesday.

13 MS. ACQUAH: Yes. Wednesday again.

14 [END RECORDING]

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

1
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