

1 NEW YORK STATE

2 DIVISION OF HOUSING AND COMMUNITY RENEWAL

3

4 RESEARCH AND ANALYSIS PRESENTATION MEETING

5 WESTCHESTER COUNTY RENT GUIDLINES BOARD

6 DATE: June 13, 2022

7 TIME: 7:10 p.m. to 7 :38 p.m.

8 LOCATION: Division of Housing & Community  
9 Renewal  
75 South Broadway  
10 White Plains, New York 10601

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Reported by Hannah Allen

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1 APPEARANCES :

2 BOARD MEMBERS

ELIOT CHERSON

3 TAMARA STEWART

KENNETH FINGER

4 EDDIE MAE BARNES

VELENE ACQUAH

5 ELSA RUBIN

LAMONT BADRU

6

7 SALVATORE HAUGHIE

MICHAEL LANGIULLI

8 PETER STECKER, ESQ.

APRIL GRAY-HUERTAS, ESQ.

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1 (On the record 7:08 p.m.)

2 MR. STECKER: Time is 7:08.

3 We're in White Plains, Westchester District rent  
4 office for the Westchester County rent guidelines  
5 for public meeting to receive a research and  
6 analysis presentation. It's Monday, June 13th.  
7 Go ahead, Chair. Call the roll.

8 CHAIR RUBIN: Hello everybody. My  
9 name is Elsa Rubin, chair of the Westchester rent  
10 guidelines. And I welcome you to the second  
11 public meeting of 2022. Tonight we will receive  
12 the presentation of the D.H.C.R. Research and  
13 Analysis Unit which will help us to determine the  
14 rates of rate adjustments for leases commencing --  
15 commencing or being renewed between October 1st,  
16 2022 and September 30th, 2023.

17 In addition, D.H.C.R. has already  
18 previously provided us with reports and documents  
19 which we have copies in front of us related to  
20 this year's rent guidelines. I will now take call  
21 roll. Please respond if you're present. Velene  
22 Acquah?

23 MS. ACQUAH: Present.

24 CHAIR RUBIN: Lamont Badru?

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1 MR. BADRU: Here.

2 CHAIR RUBIN: Eddie Mae Barnes?

3 MS. BARNES: Here.

4 CHAIR RUBIN: Eliot Cherson?

5 MR. CHERSON: Here.

6 CHAIR RUBIN: Kenneth Finger?

7 MR. FINGER: Here.

8 CHAIR RUBIN: Sylvia Hamer is not  
9 here and she is excused. Evelyn Santiago is also  
10 excused. Tamara Stewart?

11 MS. STEWART: Present.

12 CHAIR RUBIN: And I'm Elsa Rubin.

13 Let the record show that we have quorum. I will  
14 now ask our counsel, Mr. Stecker if he has any  
15 announcements.

16 MR. STECKER: Good evening, Chair. No  
17 announcement other than a reminder that the second  
18 public hearing ... will be held tomorrow at seven  
19 p.m. at the White Plains City Hall City Council  
20 Chambers, 255 Main Street in White Plains.

21 CHAIR RUBIN: Okay. I want to thank  
22 and recognize the D.H.C.R. staff for all their  
23 work and effort especially Guy Alba  
24 and Jeff Horowitz who are not here with

25

1 us today. And the rest of the team. And I would  
2 like to welcome Sal Haughie and Michael Langiulli.

3 MR. LANGIULLI: Langiulli.

4 CHAIR RUBIN: Langiulli -- Langiulli  
5 who will be the panelist ... for this  
6 presentation. And I don't know which one of you  
7 wants to become -- to go first.

8 MR. HAUGHIE: Yeah, I'll take the lead.

9 CHAIR RUBIN: Okay.

10 MR. HAUGHIE: How is everybody doing?  
11 So I guess we'll start with the -- what we call  
12 the tab. So the document that says annual income  
13 expenses that's the main gist of what you guys  
14 should be looking at. The first page, again, is  
15 going to be totals so you're looking at totals,  
16 total income, rental income, total expenses and  
17 the expenses broken down. And side by side you  
18 can see kind of a breakdown of the change over  
19 time for income and expenses. But, again, these  
20 are just totals so we can move to the second page  
21 which kind of gives you a little bit more -- a  
22 better picture of what's going on with expenses.

23 So on the second page it's a percent  
24 distribution of expenses. Again, we -- this year  
25

1 we had four hundred nineteen schedules which  
2 equates to buildings. There were fourteen  
3 thousand seven hundred and thirty-eight units of  
4 which twelve thousand nine hundred and twenty-  
5 three were subject to ETPA ...

6 So if we're looking at column 2021 you  
7 can see the breakdown based upon expenses, which  
8 expenses are the -- you know, which expenses  
9 basically are the majority of paid for -- paid for  
10 by owner. So real estate expense is going to be  
11 the highest category that owners incur. Then  
12 repairs and maintenance at sixteen point five.  
13 Then interest at thirteen point nine.

14 MR. FINGER: I have a question.

15 MR. HAUGHIE: Ken, sure.

16 MR. FINGER: Yeah, if -- if a owner has  
17 to take out a mortgage to buy the building or  
18 buildings, whatever, where is that reflected here  
19 if this adds up to a hundred percent? Or is it  
20 not?

21 MR. HAUGHIE: The interest expense is  
22 where the owner would show that the owner is  
23 taking out a mortgage. So the interest and  
24 expense is what's left.

25

1           MR. FINGER: But the amortization would  
2 -- would that be included then?

3           MR. HAUGHIE: No.

4           MR. FINGER: No.

5           MR. LANGIULLI: Amortization and closing  
6 costs are not listed on the schedules.

7           MR. FINGER: All right. So -- so there  
8 is a number actually, an out-of-pocket number that  
9 would be in addition to a hundred percent to be as  
10 a mortgage?

11          MR. LANGIULLI: Well, mortgage interest  
12 was eighteen point four -- I'm sorry.

13          MR. FINGER: Go ahead.

14          MR. LANGIULLI: Mortgage interest  
15 thirteen point nine percent --

16          MR. FINGER: Right.

17          MR. LANGIULLI: -- of all expenses.

18          MR. FINGER: Right.

19          MR. LANGIULLI: Thirteen point nine  
20 percent was for mortgage interest.

21          MR. FINGER: Right. But it does not  
22 include amortization?

23          MR. HAUGHIE: No. No, and that's based  
24 on the board decided this many years ago that

25

1 certain categories should not be -- certain  
2 expenses should not be included in the -- in the  
3 operation ... of the building. One of those is  
4 amortization. Some of those are closing costs.  
5 Within the instructions there's a number of  
6 different categories or reasons not to include --  
7 be included in the survey and this was decided by  
8 the board. This was not decided by us.

9 MR. FINGER: Can you send me that  
10 schedule?

11 MR. HAUGHIE: Sure. We can send you a  
12 copy of the instructions of which it's on the --

13 MR. FINGER: ...

14 MR. HAUGHIE: -- yeah, it's on the  
15 instructions.

16 MR. FINGER: Okay.

17 MR. HAUGHIE: P.D.F.

18 MR. FINGER: Yeah, that's right.

19 MR. CHERSON: Four nineteen schedules.

20 How many went out?

21 MR. HAUGHIE: We send out -- so on -- on  
22 one of the leader --.

23 MR. LANGIULLI: That's only extras.

24 MR. HAUGHIE: Only extras is fifteen

25



1 hundred that go out. Fifteen hundred thirty six.

2 MR. FINGER: Last year we had about five  
3 fifty I think.

4 MR. HAUGHIE: No last year we had -- if  
5 you guys want to flip to another table real quick  
6 it's title --.

7 MR. LANGIULLI: It's this year's and  
8 last year's response rates.

9 MR. FINGER: Where is it?

10 MR. HAUGHIE: It's titled Westchester M  
11 and O schedules. It was titled extras in your e-  
12 mail. It's a landscape looking document.

13 MR. LANGIULLI: Last year we tabulated  
14 four hundred and three.

15 MR. HAUGHIE: Oh, really?

16 MS. ACQUAH: There were more this year.

17 MR. FINGER: Yeah, I thought -- I  
18 thought --.

19 MR. HAUGHIE: Got a few more this year,  
20 yeah.

21 MS. MAE BARNES: Which one is it?

22 MR. HAUGHIE: It's going to be actually  
23 right after the tabs. I see it.

24 MS. MAE BARNES: Oh, really?

25

1 MR. HAUGHIE: It might be copies of him.

2 MS. STEWART: I'm not seeing it in ...

3 MS. MAE BARNES: I don't see it.

4 UNIDENTIFIED SPEAKER: Well, I don't  
5 think we have it.

6 UNIDENTIFIED SPEAKER: ... photocopy  
7 front and back.

8 UNIDENTIFIED SPEAKER: It's not here.

9 MR. FINGER: No, we don't -- I don't  
10 have it either.

11 MR. BADRU: Should be the second to the  
12 last page if we're talking about this page here.

13 MR. HAUGHIE: It's right -- it's right  
14 here so it's just copied differently. That's all.  
15 If it's -- if it's -- it's a little smaller.

16 MR. HAUGHIE: So it's titled Westchester  
17 ETPA M and O schedules 2020.

18 MR. FINGER: Okay. Right. I got it.

19 MR. CHERSON: So fifteen thirty-six.  
20 This was fifteen thirty-seven. This -- the prior  
21 year.

22 MR. HAUGHIE: Yeah.

23 MR. CHERSON: 2020, 2021.

24 MR. HAUGHIE: Yes. Well, '21 and '22,  
25

1 yes.

2 MR. LANGIULLI: And you got four o three  
3 back.

4 MR. HAUGHIE: That was last year, yeah.  
5 2021. Oh, I see.

6 MR. FINGER: I could have sworn five  
7 hundred.

8 MR. CHERSON: No, we haven't had five  
9 hundred --

10 MR. HAUGHIE: Couples years ago.

11 MR. CHERSON: -- in a number -- in a  
12 number of years.

13 MR. FINGER: Okay. I'll take your word  
14 for it.

15 MR. CHERSON: All right. So I have  
16 another question though. Go back to where it was.  
17 Real estate taxes.

18 MR. HAUGHIE: Sure let's -- let's move  
19 to -- let's go back to that first table and we'll  
20 -- we'll go table three the first set and we'll go  
21 to table three. The first set and we'll go to  
22 table three. Yeah, so table three is kind of the  
23 gist of what you guys should be looking at so this  
24 is going to be in a percent changes over the three  
25

1 year period. So from '19 to '21. So table one is  
2 totals. Table two shows percent of expenses.  
3 Table three now shows the percent change over  
4 time. So from '19 to '21 you're going to see what  
5 the changes were on the time period that we --  
6 that we ask the owners.

7 MR. CHERSON: How do you explain?

8 MR. FINGER: So the expenses went up  
9 over eight percent -- over nine percent actually.  
10 Over eight percent. You add the minus three to  
11 plus five.

12 MR. HAUGHIE: No, you wouldn't add --  
13 you wouldn't add it. So it goes down three  
14 percent and then it went five point seven percent.

15 MR. FINGER: So is it just a difference  
16 between eight percent? It went up --.

17 MR. HAUGHIE: Yeah, yes. Technically  
18 Yes.

19 MR. LANGIULLI: So plus eight percent.

20 MR. FINGER: Okay. Because -- okay.

21 MR. CHERSON: I have a question about  
22 real estate taxes. You guys are statisticians.  
23 As far as I know, real estate taxes have not gone  
24 down in Westchester as long as I've lived here  
25

1 which is twenty something years. How do you  
2 explain this reduction in real estate taxes?

3 MR. HAUGHIE: Where do you see a  
4 reduction in real estate taxes?

5 MR. CHERSON: Here. Two point three to  
6 point o seven.

7 MR. HAUGHIE: No. So, no, no, no.

8 MR. FINGER: It's less of an increase.

9 MR. HAUGHIE: Less of an increase  
10 exactly. So let's say --.

11 MR. FINGER: Yes, it's less of an  
12 increase, Eliot. The increase is --.

13 CHAIR RUBIN: Is that table three?

14 UNIDENTIFIED SPEAKER: Table three,  
15 yeah.

16 MR. FINGER: The increase is only point  
17 o seven percent.

18 MR. HAUGHIE: Right.

19 MR. FINGER: Last year the increase was  
20 two percent or whatever.

21 MR. HAUGHIE: Right.

22 MR. FINGER: So it's less of an  
23 increase.

24 MR. HAUGHIE: That's what I'm saying.

25

1 But I mean that -- I don't know -- I'm asking.

2 MR. FINGER: Because a couple of  
3 communities didn't go up. I'm telling you.

4 UNIDENTIFIED SPEAKER: I'm not asking  
5 you.

6 MR. FINGER: I'm telling you.

7 MR. HAUGHIE: I can explain. I can  
8 explain. Let's -- let's say your realty taxes  
9 were a hundred dollars last year. We'll, say your  
10 real estate taxes were a hundred dollars last year  
11 in 2019 --

12 MR. FINGER: Yeah.

13 MR. HAUGHIE: -- to 2020 it went up to a  
14 hundred and two dollars. Now in 2021 it went up  
15 to a hundred and three. Almost one percent. So  
16 over the three year period it went up three  
17 percent. It didn't go down. It just went up on a  
18 less of an increase.

19 MR. LANGIULLI: The rate of increase  
20 from one -- one year to another.

21 MR. CHERSON: Okay. All right. Thank  
22 you.

23 MR. HAUGHIE: Any other questions  
24 regarding this table? So as you can see income  
25

1 from '19 to '20 you know that was COVID year.  
2 Income went down point five percent. From '20 to  
3 '21 it went up one point four percent. Expenses  
4 excluding depreciation in '19 to '20 went down  
5 three percent, and then from '20 to '21 went up  
6 five point seven percent.

7 MR. LANGIULLI: With the highest  
8 increase in the fuel category from '20 to '21  
9 because we -- our analysis shows that most  
10 Westchester buildings are indeed heated by oil as  
11 opposed to Nassau County which are heated by gas.

12 MR. FINGER: Really?

13 MR. CHERSON: And this is through what?  
14 This is for the year 2021. So this doesn't --.

15 MR. LANGIULLI: So in 2020 we know oil  
16 took a dive because of the pandemic.

17 MR. CHERSON: So but -- so this doesn't  
18 include the huge increases in 2020?

19 MR. FINGER: Doesn't include 2022.

20 MR. CHERSON: Does not include what we  
21 know is going on out there. Okay.

22 MR. BADRU: I don't know if I'm looking  
23 in the wrong place but for some reason when I'm  
24 looking at my table under fuel I see zero for the  
25

1 last three years.

2 MR. FINGER: I don't think you're  
3 looking at the right --.

4 MR. HAUGHIE: You may looking at -- no  
5 heat or hot water. So there's another set of  
6 tables that look similar.

7 UNIDENTIFIED SPEAKER: You're looking at  
8 the increases. This is the change. This is the  
9 one that we were just looking at.

10 MR. BADRU: Yeah, but even so it still  
11 says zero percent increase.

12 MR. LANGIULLI: You're looking at the no  
13 heat no hot water I have a feeling.

14 MR. HAUGHIE: So look for the other set  
15 of tables that look similar.

16 MR. LANGIULLI: How many -- how many  
17 buildings are at the top? That's the no heat, no  
18 hot water. That's where -- where tenants pay  
19 their own heat. ... And you see repairs and  
20 maintenance. Table three you'll see what --.

21 UNIDENTIFIED SPEAKER: And that's why  
22 it's eight percent ...

23 MR. FINGER: That would be even more if  
24 you look at it now.

25



1 UNIDENTIFIED SPEAKER: Now it's even  
2 more.

3 MR. LANGIULLI: ... repairs and  
4 maintenance. '19 to '20 as the pandemic was in  
5 2020 so there wasn't much work going on in  
6 buildings. Repairs went down from '19 to '20 ten  
7 point four percent. Then from '20 to '21  
8 rebounded back and had an increase of eleven point  
9 one percent. More repairs were being done.

10 MR. FINGER: It's interesting that  
11 interest went up too.

12 UNIDENTIFIED SPEAKER: Last year, yeah.

13 MR. LANGIULLI: A lot of times owners  
14 refinance. They take money out and --.

15 MR. FINGER: Yeah, last year would have  
16 been a good year to do it. Now is not.

17 UNIDENTIFIED SPEAKER: It's going back  
18 up.

19 MR. FINGER: Well, they're talking about  
20 three quarters of a point.

21 UNIDENTIFIED SPEAKER: The world is  
22 changing.

23 MR. FINGER: Go up and made it two point  
24 seven five. I got another one that says four five

25

1 now. But for two months.

2 MR. HAUGHIE: Okay. We -- we can move  
3 to the next table then, table four.

4 MR. FINGER: That's on the other side of  
5 table three.

6 MR. HAUGHIE: That's right. So this  
7 table is called annual income versus expenses. So  
8 this is basically showing basically all the  
9 information you -- you've been provided already  
10 but kind of a -- a breakdown of what like we like  
11 to call net operating income. Again your cash  
12 flow, and operating income ... whatever kind of  
13 terminology you want to use, but as you can see  
14 over the three year period the net operating  
15 income has decreased from '19 to '21.

16 MR. CHERSON: Decreased you said?

17 MR. HAUGHIE: Yes, decreased. So from  
18 '19 it was at that -- that second from bottom row,  
19 it was a twenty-seven point eighteen percent. And  
20 then by 2021 it was at twenty-five point ninety-  
21 four percent. And after depreciation nineteen  
22 point zero eight. And by 2021 it was seventeen  
23 point six seven.

24 MR. FINGER: So it's approximately ten  
25

1 percent less.

2 MR. CHERSON: So the cash flow is going  
3 down.

4 MR. HAUGHIE: Exactly. Cash flow is  
5 going down for this three year time --.

6 MR. FINGER: For this period of time.

7 MR. HAUGHIE: Yes.

8 MR. FINGER: So that's almost twenty  
9 percent less from last year but from 2019 about  
10 ten percent.

11 MR. HAUGHIE: But since we're -- since  
12 we're looking at this we could -- we could go to -  
13 - there's a single page called cost to income  
14 ratio and that -- they kind of go hand in hand.  
15 So it looks like this, everybody.

16 MR. FINGER: That's the last -- that  
17 single page.

18 MR. HAUGHIE: Yeah, yeah, the single  
19 page, cost to income ratio. And so we -- those --  
20 that table and this table kind of go hand in hand.  
21 They're the inverse of each other. So cost to  
22 income ratio is the inverse of net operating  
23 income. So here's a twenty, twenty-five almost  
24 year breakdown of cost to income ratio in  
25

1 Westchester County.

2 We have including interest and  
3 depreciation and excluding interest and  
4 depreciation. So as you could see the cost to  
5 income ratio has increased over the -- this year  
6 as compared to previous years which, again, shows  
7 that the net operating income has increased all  
8 the amount of money that the owners ... taken in  
9 has decreased.

10 MR. FINGER: And this is -- I'm sorry,  
11 go ahead.

12 MR. CHERSON: The difference is, this  
13 one takes out interest and depreciation.

14 MR. FINGER: Right.

15 MR. LANGIULLI: This one, table five,  
16 just takes out depreciation. This is actually a  
17 true snapshot of what D.N.O.I. would be. The  
18 inverse of sixty two point six three. Thirty-  
19 seven point two seven.

20 MS. ACQUAH: I have a question. How  
21 many units are -- were registered for 2021?

22 MR. HAUGHIE: So, again, at -- at this  
23 time, you know, like we say every year, the -- the  
24 registration is ongoing --

25

1 MS. ACQUAH: Yes.

2 MR. HAUGHIE: -- so there could be more  
3 units registered. But at this time there was  
4 twenty-five thousand and twenty-nine registered.  
5 And we captured twelve thousand nine hundred and  
6 twenty-three.

7 MR. FINGER: Wait, twenty-five --.

8 MR. HAUGHIE: Twenty-five zero two nine.

9 MR. FINGER: And twelve thousand twenty-  
10 three?

11 MR. HAUGHIE: Twelve thousand nine  
12 hundred and twenty-three.

13 MR. FINGER: So you have fifty percent.

14 MR. HAUGHIE: We capture over fifty  
15 percent. So we'll go to the -- after this we'll  
16 go to the last table, the -- one of the other  
17 tables. But basically we may -- we may only  
18 capture four hundred some odd buildings which is  
19 only thirty percent of the universe. But  
20 population wise we're capturing almost fifty  
21 percent because not all building sizes are the  
22 same, right. We have a lot of -- you have a lot  
23 of six unit buildings. You know, a lot of smaller  
24 -- small unit buildings as well.

25

1 MR. CHERSON: How -- how do these  
2 figures compare to Nassau and New York City?

3 MR. LANGIULLI: We haven't completed  
4 Nassau yet.

5 MR. HAUGHIE: Yeah, but very -- very  
6 comparable to Nassau. We're always in the same  
7 ... New York City I couldn't tell you offhand to  
8 be honest.

9 MR. FINGER: So this doesn't include the  
10 things you told us ...?

11 MR. HAUGHIE: Well, one -- one column  
12 does, one column doesn't, right.

13 MR. FINGER: I know.

14 MR. HAUGHIE: So, yeah. So but it  
15 doesn't include amortization.

16 MR. FINGER: Not amortization.

17 MR. HAUGHIE: Amortization no.

18 MR. FINGER: Okay. Or closing cost or  
19 whatever.

20 MR. HAUGHIE: Yeah.

21 MR. FINGER: Okay.

22 MR. HAUGHIE: So we'll -- we'll go to  
23 this table, the one that's actually unfortunately  
24 kind of set in a -- a portrait mode instead of  
25

1 landscape. So this is basically our survey  
2 breakdown of how many buildings we sent out, how  
3 many received.

4 MS. ACQUAH: Is that the one showing the  
5 municipalities on top?

6 MR. HAUGHIE: Yeah, we'll -- we'll get  
7 to that --.

8 MR. FINGER: We'll get there. We'll get  
9 there.

10 MR. HAUGHIE: ... pages before.

11 MR. FINGER: What -- what are we looking  
12 at now?

13 MR. HAUGHIE: It's just that ours is  
14 landscaped. Yours is portrait.

15 UNIDENTIFIED SPEAKER: Take a look at  
16 how it is. If the shading at the bottom and  
17 that's the easiest way to find it.

18 UNIDENTIFIED SPEAKER: Is this it?

19 MR. HAUGHIE: That's it. It's pretty  
20 much right after the tables I believe. So flip a  
21 couple pages.

22 UNIDENTIFIED SPEAKER: Everybody on it?

23 UNIDENTIFIED SPEAKER: Yeah.

24 MR. HAUGHIE: Okay. So left side is  
25

1 going to be 2022, right side is going to be 2021.  
2 As you can see the breakdown of how many surveys  
3 or buildings that are in our population. Fifteen  
4 hundred and thirty-six were mailed out as you see  
5 in the highlighted spot. That's four hundred and  
6 nineteen were tabulated. That's twenty-seven  
7 percent of the total fifteen thirty-six.

8 But if you look all the way down to the  
9 bottom, those two other highlighted numbers.  
10 Twelve thousand nine hundred and twenty-three  
11 units out of twenty-five thousand twenty-nine  
12 units that were registered. So that's actually  
13 fifty-two percent of the total units that were  
14 registered we -- we were able to capture. And the  
15 other categories you see return by office, non-  
16 comparable, new owners, problematic. There's  
17 other categories within, you know, in there.

18 MR. FINGER: How many of these are less  
19 than three year -- oh here it is.

20 MR. HAUGHIE: New owners. Yeah.

21 MR. FINGER: Only three -- two percent.

22 MR. HAUGHIE: Two percent. Twenty-five  
23 schedules are new owners.

24 MR. FINGER: I always thought those  
25



1 should be included.

2 MR. LANGIULLI: We have to have three  
3 full years in order for it to be tabulated. You  
4 can't have -- just two years of data and one year  
5 blank, one year zeros. It would totally skew the  
6 tables.

7 MR. CHERSON: Is that a statistical  
8 requirement I think for the statistics?

9 MR. LANGIULLI: Yes.

10 MR. CHERSON: Yeah, that's why I didn't  
11 take it.

12 MR. LANGIULLI: Have to have three full  
13 years.

14 MR. CHERSON: That's why I didn't take  
15 that question.

16 MR. HAUGHIE: Can't have a year missing.  
17 It will skew the tables. Have to have three full  
18 years of data.

19 MR. FINGER: By only -- only adapting it  
20 for two thirds of the home.

21 MR. LANGIULLI: I can't adapt two thirds  
22 of the whole. I have to have three full years of  
23 data.

24 MR. HAUGHIE: But that's also to say

25

1 that the number is going to be equal every year,  
2 right? The numbers are not equal --.

3 MR. FINGER: If Einstein could do equal  
4 M.C. squared you could do two thirds.

5 MR. HAUGHIE: We can't have one year of  
6 zero income and zero --.

7 CHAIR RUBIN: Yeah, because that  
8 would disturb everything.

9 MR. HAUGHIE: That would, yeah, yeah.  
10 Exactly.

11 MR. BADRU: Do we have any information  
12 on the percentage of surveys returned based on  
13 building size?

14 MR. HAUGHIE: On what size?

15 MR. BADRU: Based on building size?

16 MR. HAUGHIE: We -- we do and we'll flip  
17 through it --

18 MR. BADRU: Okay.

19 MR. HAUGHIE: -- yeah, we'll get to  
20 that. It's within here as well.

21 MR. BADRU: Got it.

22 MR. HAUGHIE: So we'll move to the next  
23 page if you guys want. So this is going to be  
24 registration data so this has nothing to do with  
25

1 the survey. These are strictly registration data.

2 MR. CHERSON: This is as reported.

3 Which one are you --?

4 MR. HAUGHIE: The next page.

5 MR. CHERSON: Back of the page.

6 MR. FINGER: Back of the page.

7 MR. HAUGHIE: Okay. This is an as -- as  
8 reported by owners who registered their buildings  
9 with H.C.R. They log into the system. They  
10 register their buildings. These numbers reflect  
11 what they're telling us.

12 MR. FINGER: So we lost twenty-five  
13 hundred units.

14 UNIDENTIFIED SPEAKER: Well, go ahead.

15 MR. HAUGHIE: Yeah, again, as we say  
16 like it's ongoing registration. So if we would --  
17 if -- so I'm looking back at last year. For 2020  
18 you're looking at twenty-seven thousand three  
19 hundred and twenty-one. You see -- does everybody  
20 see that number?

21 UNIDENTIFIED SPEAKER: Rent stabilized  
22 homes.

23 MR. HAUGHIE: You actually gained  
24 sixteen hundred units since last year. So

25

1 unfortunately the way H.C.R. works it's ongoing  
2 registrations so owners could back register for a  
3 number of years. So last year when we were here  
4 that number was -- was out about twenty-five or  
5 some -- somewhat of that sorts.

6 MR. FINGER: Oh, okay.

7 MR. HAUGHIE: So we've gained an extra  
8 sixteen hundred --.

9 MR. FINGER: So there's a change --

10 MR. HAUGHIE: Yes.

11 MR. FINGER: -- but between now and the  
12 time --.

13 MR. HAUGHIE: Yeah, anywhere from twelve  
14 to eighteen hundred it's hard to -- to kind of  
15 gauge. But that -- that's been the range ...

16 MR. CHERSON: So the number of  
17 stabilized units went up?

18 MR. HAUGHIE: No, it went up from -- in  
19 2020 from what we reported to you guys last year.  
20 The number -- it's going to go down but now down  
21 as -- as large as it is because it's ongoing  
22 registration.

23 MR. LANGIULLI: Owners can back register  
24 buildings, you know. I mean, they're supposed to  
25

1 register by 7/30 -- by July 31st but it's an  
2 ongoing process so for the 2021 number you have  
3 twenty-five o two nine. That number is going to  
4 keep going up.

5 MR. CHERSON: But the trend is down.

6 MR. HAUGHIE: The trend is down.

7 MR. LANGIULLI: Yeah, the trend --.

8 MR. FINGER: It's interesting though  
9 because --.

10 MR. LANGIULLI: But that's going to  
11 start slowing down because of the new -- the  
12 housing laws of '18.

13 UNIDENTIFIED SPEAKER: '19

14 MR. LANGIULLI: '19.

15 MR. FINGER: June 14, 2019 burned into  
16 my memory. If you look at the reduction in total  
17 numbers units it's about seventeen hundred. And  
18 yet only eighty-two are permanently exempt. Where  
19 -- where do the other -- what happened to the  
20 other sixteen hundred?

21 MR. HAUGHIE: Like I said, they haven't  
22 registered yet.

23 MR. FINGER: No, but if -- if you follow  
24 down the trend from 2017 first it's about, oh I

25

1 don't know five hundred --

2 MR. HAUGHIE: Okay.

3 MR. FINGER: -- then it goes down about  
4 nine hundred. Then down about seventeen hundred.  
5 Then down again about seventeen hundred.

6 MR. HAUGHIE: Sure.

7 MR. FINGER: And when you look as to  
8 what's permanently exempt it's only eighty-two.  
9 Where did the other sixteen hundred units go? In  
10 -- in other words, look at your numbers.

11 MR. HAUGHIE: No, I understand.

12 MR. FINGER: You're going to show a -- a  
13 reduction.

14 MR. HAUGHIE: Understood.

15 MR. FINGER: Of about seventeen hundred  
16 --

17 MR. HAUGHIE: Yeah.

18 MR. FINGER: -- looking at these  
19 numbers.

20 MR. HAUGHIE: I understand that. The  
21 problem is once an -- an apartment becomes  
22 deregulated, a lot of owners do not register the  
23 apartment deregulated. It just becomes  
24 deregulated. So unfortunately the way the system  
25

1 is set up owners are not registered in the  
2 apartment as deregulated. It's just -- they're  
3 not registered in any ...

4 MR. FINGER: They just don't do  
5 anything.

6 MR. HAUGHIE: They're just not  
7 registered, yes.

8 MR. LANGIULLI: We will still have a --  
9 we have -- we have buildings that have never been  
10 registered.

11 MR. HAUGHIE: Yeah.

12 MR. LANGIULLI: Or respond to the  
13 survey.

14 MR. FINGER: They come to us every once  
15 in a while.

16 MR. LANGIULLI: They have never been  
17 registered. I'll -- I'll find a building that  
18 hasn't been registered since 1996.

19 MS. ACQUAH: Is that allowed?

20 MR. FINGER: I've seen them --.

21 MR. LANGIULLI: Well, the thing is if an  
22 owner -- if a tenant files an overcharge then the  
23 owner will be penalized.

24 MS. ACQUAH: Oh, I see.

25

1 MR. HAUGHIE: You know, owner is not  
2 allowed to collect the rental increases after --

3 MR. FINGER: If they don't file ...

4 MR. HAUGHIE: -- if it's not registered.

5 MS. ACQUAH: Right. Oh, okay.

6 MR. HAUGHIE: So if it's not registered  
7 but the tenant needs to be proactive and ...

8 MR. FINGER: We have the --.

9 MR. HAUGHIE: They file an overcharge  
10 complaint.

11 UNIDENTIFIED SPEAKER: It's  
12 unbelievable.

13 MR. FINGER: We register them.

14 MS. ACQUAH: Okay.

15 MR. HAUGHIE: Is everyone okay with this  
16 table. If you ... the bottom --

17 MR. FINGER: Yeah, it is what it is.

18 MR. HAUGHIE: -- the bottom row, that's  
19 going to show you the average monthly legal  
20 regulated rent. So they could see the increase of  
21 the average rent in Westchester County over the  
22 five year period. So starting 2017 fourteen  
23 eleven, 2018 fourteen fifty-six and then finally  
24 in 2021 it's fifteen sixty-one. And if you look  
25



1 to the right of that you could see the percentage  
2 change. So anywhere from three percent and over  
3 the last year is only about one percent -- one  
4 point three percent.

5 MR. FINGER: Hundred and fifty dollars  
6 total over five years.

7 CHAIR RUBIN: Sorry. This percentage  
8 for 2021 is not finalized, correct?

9 MR. HAUGHIE: It's not finalized but we  
10 don't know what -- what the apartments registered  
11 are going to equate to, right. They could be  
12 lower rented apartments, they could be higher  
13 rented apartments. We really couldn't gauge what  
14 that percentage is going to be but it's not final,  
15 yes.

16 MR. CHERSON: Do you know how much the  
17 C.P.I. Went up from '17 to '21?

18 MR. FINGER: That should be in the  
19 chart, in one of the chart's --.

20 MR. LANGIULLI: Well, we have the C.P.I.  
21 for the last twelve months.

22 MR. HAUGHIE: Yeah, and they have  
23 something from --.

24 MR. FINGER: No, I think you gave us one  
25

1 for more than that number of years.

2 MR. LANGIULLI: Did we?

3 MR. FINGER: Yeah, I don't have it with  
4 me.

5 MR. HAUGHIE: Well, you had some -- a  
6 C.P.I. over -- from '18 to '22 and from April to  
7 April looks like six point three percent from '21.  
8 Well, if I'm -- -- I'm going backwards. '21 to  
9 '22 with six point three percent. '20 to '21 was  
10 three point two percent.

11 MR. CHERSON: Wait a minute. Slow down.  
12 Two -- 2021.

13 MR. HAUGHIE: Six point three.

14 MR. CHERSON: 2022 is six point three.  
15 That's --.

16 MR. HAUGHIE: '20 to '21. You guys  
17 should have this. Maybe not here with you right  
18 now but you definitely were e-mailed.

19 MR. FINGER: Yeah, we -- we got an e-  
20 mail.

21 MR. HAUGHIE: 2020.

22 MR. FINGER: Certainly more than ten  
23 percent over five years.

24 MR. CHERSON: And what's the next one.

25

1 So six -- 2020 is --.

2 MR. HAUGHIE: Three point two percent.

3 MR. CHERSON: Three point two all right.

4 MR. HAUGHIE: And then '19 to '20 is one  
5 point one. Now this is April to April. So this  
6 is the figure we -- we kind of always give you  
7 guys --.

8 MR. CHERSON: Is it one point nine?

9 MR. HAUGHIE: One point one. So you  
10 would look at April on the second page of this New  
11 York New Jersey --.

12 MR. LANGIULLI: So you have the C.P.I.  
13 in those years is like ten percent. And the  
14 increase for the rents is over that period is  
15 what?

16 MR. FINGER: It's less.

17 MR. LANGIULLI: Much less.

18 MR. FINGER: Yeah, but you got to look  
19 at only the three years.

20 MR. HAUGHIE: Yeah, it's three years.

21 MR. FINGER: We'll look at that before -  
22 -.

23 MR. HAUGHIE: Okay. We can flip to the  
24 next -- the next page. Want to flip over to the

25

1 other side? Next table states 2022 ETPA M and O  
2 survey, units tabulated by a municipality. So it  
3 shows that each ... municipalities make up the  
4 majority of what units were used for tabulation.  
5 Twenty-three percent Mount Vernon, seventeen  
6 percent New Rochelle. Six percent in White Plains  
7 and forty-one percent of Yonkers.

8 MR. LANGIULLI: So those four  
9 municipalities make up eighty-seven percent of the  
10 tabulated ...

11 MR. FINGER: Yeah, eighty percent goes  
12 ...

13 CHAIR RUBIN: This -- does it include  
14 Ossining? The new --.

15 MR. FINGER: No, there's -- there's  
16 fifteen others.

17 MR. HAUGHIE: Yeah, well, Ossining is  
18 included in our survey but not in this -- so this  
19 is just basically showing you what the largest  
20 municipalities are that are included in this  
21 survey.

22 MR. LANGIULLI: Ossining would be part  
23 of the thirteen percent.

24 CHAIR RUBIN: Yeah. More or less do  
25

1 you have an idea?

2 MR. HAUGHIE: I know we had a hand full  
3 of Ossining buildings that were tabulated. We --  
4 we actually this year we've had every municipality  
5 I believe represented in the survey. I don't know  
6 how many of -- of each but there's definitely some  
7 from each municipality.

8 UNIDENTIFIED SPEAKER: The buildings in  
9 Ossining are pretty -- pretty large, right?

10 CHAIR RUBIN: Yeah, because they --  
11 there was -- they -- they said the --

12 MS. STEWART: They only counted  
13 buildings over twenty units.

14 CHAIR RUBIN: -- they only counted --  
15 Right.

16 MS. STEWART: They didn't count any of  
17 the buildings under twenty units.

18 CHAIR RUBIN: Right.

19 MR. HAUGHIE: ...

20 MS. STEWART: Right. And they --  
21 they've exempted the smaller buildings.

22 CHAIR RUBIN: Right.

23 MR. LANGIULLI: The ones that  
24 participated in our survey are large buildings.

25

1 CHAIR RUBIN: Right. Yes. And last  
2 year I think if I remember well, you had reported  
3 that fourteen, thirteen buildings.

4 MR. LANGIULLI: That was -- we only had  
5 a couple that responded.

6 MR. HAUGHIE: Yeah, believe that either  
7 -- anywhere from thirteen to I want to say  
8 seventeen max buildings that are included that we  
9 mail to.

10 CHAIR RUBIN: Yeah.

11 MR. HAUGHIE: And, you know, offhand  
12 there may be two to three that actually are  
13 tabulated or responded to the survey.

14 MR. LANGIULLI: I guess they're still  
15 new to the system. --.

16 CHAIR RUBIN: Right, yeah.

17 MR. FINGER: You know, well, there's a  
18 lawsuit still pending in --.

19 CHAIR RUBIN: Yeah that's another  
20 thing we had to speak about.

21 MR. FINGER: That's the -- and the one  
22 that is -- that does report is a ... And she  
23 reports it.

24 MR. HAUGHIE: Okay. That's good. So  
25

1 the next table right below is going to be the --  
2 the apartment rents based upon the registration.  
3 So you can kind of see the breakdown of the rents  
4 for -- for the apartments in Westchester County.  
5 So you can see the -- the majority are in between  
6 a thousand to nineteen ninety-nine. Those make up  
7 over, you know, if you had thirty-six percent and  
8 twenty-eight percent, fifty-four percent, oh, I'm  
9 sorry sixty-four percent.

10 So sixty-four percent are going to be in  
11 that thousand to nineteen ninety-nine, those two  
12 categories. But -- but there is a wide range and  
13 this is, yeah, registered ...

14 MR. LANGIULLI: Yeah, this is that who  
15 participated in the survey. This is as per owner  
16 registration.

17 MR. FINGER: Oh, okay.

18 MR. HAUGHIE: We can flip to the last --  
19 the last -- last page in that. Number of rental  
20 buildings by unit count. So this is a breakdown  
21 of the total population and the tabulated  
22 buildings so you get an idea of the size of the  
23 buildings that we use in the survey. And the size  
24 of the buildings that are incumbent of the total  
25

1 population in Westchester County.

2 MR. LANGIULLI: And this is response to  
3 the survey?

4 MR. HAUGHIE: Yeah, four nineteen is  
5 response to the survey, and the fifteen thirty-six  
6 are the total numbers that we mail out to and we  
7 send e-mails out to. Anybody have any questions  
8 regarding that?

9 MR. FINGER: You could do this by  
10 registration too couldn't you?

11 MR. HAUGHIE: Yeah. Yeah.

12 So I believe we went over all the tables  
13 besides the vacancy table. This one's called  
14 changes in rent for apartments subject to the  
15 emergency tenant protection act.

16 UNIDENTIFIED SPEAKER: It's this one  
17 right?

18 MR. HAUGHIE: Yes, yes, that's it.

19 MR. LANGIULLI: Apartments that were re-  
20 rented or went vacant?

21 MR. FINGER: I'm sure there were not  
22 many changes to the H.S.T.B.A.

23 MR. HAUGHIE: Yes, so this table is read  
24 basically left to right. There's four pages. The  
25



1 first page is a -- for one year lease. The second  
2 year -- second page is for two year leases and  
3 then again there's percentage changes for one year  
4 and two leases on page three and four. But so  
5 reading from left to right we'll just look at the  
6 thousands of fourteen hundred and ninety-nine  
7 category.

8 So there were -- if you -- if you slide  
9 over to the right and look at the number fourteen,  
10 there were fourteen apartments that were  
11 previously rented at a thousand to fourteen  
12 hundred and ninety-nine dollars. And they were  
13 re-rented at fifteen hundred to nineteen ninety-  
14 nine. So that's how the table is read.

15 MR. FINGER: Fourteen and one twenty-  
16 one.

17 MR. HAUGHIE: And there -- yeah. And  
18 then there were a hundred and twenty-one units  
19 that stayed in that same range.

20 MR. FINGER: Oh, okay.

21 MR. LANGIULLI: Previous rent by current  
22 rent.

23 MR. HAUGHIE: Yes. So basically, yeah,  
24 previous rent by current rent. So there was a

25

1 tenant in there, the apartment went vacant. It  
2 was re-rented at the rate that would be on the --  
3 if you're looking over to your right or from the  
4 top.

5 MR. CHERSON: So that's a very small  
6 increase.

7 MR. FINGER: It has to be.

8 MR. CHERSON: And I know that.

9 MR. HAUGHIE: Yeah, well on page -- page  
10 three we'll -- we'll show percentage changes. But  
11 this is, again, just totals. So page one is  
12 showing totals. So there was five hundred and  
13 thirty-two apartments that went vacant were re-  
14 rented for one year leases. If you flip to page  
15 two, if you look at the bottom right corner that's  
16 a hundred and forty-three. So now these are  
17 apartments that were -- went vacant were re-rented  
18 and rented for two years. So there's a hundred  
19 and forty-three total. And, again, it varies in  
20 category of where -- when it was previously rented  
21 and re-rented. And if you're looking at page  
22 three it's going to --.

23 MR. LANGIULLI: Going into that that's  
24 right.

25

1 MR. HAUGHIE: ...

2 MR. CHERSON: Very small increase.

3 MR. LANGIULLI: Yeah, because these are  
4 vacancies, so.

5 MR. CHERSON: But vacancies don't mean  
6 anything.

7 MR. LANGIULLI: The new rent laws have  
8 knocked down --.

9 MR. CHERSON: They mean nothing. They  
10 mean nothing.

11 MR. FINGER: The only way they could get  
12 an increase would be if they did an I.O. -- I.A.

13 MR. CHERSON: And good luck with that.

14 MR. FINGER: For fifteen thousand  
15 dollars.

16 MR. LANGIULLI: You guys understand how  
17 that table works?

18 MR. FINGER: Yeah, we know.

19 MR. LANGIULLI: Okay.

20 MR. HAUGHIE: Yeah, anybody have any  
21 questions regarding this table? No. So page --  
22 page three shows the actual percentage change.

23 MS. ACQUAH: The last page of it, right?

24 MR. HAUGHIE: For the apartments. Three  
25

1 and four.

2 UNIDENTIFIED SPEAKER: Page three, yeah.

3 MR. HAUGHIE: So page three is for one  
4 year leases and page four for two year leases. So  
5 you can see the percentage change. So in the past  
6 we've had some changes that were very high but as  
7 you can see as -- as we mentioned there were quite  
8 a bit that are under five percent. But there is  
9 still a handful that are outside of that range  
10 and, you know, do include some -- some increases.

11 MR. CHERSON: So how do you interpret  
12 that? What does that mean?

13 MR. HAUGHIE: Like -- like was  
14 previously stated, some I.A.I.s, some M.C.I.s,  
15 stuff like that that were able to increase the  
16 rent. You know, so apartment -- apartment  
17 renovations, you know.

18 MR. CHERSON: But overall it's a very  
19 small number.

20 MR. LANGIULLI: Well, look at the  
21 bottom. Look at the --

22 MR. HAUGHIE: Overall, yeah.

23 MR. LANGIULLI: -- the median increase  
24 and the mean increase. Look at those numbers.

25

1 Zero one point nine. That's -- that's the new  
2 laws right then and there.

3 MR. HAUGHIE: Yeah, so you can see  
4 there's -- if you look all the way to the right  
5 there's five hundred and thirty-two apartments  
6 that were rented for one year. Of those four  
7 hundred and forty-three were rented under five  
8 percent. So there wasn't a large increase. So if  
9 you go to the under five percent there's four  
10 hundred and forty-three in the total, and the  
11 total apartments is five thirty-two.

12 And as you can see, the median percent  
13 increase was zero for one year leases and the mean  
14 percentage increase for one year leases is one  
15 point nine. If you flip the page to two year  
16 leases median percent increase was again zero and  
17 the mean percent increase is one point two  
18 percent.

19 MR. CHERSON: All this means  
20 substantially less income to the owners. Is that  
21 accurate?

22 MR. HAUGHIE: That means a less of an  
23 increase on the apartments that were rented and  
24 re-rented. That's what it means.

25

1 MR. LANGIULLI: Vacancy ...

2 MR. HAUGHIE: Yeah, I think we went  
3 through all the tables besides the -- the no heat,  
4 no hot water table which is very small. There's  
5 only nine buildings that were tabulated that had  
6 no heat no hot water. So we don't really -- it  
7 narrows the first set of tables so there's not  
8 really much to discuss with that. If anybody else  
9 has any other questions.

10 MR. LANGIULLI: Tenants that pay their  
11 own heat and hot water?

12 UNIDENTIFIED SPEAKER: Yeah.

13 CHAIR RUBIN: Anybody has any  
14 questions? No. Okay. Well, on behalf of the  
15 board members I want to thank you, both of you  
16 gentlemen for this very comprehensive  
17 presentation. And I'm sure that if anybody has a  
18 question after tonight we can contact you. We can  
19 send you an e-mail.

20 MR. LANGIULLI: Yeah, send to Jeff  
21 Horowitz.

22 CHAIR RUBIN: Yes. So --.

23 MR. LANGIULLI: To Jeff or Guy. They'll  
24 just flip it to us.

25

1 CHAIR RUBIN: So we -- we sent an e-  
2 mail to Jeff with copy to all the members of the  
3 board. And we copy to our counsel, Mr. Stecker.

4 MR. HAUGHIE: Yeah. And I know some  
5 requested a copy of the -- all the buildings in  
6 Westchester County. We'll get that to you guys  
7 within the next day or so.

8 MS. STEWART: Thank you.

9 MR. HAUGHIE: Sure.

10 CHAIR RUBIN: Okay. Any other  
11 comments?

12 MR. FINGER: All of the buildings you'll  
13 get us the names of the owners?

14 MR. HAUGHIE: No. Only the building  
15 addresses. We're not allowed to give out that ...

16 MR. LANGIULLI: E-mail too, right?

17 MR. HAUGHIE: Yes. We'll give out the -  
18 - all the buildings that we mail to --.

19 MR. LANGIULLI: When we say mail we --  
20 we mail a notice telling the owners, putting them  
21 on notice that hey starting March 1st you can --  
22 you may now log into O.R.R.A. and enter your  
23 income and expenses. That's what the notice is  
24 for. Then we send out an e-mail which we do  
25

1 numerous e-mail blasts also. Just we're trying to  
2 get as large as a response as we could possibly  
3 can. So, you know, first is the -- first is U.S.  
4 Mail to all the owners that are in our -- that  
5 participate. And then we send out e-mails as  
6 well. Numerous e-mail blasts.

7 MR. FINGER: We would be happy to  
8 cooperate if you give us the names.

9 MS. GRAY-HUENTAS: That's not how that  
10 works.

11 CHAIR RUBIN: Nice try.

12 MR. FINGER: What?

13 MS. GRAY-HUENTAS: I said it doesn't  
14 work that way. All we -- because that's part of  
15 the registration information. So we'll -- we're  
16 not -- the agency is not sharing registration  
17 information. That's not allowed. They are going  
18 to share all of the buildings that are register --  
19 that should be registered with E.T.P.A. that are,  
20 as you know, pre '74 buildings with more than six  
21 units in Westchester County in the municipalities  
22 that participate.

23 CHAIR RUBIN: Any other comments?

24 Well, if -- what about the visitors? Do you have

25



1 any -- any comments? Anything? Okay. So if no  
2 one has any -- anything else to comment, I will  
3 ask to -- for a motion to adjourn the meeting.

4 UNIDENTIFIED SPEAKER: Motion to  
5 adjourn.

6 MR. FINGER: Okay.

7 CHAIR RUBIN: Second?

8 MS. ACQUAH: Second.

9 CHAIR RUBIN: Meeting is adjourned.  
10 Thank you for your presence. I'll see you  
11 tomorrow in White Plains.

12

13 (Off the record)

14 (The proceeding concluded at 7:48 p.m.)

15

16

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1 STATE OF NEW YORK

2

3 I, HANNAH ALLEN, do hereby certify that the  
4 foregoing was reported by me, in the cause, at the  
5 time and place, as stated in the caption hereto,  
6 at Page 1 hereof; that the foregoing typewritten  
7 transcription consisting of pages 1 through 44, is  
8 a true record of all proceedings had at the  
9 hearing.

10 IN WITNESS WHEREOF, I have hereunto  
11 subscribed my name, this the 20th day of June,  
12 2022.

13

14



15

HANNAH ALLEN, Reporter

16

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