

1 BEFORE THE NEW YORK STATE SENATE  
2 STANDING COMMITTEE ON HOUSING, CONSTRUCTION, AND  
3 COMMUNITY DEVELOPMENT  
-----

4 PUBLIC HEARING:

5 RENT REGULATION AND TENANT PROTECTION LEGISLATION  
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6 Danforth Middle School  
7 309 West Brighton Ave  
8 Syracuse, New York

9 Date: May 9, 2019  
10 Time: 4:00 p.m.

11 PRESIDING:

12 Senator Brian Kavanaugh  
13 Chair

14 PRESENT:

15 Senator Robert E. Antonacci

16 Senator Rachel May

17 Senator Julia Salazar

18 Assemblywoman Pamela J. Hunter  
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1           SENATOR KAVANAGH: So without further ado, we  
2 are waiting for one additional senator and a few of  
3 our witnesses that we're expecting, but, you know,  
4 with respect -- in due respect to the folks who are  
5 here, more or less on time, I think we're going to  
6 get started.

7           And we'll -- you know, again, we appreciate  
8 everybody's patience, and also your presence here at  
9 this hearing.

10           So, to open up, this is a hearing of the  
11 State Senate Committee on Housing, Construction, and  
12 Community Development.

13           I am Senator Brian Kavanagh. I am the Chair  
14 of this committee.

15           We are joined today by Senator Rachel May of  
16 Syracuse, and Senator Robert Antonacci of Syracuse  
17 also. And we also have the great honor of being  
18 joined by a member of the other House,  
19 Assembly Member Pam Hunter.

20           And there will be a couple of other elected  
21 officials joining us on this side of the table  
22 today.

23           We're also honored to have several local  
24 elected officials who will testify, and we'll  
25 introduce them as we go.

1           So this is the first of a series of hearings  
2           that the New York State Senate is holding on what  
3           has been widely recognized to be a critical issue:

4           The lack of affordability in our communities;

5           The lack of stability in our housing markets  
6           in our communities;

7           And, in many communities, great concerns  
8           about the quality of our housing; the liveability,  
9           the safety concerns, of the housing stock as it is.

10          We also hear, in many parts of New York,  
11          concerns about very rapid mobility; people  
12          frequently moving from one place to another, you  
13          know, not necessarily voluntarily.

14          The State Legislature this year has put forth  
15          a number of bills.

16          There are actually 55 bills currently pending  
17          in the New York State Senate that amend the  
18          rent-regulation laws in some way.

19          And there are many other bills, including a  
20          bill that I think we'll hear about quite a bit  
21          today, that would alter the way evictions can be  
22          performed in the state.

23          There are -- there's been a very active  
24          effort on the part of tenant advocates around the  
25          state to push a particular package of bills, that

1 there's been a lot of talk about. And we're going  
2 to hear a great deal about that today.

3 This, again, is the first hearing.

4 We expect to act on the rent laws which  
5 currently apply in New York City, plus three  
6 counties near New York City. And we know there's  
7 a proposal that would apply those laws and permit  
8 certain localities to opt in to the rest of the  
9 state.

10 But because those laws expire on June 15th,  
11 we do expect to act on housing and on tenant -- on  
12 rent regulation and on tenant protections in the  
13 next -- by no later than June 15th, and perhaps  
14 sooner.

15 So it's a very -- we're very grateful to  
16 people who have come here to share their perspective  
17 today.

18 We are here to learn and listen, and on that  
19 note, I will keep my opening remarks brief so we can  
20 get to the witnesses.

21 But let me begin, first of all, by  
22 recognizing Senator Rachel May, to see if you have  
23 any opening remarks.

24 SENATOR MAY: I do.

25 Thank you.

1           Thank you, everyone, for being here, for  
2           being here in my district.

3           It's especially exciting when senators come  
4           from far away and come to my district, but I'm also  
5           happy to have Senator Antonacci who didn't have to  
6           come too far.

7           And this area I share with  
8           Assemblywoman Pam Hunter, so we -- we -- we both  
9           represent this area.

10          I'm very proud to be carrying in the Senate  
11          one of Assemblywoman Hunter's bills on sanctions,  
12          that she may talk about. And if she doesn't,  
13          I will. But also a co-sponsor in the Senate of her  
14          excellent bill on good-cause eviction.

15          I also have a bill in the Senate on providing  
16          recourse for manufactured homeowners. So, people  
17          who live in trailer parks and face high hikes in  
18          rent, and what they can do about it. And I think  
19          we'll hear some about that today too.

20          So -- but, mostly, I'm excited to hear from  
21          all of you.

22          I do want to recognize some of the elected  
23          officials and their representatives who are here who  
24          aren't planning to speak.

25          We have County Legislator Peggy Chase in the

1 room.

2 We have Sherry Owens representing  
3 Comptroller DiNapoli here.

4 And, anyone I'm missing?

5 We have Joe Driscoll from the common council,  
6 and Common Council President Pam Hunter -- I mean,  
7 Helen Hudson, who will be speaking in a little bit.

8 So welcome, everybody, and I am very excited  
9 to hear what you have to say.

10 And excited, but grateful to Senator Kavanagh  
11 for holding a hearing here in our district.

12 I know I've said this before.

13 There were hearings about the Climate and  
14 Community Protection Act. And when it was announced  
15 that there were going to be hearings all across the  
16 state, and then they said, one in Albany, one in  
17 New York City, and one on Long Island, I felt, like,  
18 sorry, that's not all across the state.

19 So I'm very appreciative when my fellow  
20 senators recognize that this is a big state, and we  
21 need to be heard. And people here really do need  
22 their voices heard.

23 So this is so important that you're here, and  
24 I want to thank you for coming here.

25 SENATOR KAVANAGH: And the Senator -- and the



1 Senator has done a terrific job of emphasizing that.  
2 And, you know, we -- we join her in recognizing that  
3 this is a big state, and this is a very important  
4 part of it, and we will be back.

5 But, we're very, very happy to be here today.

6 Next up, Senator Antonacci.

7 SENATOR ANTONACCI: Thank you,  
8 Senator Kavanagh.

9 Thank you for bringing this hearing to  
10 Syracuse, New York.

11 And I also want to thank Senator May. I know  
12 she's an advocate for getting these type of hearings  
13 in our hometown.

14 On behalf of Senator Pam Helming, who I share  
15 part of Cayuga County with, I want to welcome all of  
16 you.

17 Pam is on this committee, and she could not  
18 be here today, but she sends her best, and did have  
19 come conflicts.

20 Just a quick background on me, so as you see  
21 or hear my questions, you may understand where I'm  
22 coming from.

23 I'm a lawyer and a certified public  
24 accountant. Through the years I have represented  
25 both developers, landlords, and tenants.

1           One of my -- one of my topics or  
2           representations that I'm most proud of is  
3           representing the tenants of the Brighton Towers,  
4           working with Sharon Sherman, who I see that just  
5           walked in.

6           Sharon and I go way back, and I certainly  
7           appreciate her advocacy and her passion for her  
8           business.

9           Also, as the former Onondaga County  
10          comptroller, intimately involved in audits and  
11          oversight of the Syracuse/Onondaga County Land Bank,  
12          which I think is a tool that may or may not help --  
13          I'm sorry, will help tenants and development of  
14          properties in Syracuse, New York.

15          So I look forward to your comments.

16          And as the -- Senator Cavanagh said, we are  
17          here to listen to what you have to say.

18          Thank you.

19          SENATOR KAVANAGH:   And Assembly Member  
20          Hunter.

21          ASSEMBLYWOMAN HUNTER:   Good afternoon.

22          Good afternoon.

23          Thank you, Senators, for holding this hearing  
24          here in Syracuse.

25          We actually held a hearing for the Assembly

1 today in Albany as well, relative to these housing  
2 packages.

3 I'm proud to be the sponsor of the good-cause  
4 eviction. I just feel deeply passionate about this  
5 issue when, you know, we have a housing crisis in  
6 Syracuse.

7 And for those that don't agree, I would ask  
8 them to simply travel through every side of the city  
9 and visit housing court, quite frankly, and they  
10 will know, relative to the thousands of evictions  
11 that happen in Syracuse alone.

12 But in order, obviously, to solve this  
13 problem, you got to tell the truth and be honest and  
14 say, We do have a problem.

15 And so I'm looking forward to hearing  
16 testimony from people who have come forth today to  
17 say, you know, we have a problem.

18 I know that there was a committee meeting  
19 earlier this week.

20 I know that there was discussion relative to,  
21 we don't have those kind housing problems here in  
22 Syracuse, and those are New York City issues.

23 And I ask you to go to Ashe Division, Pond.

24 Lafayette Street. Please, drive down this  
25 street and you will see where we have very high

1 rental properties, people living in squalor.

2 There are landlords who do not live here in  
3 this area, who don't, quite frankly, care about the  
4 people who live here.

5 So, again, I say, you have to be honest, you  
6 got tell the truth, you have to accept the fact that  
7 we have housing issues, and peel back the onion.

8 Because it looks pretty in the middle of the  
9 city, doesn't necessarily mean everything  
10 surrounding it is golden.

11 Thank you for being here today.

12 [Applause.]

13 SENATOR KAVANAGH: Okay, for the hometown  
14 legislator, we'll accept some applause.

15 We are going to ask people, during the  
16 hearing, though, to please -- you're going to hear  
17 some things you love, you might hear a few things  
18 you do not love.

19 We're going to ask people to kind of refrain  
20 from responding.

21 But, you know, thank you for a warm start to  
22 our hearing today.

23 So we're going start with a couple of our  
24 local elected officials.

25 We're going to have Helen Hudson, the

1 president of the Syracuse Common Council, and,  
2 Joe Driscoll, if you could come up together, and  
3 I'll leave it to you to decide who speaks first.

4 HELEN HUDSON: Hello, and thank you for being  
5 here, and thank you for doing this.

6 And I am going to speak with two hats,  
7 because I was one of the those renters.

8 When you have, as Assemblywoman Hunter said,  
9 right where you sit now, this area is more than  
10 50 percent renters. And the folks that own the  
11 property are from New York City, so they don't know  
12 the conditions. They do the drive-bys and they  
13 collect their rent.

14 And the conditions that a lot of my  
15 constituents live in is deplorable.

16 We have houses full of lead.

17 We have houses in this particular area that  
18 the basements flood on a regular basis.

19 Mine did.

20 And we're stuck, trying to figure out, if we  
21 call codes, will there be retaliation to where  
22 I will become evicted?

23 And then once I'm evicted, let's say:

24 That's on the low level, \$600, which is not  
25 even realistic, that's not what they're charging.

1 But I'm going to stay on the low end.

2 I'm evicted.

3 I have to pay the \$600 rent to move in,  
4 \$600 security, \$600 for the back rent.

5 That's up -- we're up to \$1800.

6 You're talking about people that don't even  
7 make \$30,000 a year. You're talking about people  
8 that have children.

9 And the biggest portion of what they're  
10 spending is on rent and substandard housing.

11 They have to make a choice: Do I pay my rent  
12 or do I feed my child?

13 And that's not acceptable.

14 It's not okay for people to have to make a  
15 choice, when everybody should be able to have  
16 housing stability and still be able to take care of  
17 their families.

18 And I say that because I was one of those  
19 people, and I know what it feels like to not be able  
20 to pay my rent, and have to stress through the month  
21 because I don't know what I'm going to do and where  
22 I'm going to take my child.

23 So I'm just hoping that you will hear  
24 everybody in this room, and we will do the  
25 good-cause eviction, because folks here need to have

1 some stability, especially when you talk about  
2 Syracuse having the highest concentrated poverty  
3 throughout the country.

4 And don't make a mistake, it's in the Black  
5 and Brown communities, that's where our poverty  
6 lies. And that's where the biggest hit comes when  
7 we have landlords that overprice substandard  
8 housing.

9 SENATOR KAVANAGH: Thank you.

10 So we'll -- I think we'll hold questions  
11 until both of you have had a chance to speak, and  
12 then we'll have some questions.

13 JOE DRISCOLL: Thank you, Madame President.

14 I just want to say, always great to hear  
15 Madame President speak.

16 So, you know, I've been focused on housing  
17 issues as well since my time. I've only been on the  
18 council for a short while.

19 But, you know, just some brief statistics.

20 In the city of Syracuse, 57.4 percent of  
21 renters don't have affordable housing.

22 So to the Assemblywoman's point, we see that  
23 Syracuse is a city struggling with poverty. We see  
24 that houses are sold for very cheap.

25 But when people pay rent, they still pay six,

1 seven, eight hundred, nine hundred dollars.

2 The quality of the apartment doesn't  
3 necessarily match the price of the rent.

4 So we still have people paying well more than  
5 a third of their income towards rent for housing  
6 that is absolutely substandard.

7 In the city of Syracuse, 11 percent of our  
8 children have elevated blood levels, lead poisoning.

9 In certain census tracts, it's 20 to  
10 25 percent of our children have elevated blood  
11 levels.

12 And those numbers may well be under what the  
13 actual science says because the most vulnerable  
14 people are the ones who are least likely to get  
15 tested.

16 So we don't know concretely if those numbers  
17 are accurate. They may be -- they may be higher.

18 So, to that point, when it comes to  
19 Assemblywoman Hunter's bill with the good-cause,  
20 people aren't calling codes because, often what we  
21 hear is, it's code citation, not code enforcement,  
22 because we haven't put the teeth into the codes  
23 department to be able to, when someone gets cited,  
24 we see repercussions that match the call.

25 Good-cause would be a great, you know,



1 effort, to make sure that people know that when they  
2 call, they're not going to get evicted the next day.

3 So, 90 percent of the housing stock in  
4 Syracuse is built before 1978. That means  
5 90 percent of our housing are potential candidates  
6 for lead.

7 So, this is the kind of reality of what we're  
8 working with here in Syracuse.

9 So I would just illustrate, you know, a lot  
10 of people have said, you know, some of the laws  
11 regarding housing don't apply to upstate because  
12 it's not New York City where the rents are extremely  
13 high.

14 Compared to the medium (sic) income, the  
15 rents are exorbitantly high.

16 We have low-earners throughout most of these  
17 census tracts.

18 So when you're charging seven, eight hundred  
19 dollars for rent, sure, by New York City standards,  
20 and some other standards, where people are making,  
21 you know, higher income.

22 But we really do need these measures in  
23 Upstate New York as much as we need them downstate.

24 SENATOR KAVANAGH: Go ahead. Do you?

25 SENATOR MAY: Just one.

1           SENATOR KAVANAGH: Okay.

2           So, I'm actually going to -- as the Chairman,  
3 I'm just going to defer to our local folks first,  
4 and I'm going to first call on Senator May.

5           SENATOR MAY: So this isn't really a  
6 question, but in response to something that you  
7 said, Helen, the -- about absentee landlords.

8           One of the bills that we have put forward  
9 sounds really simple, and maybe insignificant, but  
10 it is a bill to require that landlords disclose who  
11 they are to their tenants.

12           So when you rent, you actually get a name and  
13 an address of a human being that you're renting  
14 from, and not an LLC, or not, you know, something  
15 that's going to give you the runaround. But an  
16 actual human being that you can contact.

17           So that's one, it feels like, potentially,  
18 you know, could make a difference.

19           In terms of the lead, I just want to --  
20 I just want to thank, Joe, for the amazing work that  
21 you have done on the common council, and with  
22 organizing people to really discuss this issue and  
23 try to find real solutions to it.

24           So, both of you are heros in this regard.

25           Thank you.

1           JOE DRISCOLL: I would say -- I'd just like  
2 to say that that LLC law is in no way small or  
3 insignificant. That would be massive.

4           When we talk to home headquarters and codes,  
5 they say, because it's an LLC, it takes half their  
6 time figuring out who they're ticketing and what  
7 they're ticketing.

8           So I think that's a huge one.

9           SENATOR KAVANAGH: Thanks.

10          (Indicating) Senator?

11          SENATOR ANTONACCI: Thank you, Senator.

12          This might be more of a comment.

13          Well, first of all, thank you both for your  
14 service. I know how passionate you both are.

15          I've worked with both of you, and keep up  
16 your good work.

17          This may be more of a comment or a question  
18 for counsel.

19          When we talk about rent regulations or rent  
20 control, I generally understand that to be where  
21 there's an emergency situation that is defined by  
22 vacancy rates.

23          Isn't an emergency situation a relationship  
24 between the amount of rent and the disposable income  
25 or the income within that community?

1           And I don't know if that's a question we want  
2           to answer today, or, you know, you can get back to  
3           me on that, but I don't believe that we have a  
4           vacancy problem.

5           I believe there's units, whether they're  
6           habitable or perfect, I get.

7           But, you're more concerned about the  
8           relationship of the income to the tenant and their  
9           take-home pay?

10          JOE DRISCOLL: Yeah, personally, I think the  
11          ETPA one has a stipulation, that if it's 5 percent  
12          or greater vacancy in a city, then it doesn't apply  
13          to that city. And that would definitely leave  
14          Syracuse -- we have more than 5 percent vacancy.

15          So I do -- I do concur with you on that one.

16          For me, I'm more looking forward to adopting  
17          the good-cause stuff. Some of those would really be  
18          relevant here in Syracuse.

19          I think some of the -- some of the, you  
20          know -- to your point, the vacancy issue is -- is --  
21          we have -- we do have a different market than  
22          New York City, and I think that's very relevant to  
23          comment on.

24          But I do think some of the other ones, like  
25          good-cause, would really have a huge impact here.

1           SENATOR ANTONACCI:   Okay.  Thank you.

2           I just wanted to add to -- before I turn it  
3 back to the Chair, I also represent a portion of the  
4 city of Syracuse.

5           Rachel obviously has -- Senator May has most  
6 of it, but I do represent the north side.

7           I also grew up on the north side, on  
8 the corner of Alvord and Butternut, right near  
9 White Branch Library.

10          So, thank you.

11          SENATOR KAVANAGH:   And, Assembly Member  
12 Hunter.

13          ASSEMBLYWOMAN HUNTER:  Thank you.

14          Councilor, just so you had made mention,  
15 referenced, code enforcement.

16          And there are many of my upstate colleagues  
17 in the Assembly who would say, We don't have a  
18 housing issue.

19          And I would tell them, You need to drive  
20 around your neighborhoods.

21          And many of them would say, It's not  
22 good-cause, you know, that we need.  It's more code  
23 enforcement that we need.  We need, you know, more  
24 people in code enforcement.

25          So I will simply ask you, since referenced

1 code enforcement, and how you said they give  
2 citations and not violations:

3 The level of code enforcement that would be  
4 required to crack down on the huge amount of  
5 violations and blight in our community is so high,  
6 does the City of Syracuse have funding to be able to  
7 pay for the significant task that, you know, most of  
8 my colleagues are referencing could easily be done  
9 by code enforcement?

10 JOE DRISCOLL: My humble opinion would be no.

11 I've tried to dig down on that with a number  
12 of members of code enforcement. And I don't know  
13 why their reluctance to admit the  
14 short-staffness (sic) that we do suffer from.

15 But recently we had -- you know, the City of  
16 Syracuse was cited because we were only inspecting  
17 our "three units and above" every five years,  
18 whereas the State mandated that we check them every  
19 three years.

20 So we were having capacity problems with --  
21 at that time.

22 Since then we've added the interior rental  
23 registry, which includes -- adds 8,000 units to  
24 their workload, inspecting the interiors as well,  
25 which is much more time-intensive.

1           We've adopt -- we're adopting a lead  
2 ordinance, similar to Rochester, in the coming year,  
3 which will add 20 minutes to each housing-code  
4 inspector's time frame. So, going from being able  
5 to do five to six units a day, to being able to do  
6 two or three, thereby having the capacity of the  
7 code enforcement.

8           So my resounding answer all around would be,  
9 I would love to see more money, more resources, go  
10 to code enforcement because, whoever says that we do  
11 have enough, as you said, should just drive around  
12 the city of Syracuse and see the state of some of  
13 the housing. And look at the data of, as I said,  
14 the numbers with lead poisoning.

15           With a lot of these houses, they're all  
16 supposed to have been inspected and done.

17           And if they were, we wouldn't have 25 percent  
18 of children in certain census tracts with lead  
19 poisoning.

20           So, my resounding answer would be, to tell  
21 your down -- the downstate constit -- colleagues  
22 that we certainly need more capacity up here.

23           ASSEMBLYWOMAN HUNTER: Thank you.

24           SENATOR KAVANAGH: A few -- a few -- I just  
25 have one note, since we've been talking about code

1 enforcement.

2 Separately, there is -- the Housing  
3 Committee, along with the Committee on  
4 Investigations and Government Operations, is having  
5 a hearing on code enforcement in smaller localities  
6 in the coming weeks.

7 It's on May 23rd. It's in the  
8 Hudson Valley, it's in Newburgh.

9 And we're going to focus -- we're going to  
10 focus on a sample of a few cities.

11 So it's not -- it won't directly be looking  
12 at your code-enforcement situation, but we think it  
13 will be instructive in terms of what we might able  
14 to do as a state to address those issues.

15 Just a couple of questions.

16 Would you -- you talk about a lot of -- you  
17 know, a lot of buildings that are abandoned, a lot  
18 of buildings with deteriorating conditions.

19 Would you say that those problems have gotten  
20 worse in recent years?

21 Would you say that, kind of, is there sort of  
22 a steady state, where you're trying to improve some  
23 things, and, you know, some units are getting  
24 improved and others are getting, you know, worse?

25 Or is it sort of just a -- sort of an ongoing



1 situation?

2 HELEN HUDSON: I'm going to speak on the area  
3 that you're living in -- you're sitting in right  
4 now.

5 This particular area used to be homeowners,  
6 all homeowners. And once we started having job  
7 losses, they couldn't afford to keep the houses.

8 So a lot of folks walked away, and that's  
9 where the folks from New York City come in, and they  
10 see that they can buy property cheap.

11 So it's all about a dollar for them, but it's  
12 people's lives for us.

13 So, yes, it has gotten a lot worse.

14 And we have a lot of LLCs and folks from  
15 outside of our area that are the landlords to these  
16 properties. And they're the ones that does the  
17 drive-bys, and they send a manager to collect the  
18 rent, and they never know what's happening inside  
19 that house.

20 SENATOR KAVANAGH: Got you.

21 And so the -- we -- what I think I'm going to  
22 try to avoid doing, you know, Q&A among the  
23 senators, because we have a lot of opportunity to  
24 talk to each other.

25 But, you know, my colleague brought up the

1 question about -- correctly stated that the  
2 Emergency Tenant Protection Act, as currently  
3 written, does provide that localities can opt in to  
4 rent-regulation system if they have -- if you have a  
5 5 percent vacant rate.

6 It is a vacancy rate that would apply to the  
7 subset of housing that -- with the type of housing  
8 that would be regulated.

9 So it's not necessarily -- like, I think we  
10 would want to take a closer look about whether  
11 there's any possibility you would meet that  
12 criterion.

13 But having said that, that criterion --  
14 that -- that particular criterion, as you've both  
15 noted in your testimony, there are many -- and some  
16 of my colleagues noted in their opening remarks,  
17 there are many indications of a housing crisis,  
18 other than a mere, sort of, recitation of the  
19 vacancy rate.

20 So the -- and the Emergency Tenant Protection  
21 Act is not -- people talk about it as rent  
22 regulation because there's a lot of focus on its  
23 effect on rise -- on, you know, keeping rents from  
24 rising too rapidly.

25 Although, we've had some concerns about the

1       loopholes even preventing it from achieving that  
2       goal, and we're going to be possibly addressing  
3       those in the coming weeks.

4                But just -- the other component of it, is to  
5       give people stability in their communities, giving  
6       people -- give -- it gives people a variety of  
7       rights and benefits. Rights to a one-year lease, a  
8       two-year lease, of their choice. Right to a renewal  
9       lease at the end of their existing lease.

10               And some of that does overlap with the  
11       good-cause bill that we're also discussing today.

12               But, to the extent that -- you know, to the  
13       extent that Syracuse were permitted to opt in to a  
14       stronger set of laws, like, if the ETPA -- if  
15       either -- if either you were to conclude that you  
16       had a -- you met the criteria of the vacancy rate,  
17       or, if the State, in its wisdom, were to give -- to  
18       set a different set of criteria to allow you to  
19       define a housing emergency differently, do you think  
20       that people in Syracuse -- and, you know, it's the  
21       local government that chooses to opt in to rent  
22       regulation, if there were some different parameters  
23       that were available, do you think that there might  
24       be interest in Syracuse to, you know, opt in to a  
25       system that is sort of defined as -- defined to meet

1 the needs of Syracuse?

2 JOE DRISCOLL: I would say, you know, while  
3 we do talk about the vacancies, we do still have  
4 units going at 2,000 -- you know, \$2,000, \$2,500,  
5 within the city of Syracuse.

6 So I do still think that there is use for  
7 that regulation.

8 Myself, one of our fellow councilors, brought  
9 up concerns about, you know, the negative impact it  
10 might have on housing.

11 I'm not -- you know, I know that economic  
12 experts disagree on what type of effect a  
13 legislation like this might have.

14 But, from my personal -- from my personal  
15 thing, yeah, I think, particularly right now, as  
16 we're looking at I-81 coming down in the city of  
17 Syracuse, that's a huge concern for everyone, but  
18 most particularly the people who live in the housing  
19 complexes directly alongside I-81.

20 And the basic feeling among the people who  
21 live in those housing projects, from what I know, is  
22 that the effort will be to come and put in those  
23 \$2,000-a-month apartments, those \$2,500-a-month  
24 apartments, and wash out all the -- all the  
25 affordable housing from an area that they have lived

1 in since the '50s and '60s, historically.

2 So I think that, you know, while we may be  
3 opted out, or some might think that it wouldn't be  
4 necessary to apply to Syracuse, my personal feeling  
5 would be, I'd be very interested in exploring it.

6 I think I would want to know the  
7 counterarguments and explore those more thoroughly,  
8 to make sure that we weren't going to have a  
9 negative impact on the housing stock in Syracuse.

10 But I do think there's a serious need for the  
11 type of gentrification protection, even in Syracuse,  
12 because I think we're seeing nationally, as New York  
13 City is showing us, people want to live in urban  
14 centers again.

15 The former suburban-flight situation is, now,  
16 people are coming back to the cities. And the  
17 biggest problem with that, no matter how struggling  
18 the city is, is those gentrification-type situations  
19 where people are suddenly forced out of their home.

20 So I do think there is still a need for it  
21 here in Syracuse, potentially.

22 HELEN HUDSON: And I can piggyback on that  
23 because, if you go around the city of Syracuse and  
24 you look at the corridor urban community, all around  
25 us we have luxury apartments. All around us we have

1 folks, as Joe said, paying 2,000, \$2,500 a month.

2 But then when you walk a block or two over,  
3 you're going to see the different areas of the city  
4 that's not thriving as -- like those areas.

5 So I think that we do need it.

6 SENATOR KAVANAGH: So good-cause eviction, as  
7 you have both mentioned, is a -- could potentially  
8 be an important tool.

9 And, again, for those who haven't been, you  
10 know, following this so closely, it's been described  
11 a bit, but, good-cause eviction would require that,  
12 at the end of your lease, a landlord is required to  
13 offer you a new lease, and that any increase in the  
14 rent not be unconscionable, not be an excessive rent  
15 increase, because, obviously, if you're -- if the  
16 landlord is required to give you a lease, but they  
17 can double your rent, that's not much of a right.

18 So the idea would be, allow people to live  
19 stably in their communities.

20 It's not rent regulation in the sense that an  
21 apartment -- you know, when an apartment turns from  
22 one person to the next person, the landlord can --  
23 you know, can start all over and charge whatever  
24 they want.

25 Whereas, rent regulation goes to the

1 apartment rather than just the individual tenant.

2 But can you just talk a little bit more about  
3 the benefits of tenants being allowed to live in  
4 their communities and be confident that, upon their  
5 lease expiration, that they -- you know, that they  
6 can -- they can get a renewal lease and they can  
7 continue to live in the community?

8 HELEN HUDSON: These communities are family,  
9 because I grew up in an area where everybody knew  
10 everybody. And when my kid would go down the block,  
11 my kid knew who all of the neighbors were.

12 If my kid did something, I knew it before he  
13 came home.

14 And we talk about not having -- you know, we  
15 talk about our children, and having to discipline  
16 and can balance over them.

17 That's the way we can actually have  
18 structure, because you have everybody in a community  
19 that knows the community.

20 That's what happened when Councilor Driscoll  
21 spoke about 81.

22 That was a thriving community, that was  
23 totally ripped apart, that was totally segregated.

24 I mean, and how do you expect it to grow that  
25 way?

1           You can't grow if you don't have family  
2           within a community structure.

3           SENATOR KAVANAGH: Right, that was very  
4           eloquent.

5           I have no further -- unless -- I have no  
6           further questions.

7           Thank you so much, both of you, for your  
8           testimony.

9           SENATOR ANTONACCI: May I just --

10          SENATOR KAVANAGH: Oh, sorry, forgive me.

11          SENATOR ANTONACCI: -- thank you.

12          I just wanted, one closing comment.

13          Thank you for your clarification.

14          I just merely wanted to point out that -- to  
15          make sure that we were on with understanding what  
16          the laws potentially could be.

17          That's why I wanted to kind of make a mental  
18          note with counsel.

19          But I just wanted to make sure that most of  
20          these laws, and I know the first one regarding rent  
21          control, would be options of the city government.  
22          They would have, pretty much, an option on just  
23          about all of the proposed statutes -- or, bills that  
24          are out there.

25          SENATOR KAVANAGH: Yeah, just for clar --



1           SENATOR MAY: (Indiscernible) the vacancy  
2 rate was low enough --

3           SENATOR KAVANAGH: Okay, yeah, so clarity --

4           SENATOR MAY: -- (indiscernible) Syracuse.

5           SENATOR KAVANAGH: All right, so for clarity,  
6 there are two -- there are two kinds of proposals  
7 that -- you know, actually, there are several bills  
8 that have been mentioned here today, including  
9 Senator May's bill about, you know, the identities  
10 of landlords.

11           And this hearing is open-ended.

12           And any -- this is about tenant protection  
13 and rent regulation, so anything that does either of  
14 those things is fair game today, especially through  
15 legislation.

16           But the typical way rent regulation works now  
17 is that, the State authorizes localities in certain  
18 counties, and that is currently limited to New York  
19 City and three other counties that are near New York  
20 City.

21           But there is a proposal to expand that  
22 geographic distribution to the whole state.

23           And when a county is included in that, the  
24 locality can choose to opt in if it can demonstrate  
25 that it meets certain criteria.

1           So it is not -- it is never, under the  
2 current law, imposed on a locality by the State.

3           The good-cause eviction bill does not have  
4 that local opt-in.

5           The good-cause bill is proposed to be a new  
6 set of rights for tenants everywhere, but, again, it  
7 is not -- it is not as restrictive of rents over the  
8 long term on an apartment.

9           It requires that, somebody lives in an  
10 apartment now, can get a renewal lease at a  
11 reasonable -- with a reasonable increase.

12           I think maybe Assembly Member Hunter has some  
13 comment or question to close.

14           ASSEMBLYWOMAN HUNTER: I just wanted to just  
15 make mention, simply, we -- just to reiterate, there  
16 are two separate bills.

17           There's many bills, many tenant bills.

18           I have six of them myself, and -- which  
19 include disability and water payments and bedbugs  
20 and the good-cause and the phone number.

21           And so I have several bills myself.

22           But here, today, there's two different bills  
23 that are being talked about:

24           The Emergency Tenant Protection Act, which  
25 while may not be necessary today, could,

1 essentially, be necessary in the future.

2 The good-cause eviction bill is a statewide  
3 policy mirroring what's happening in New York City  
4 right now, which would protect those people outside  
5 of the New York City area, where, in addition to the  
6 extension of their lease, if you called code  
7 enforcement tomorrow and say, "My sink is stopped  
8 up," here's your eviction notice tomorrow, that  
9 doesn't have anything to do with your, you know,  
10 month-to-month lease or your extension of your year  
11 lease.

12 It has something to do with the fact that, in  
13 three days you will be out of your apartment, and so  
14 after they go to housing court.

15 So I just want to make clear again, because  
16 I think there's a little confusion, jumbling the two  
17 bills together, that there are two separate bills  
18 we're talking about here.

19 SENATOR KAVANAGH: Great.

20 Thank you.

21 And thank you both.

22 JOE DRISCOLL: Thanks as well for coming, and  
23 thanks for having us.

24 SENATOR KAVANAGH: Appreciate it.

25 We'll stay in touch.

1           Next up, we're going to have Sharon Sherman,  
2           the executive director of the Greater Syracuse  
3           Tenant Network.

4           SHARON SHERMAN: I brought my 10 copies.

5           SENATOR KAVANAGH: Terrific.

6           SHARON SHERMAN: Where do they go?

7           SENATOR KAVANAGH: You want to get those.

8           Thanks.

9           Somebody will come down and retrieve those  
10          and bring them up to our very high stage here.

11          SHARON SHERMAN: Thank you very much for  
12          having this hearing, and particularly thank  
13          Senator Kavanagh for joining us Syracuse folks here.

14          SENATOR KAVANAGH: I'm thrilled to be here.

15          SHARON SHERMAN: I just had three days to do  
16          this, so there might be typos, et cetera, in it.

17          My name is Sharon Sherman. I'm executive  
18          director of the Greater Syracuse Tenants Network  
19          founded in 1988.

20          We actually were founded as a chapter of  
21          New York State Tenants and Neighbors, which you're  
22          very familiar with now.

23          The mission of the Tenants Network is to  
24          organize, inform, and empower primarily low-income  
25          tenants to improve the quality of life in their

1 communities and to preserve affordable housing.

2 Much of the work is organizing and sustaining  
3 tenant associations and State-subsidized housing,  
4 such as Mitchell-Lama, low-income tax credit,  
5 development, or in federally-subsidized housing.

6 However, we provide information, education,  
7 referrals, to tenants from anywhere in New York --  
8 Central New York.

9 These tenants are referred to us through 211,  
10 the Attorney General's Office, elected officials,  
11 social-service agencies, and, increasingly, people  
12 we have helped in the past.

13 We get as many as 20 calls a week, all of  
14 which have been answered by me for all these years.

15 In the past few years we have provided a  
16 one-day training for landlords with presentations by  
17 city agencies, the health department, and fair  
18 housing.

19 The training for landlords is because we  
20 think that, according to HUD, the majority of  
21 housing in many communities is owned by landlords  
22 who own less than 10 units.

23 And we feel that many of those people in this  
24 community don't have the information they need.  
25 They don't sit in front of a computer all day. They

1 may not own housing as a primary business.

2 And we really want to provide them support  
3 for the -- you know, responsible ones. Although  
4 they have to pay \$50 to come, so they have to be  
5 responsible.

6 Although there are many agent organizations  
7 in the New York City area representing and working  
8 with tenants, the Greater Syracuse Tenants Network,  
9 United Tenants of Albany, and United Tenants of  
10 Mount Vernon are the only staffed organizations  
11 dedicated to tenants in Upstate New York.

12 And we do interact quite a bit with those  
13 agencies, as well as organizations, such as Tenants  
14 and Neighbors, CSS, IMPACCT, quite a few New York  
15 City agencies.

16 We are supportive of the expansion of ETPA.

17 But as a show of solidarity for tenants in  
18 other communities outside of Central and Western  
19 New York which might have low vacancy rates and need  
20 this law, the law should be expanded statewide even  
21 if it doesn't apply to Syracuse right now.

22 And I would say that, having been involved in  
23 this for so many years, the idea that these laws  
24 have to be renewed every single year, or every three  
25 years, or every five years, whatever you guys

1 decide, is outrageous.

2 I mean, it should just be done, so it's not a  
3 debate and create such a political situation.

4 I'm here to speak about good-cause for  
5 eviction bill, which would make a direct and  
6 significant impact on tenants in Syracuse.

7 The city of Syracuse had the first  
8 legislation outlawing retaliatory eviction in  
9 New York State.

10 The state law was modeled on the city of  
11 Syracuse law.

12 And, by the way, for Syracuse people, it was  
13 Tony Galati (ph.), when he was head of legal  
14 services, who wrote that law. And he also  
15 participated in writing the state law.

16 However, without good cause for -- without  
17 good-cause legislation, the law is useless,  
18 particularly since the majority of low-income  
19 tenants are month-to-month tenants.

20 Every day I speak to tenants who have serious  
21 code violations which their landlord has failed to  
22 address. These tenants are faced with the horrible  
23 choice of risking their tenancy by complaining to  
24 codes or continuing to live in bad conditions.

25 This stops many tenants from complaining.

1 They continue to live in substandard housing because  
2 they have no other option.

3 I'm always up front with tenants about this  
4 reality.

5 "Yes," I tell them, "the landlord should not  
6 retaliate, it's against the law. But they can  
7 terminate your month-to-month agreement with no  
8 reason required, and out you go."

9 Since I do work with landlords, I want you to  
10 understand that the vast majority of landlords are  
11 responsible.

12 They get a complaint from the tenant, and  
13 they do their best to respond in a timely manner and  
14 fix the problem. They care about their property,  
15 and they want to maintain their property for  
16 long-term rental income.

17 They do not terminate tenants without a good  
18 cause because it's not in their interests, as  
19 business people, to spend the money to re-rent the  
20 apartment.

21 So it's not the majority even of tenants,  
22 but, the tenants that -- it's not the majority of  
23 landlords, but, of course, like in anything, it's  
24 the worst that we have to focus upon.

25 Unfortunately, many of these responsible



1 landlords are afraid -- the responsible landlords  
2 are afraid to invest in the most blighted,  
3 low-income areas, so the tenants in those parts of  
4 the city are -- the landlords in those parts of the  
5 city are a completely different breed.

6 This part of the city is an example.

7 Most of the worst, as Councilor Hud --  
8 President Hudson said, do not reside in  
9 Central New York, and have bought up the properties  
10 for very little and are milking them for whatever  
11 they can get.

12 Matthew Desmond, authored of -- author of  
13 "Evicted," has done some new research that shows  
14 that these landlords, because of the cost of  
15 acquisition, actually make much more profit than the  
16 owner of a middle-income property.

17 In some neighborhoods in Syracuse, an  
18 investor can buy a two-family house for less than  
19 \$10,000 and pay cash.

20 The landlord can take in almost \$20,000 a  
21 year in rents for the two-family, still charging  
22 below fair-market value.

23 After taxes, with minimal repairs, the  
24 landlord can make back their investment in one or  
25 two years.

1           These are the realities.

2           This is why these landlords continue to do  
3 this, because they're making more money than the  
4 person developing a property in downtown New York --  
5 downtown Syracuse.

6           They're investing; acquisition, renovation.  
7 They have a tremendous mortgage.

8           And even with the high rents they get,  
9 they're not making as much income as these landlords  
10 who prey on our neighborhoods.

11           And I'm not sure if Matthew Desmond has --  
12 I think he's done some articles.

13           There hasn't been a book yet, but this data  
14 is available.

15           These investors do not care if a tenant moves  
16 out, or if they terminate them because of some  
17 substandard conditions, since there's always a new  
18 desperate tenant to rent from them.

19           The "good cause for eviction" legislation  
20 would change the equation here.

21           If tenants knew that they could not be  
22 evicted for complaining to codes, they would do it  
23 more often.

24           Government code enforcement can be more  
25 effective, but, in the city of Syracuse, our code

1 enforcement is complaint-driven and the procedures  
2 take time.

3 Lastly, I want to make mention, legislation.

4 I wasn't sure, Assemblyman Hunter --  
5 Assemblywoman Hunter, that it was introduced.

6 I did get it.

7 But we need legislation about the bedbug  
8 epidemic.

9 New York City has a very effective local law  
10 dealing with this crisis, but the rest of the state  
11 must follow a totally inadequate state  
12 building-codes regulation.

13 We need a law which would make it the  
14 landlord's responsibility to exterminate the  
15 property, and, also, to notify prospective tenants  
16 concerning pest infestation.

17 We hope that, in the future, this very  
18 practical but essential issue will be addressed.

19 I appreciate you taking me, so I do have to  
20 leave at 5:30.

21 But I did want to actually speak after  
22 Palmer Harvey, because she is going give you the  
23 heart and soul of what goes on and why we really  
24 care. You know, the real-life situations.

25 Thank you.

1 SENATOR KAVANAGH: Okay. Thank you.

2 And I know you have to go soon.

3 SHARON SHERMAN: No, not until 5:30.

4 Thanks.

5 SENATOR KAVANAGH: All right, so we'll do no  
6 more than 23 minutes.

7 Do you want -- questions from colleagues?

8 SENATOR MAY: Well, let's introduce

9 Senator --

10 SENATOR KAVANAGH: Oh, sorry, yes. Forgive  
11 me.

12 We've been joined by Senator Julia Salazar,  
13 who is sponsor in the Senate of the good-cause  
14 eviction bill, and several other fine pieces of  
15 legislation on this topic.

16 I think -- so I think we'll complete this  
17 testimony and any questions, and then we'll give  
18 Senator Salazar an opportunity to do some opening  
19 remarks.

20 But do you have any you questions for --

21 SENATOR ANTONACCI: Yes.

22 I'm sorry.

23 Do you want questions, or --

24 SENATOR KAVANAGH: Yeah, I think we'll do  
25 questions.

1 SENATOR ANTONACCI: (Indiscernible), sir?

2 SENATOR KAVANAGH: Sure.

3 SENATOR ANTONACCI: Thank you, Mr. Chairman.

4 Sharon, first of all, welcome.

5 I've worked with you, I've seen you in  
6 action.

7 I appreciate your passion and your commitment  
8 to your profession, and you do a great job in  
9 advocacy.

10 I guess my questions center around,  
11 since most of your testimony was on the  
12 good-cause eviction, flexibility works both ways.  
13 Right?

14 So a tenant enjoying -- possibly enjoying a  
15 month-to-month tenancy can come and go, leave with  
16 30 days' notice.

17 Obviously, a landlord can also ask somebody  
18 to leave with 30 days' notice.

19 Is there a pervasive problem of tenants  
20 trying to obtain year -- you know, yearly leases or  
21 renewals on yearly leases?

22 SHARON SHERMAN: It's not really -- and it's  
23 increasingly, increasingly, been month-to-month, and  
24 that's just the nature of the market.

25 This bill might just start changing the whole

1 market about it.

2 So I know, with the months-to-months, it may  
3 make it less attractive to landlords, so they may --  
4 with this bill, they may say, oh, I might as well do  
5 a year's lease.

6 The reality is, 99 percent of evictions are  
7 for non-payment of rent.

8 There are very few -- again, with the  
9 responsible landlord, there are very few incidents  
10 where they're going want to just stop the --  
11 terminate the tenancy.

12 So they're -- and this bill still allows  
13 that, if there is criminal activity, an arrest, they  
14 can still evict them.

15 And, importantly, for something I'm hearing  
16 about right now, if they have a written rental  
17 agreement that says no smoking in this premises,  
18 that would be good cause.

19 They can evict them for them violating a  
20 provision, and most month-to-months now have a  
21 rental agreement which covers these types of things.

22 So nothing would change about a tenant  
23 violating a rental agreement, and the landlord could  
24 send them a notice that, we're terminating you in  
25 30 days because you violated our rental agreement

1 which says no smoking, or says, you know, whatever  
2 rules they have.

3 So that would remain as a way to terminate  
4 tenants.

5 SENATOR ANTONACCI: And my last question, how  
6 does this -- how is this better than the  
7 retaliatory-eviction statutory scheme?

8 How -- how -- what additional tools does it  
9 give you?

10 SHARON SHERMAN: Well, the current law, which  
11 we have it in the Syracuse city code and as a state  
12 law, says landlords may not retaliate.

13 However, there never was anything written.  
14 There is no fine. There is no -- they can  
15 retaliate, and who you gonna call?

16 You know, they send you a termination notice.

17 The City of Syracuse codes doesn't proceed to  
18 do anything.

19 And currently, even a judge, when somebody --  
20 they can't force, right now, a landlord.

21 The landlord brings somebody to court, and  
22 they end up paying the rent. And they can't say to  
23 the landlord, you have to keep renting to this  
24 person.

25 That doesn't exist because there's no law

1           that says they have to do it.

2                     So that's why it's toothless (sic).

3                     It's there.

4                     It's like jaywalking, you know.

5           SENATOR ANTONACCI: Thank you.

6           SENATOR KAVANAGH: Thank you very much.

7           SHARON SHERMAN: Okay.

8           SENATOR KAVANAGH: Okay, so, I think, next up  
9 we will have Bob Capenos.

10           BOB CAPENOS: Capenos (pronounces name).

11           SENATOR KAVANAGH: Capenos. Sorry.

12           BOB CAPENOS: That's okay.

13           SENATOR KAVANAGH: And -- but while you're  
14 getting settled, if Senator Salazar, did you want to  
15 say a few words?

16           SENATOR SALAZAR: Thank you.

17                     Thank you, Senator Kavanagh, for chairing  
18 this hearing, to my colleagues, and to all of you  
19 for attending.

20                     This issue of housing justice and tenants'  
21 rights is extremely important to me.

22                     I want to also thank Sharon for her  
23 testimony, and, specifically, for citing the  
24 good-cause eviction bill that Assembly Member Hunter  
25 and myself introduced.



1 I look forward to hearing the rest of your  
2 testimony, and working together to try to resolve  
3 these problems in this session.

4 Thank you.

5 SENATOR KAVANAGH: Thank you.

6 Okay, so if you could introduce yourself.

7 BOB CAPENOS: Sure.

8 My name is Bob Capenos. I'm the executive  
9 director of New York Housing Association.

10 I'm going to kind of take the lead of  
11 Senator Antonacci and tell you a little bit about my  
12 background.

13 I've been in, well, the manufactured housing  
14 all my adult life.

15 I started as a college student, in my junior,  
16 here year here in Syracuse, working for a large  
17 community owner. And my very first job was cleaning  
18 the model homes.

19 I subsequently stayed on with that firm for  
20 10 years, and we were able to provide housing for  
21 over 600 families, and many of them were first-time  
22 homebuyers, and I was very proud of that.

23 I continued my career working for a large  
24 insurance agency based here in Syracuse, that's  
25 represented specifically the manufactured-housing

1 industry for over 70 years.

2 So I've had the opportunity to travel the  
3 state, to meet many of the community owners and  
4 retailers and builders that provide a wonderful  
5 product for our state residents.

6 I think it's also important, my family's  
7 first home in 1984 was a manufactured home.

8 It was a very interesting experience.

9 It provided housing for a small family at a  
10 time when we couldn't afford much more, and I've  
11 been passionate about the industry.

12 I've been involved with our non-profit state  
13 association for the past 20 years, and now currently  
14 serve as the executive director.

15 But I wanted to provide that background to  
16 kind of give you an idea of where my passion comes  
17 from, and how important this industry is to our  
18 state.

19 Like I mentioned, New York -- New York  
20 Housing Association is a non-profit trade  
21 association of manufactured-home park owners,  
22 operators, the retailers.

23 We actually have a home manufacturer in --  
24 Titan Homes down in Sangerfield, New York, which is  
25 great to have a manufacturer representing our

1 industry.

2 And we're dedicated to manufactured-home  
3 ownership throughout the state.

4 Without question, manufactured housing is the  
5 most affordable option for home ownership in  
6 New York State.

7 Our members are in the business of providing  
8 safe, secure, and affordable living accommodations  
9 to their residents.

10 Despite the negative stories and stereotypes,  
11 most manufactured-home communities are "parks," as  
12 they are referred to in Section 233, provide quality  
13 living accommodations throughout the state.

14 Many communities offer community centers,  
15 recreational facilities, walking paths, other  
16 amenities, playgrounds, things of that nature.

17 Some interesting statistics, according to the  
18 division of housing and community renewal, New York  
19 State has approximately 84,956 manufactured-home  
20 households in nearly 1,118 communities throughout  
21 the state.

22 There's some challenges facing the industry.

23 We recognize that now, more than ever,  
24 New Yorkers are in need of affordable housing.

25 We also recognize that there are critical

1 challenges facing our members and issues that  
2 threaten to tarnish the industry.

3 Manufactured housing has become a target for  
4 large investment companies, and the housing stock  
5 and the infrastructure is aging.

6 Localities are increasing taxes, making for a  
7 challenging environment for us.

8 It's important to note that most  
9 manufactured-housing communities in New York are not  
10 owned by investment firms.

11 They're owned by mom-and-pops, generational  
12 families, that have probably built these communities  
13 in the 1960s when many of them first came about,  
14 and own them till today.

15 And it's a pleasure to be able to work with  
16 those folks.

17 Furthermore, many of the corporate owners,  
18 including those owned by out-of-state investment  
19 entities, maintain excellent parks and have great  
20 relationships their tenants.

21 It is unfair and unfortunate that the acts of  
22 certain owners are being used to tarnish our  
23 industry.

24 While much has been made recently of  
25 corporate investments, most community owners are

1 small-business owners who have limited resources.

2 The association does not condone investors  
3 who engage in predatory practices and arbitrarily  
4 raise rents on tenants in order to recoup  
5 investments without regard to the financial means of  
6 the tenants.

7 In contrast, traditional owners often  
8 struggle to raise the necessary capital to upgrade  
9 their communities, and are reluctant to increase  
10 rents, even if necessary, to help pay for required  
11 improvements.

12 In fact, most park owners do not arbitrarily  
13 raise rents.

14 The truth is, in many New York State  
15 manufactured-housing communities, the market simply  
16 does not support substantial increases in rent.

17 This is demonstrated by the vacancy rate in  
18 communities around the state.

19 According to statistics contained in HCR's  
20 2017 report of manufactured-home registrations, the  
21 vacancy rate in New York State manufactured-home  
22 communities range from a low of 8 percent in  
23 Rockland County, to a high of 35 percent here in  
24 Onondaga County.

25 In fact, the statewide average vacancy rate

1 is 21.8 percent.

2 Our community owners are doing their best to  
3 keep their residents. They're not raising the rent  
4 and making it challenging for the residents.

5 Another challenge for the industry in  
6 New York, and, frankly, throughout the country, is  
7 the aging of the manufactured-home communities in  
8 New York State.

9 Many communities require upgrades to their  
10 water and sewer systems, roads, and other major  
11 infrastructure.

12 They're like -- they're like little -- you  
13 know, little communities all of their own.

14 You know, they're the -- the roads aren't  
15 deeded to the Town, typically, and, you know,  
16 they're trying to maintain everything as a nice, you  
17 know, place for people to live.

18 We commend HCR for its bold and innovative  
19 new programs that they've been working on, and offer  
20 assistance to the community owners who require  
21 support and for infrastructure improvements.

22 Unfortunately, the need is far greater than  
23 the resources available.

24 Rent reforms must take these factors into  
25 account.

1           Moreover, due to the state's real property  
2 tax cap, recently made permanent, many localities  
3 are looking for alternative sources of revenue.

4           As a result, localities are planning to  
5 conduct revaluations of the assessed values of  
6 properties in the locality.

7           And during the last major wave of  
8 revaluations, manufactured-home communities  
9 throughout the state saw substantial increases in  
10 property taxes.

11           This is -- this is the potential to put even  
12 more significant financial constraints on both park  
13 owners and residents.

14           The New York State Housing Association, we  
15 stand ready to work with the Legislature to develop  
16 sensible and reasonable reforms that protect the  
17 needs of tenants, but also provide owners with the  
18 necessary tools to ensure quality communities now  
19 and in the future.

20           Thank you very much for the opportunity to  
21 give my testimony.

22           I'm very passionate about the industry. It's  
23 a very important part of New York housing.

24           And I'm happy to answer any questions that  
25 you folks may have.

1           SENATOR KAVANAGH: So in the interest of  
2 time, I think I'll go to my colleagues, and I may  
3 come back, but, first, Senator May.

4           SENATOR MAY: Okay, thank you, and I'll be  
5 brief.

6           So just trying to understand, in a  
7 manufactured-home situation, people own the homes,  
8 but they rent the land --

9           BOB CAPENOS: That's correct.

10          SENATOR MAY: -- that it sits on?

11          And we may call them "mobile homes," but  
12 they're actually not readily mobile, typically, is  
13 my understanding.

14          BOB CAPENOS: Very few of them move after  
15 they're positioned.

16          SENATOR MAY: So if you had to -- if you  
17 couldn't afford the rent anymore, it would be very  
18 expensive to somehow move your home to another site;  
19 correct?

20          BOB CAPENOS: Right, and that typically would  
21 not happen. They would sell the home or -- you  
22 know, it would be a resale, much like it would  
23 happen in a residential neighborhood.

24          SENATOR MAY: Right.

25          But, in any case, when a -- if the rent does



1 go up significantly, it's a major problem for the  
2 people -- for people who couldn't afford it.

3 They'd either -- they'd have to sell their  
4 home.

5 BOB CAPENOS: No doubt.

6 SENATOR MAY: So I -- we don't have to go  
7 through all the details, because I know you want to  
8 come in and talk to me about this bill.

9 BOB CAPENOS: Sure.

10 SENATOR MAY: And I'm looking forward to  
11 that.

12 But, I also want to recognize, this is a  
13 particular issue in the rental market that's got its  
14 own deep concerns about how to protect people from,  
15 possibly, the rare owners of the property who are  
16 predatory, or want to raise the rents, in ways that  
17 really push people out of their homes.

18 BOB CAPENOS: And we want to help in that  
19 effort.

20 SENATOR MAY: Thank you.

21 SENATOR KAVANAGH: Any other questions  
22 (indiscernible)?

23 Okay, we're good?

24 I think Assembly Member Hunter.

25 ASSEMBLYWOMAN HUNTER: Thank you for your

1 testimony.

2 Senator May asked a few of the questions that  
3 I had wanted to ask.

4 So, specifically, there is a modular-home  
5 park in my district, in the town of DeWitt,  
6 Midler Meadows.

7 I don't know if you're aware with this.

8 BOB CAPENOS: I'm somewhat familiar with the  
9 community.

10 ASSEMBLYWOMAN HUNTER: And I was aware of  
11 Midler Meadows because of the hundreds of police  
12 calls that are at this park.

13 I've received calls from the school district  
14 about bedbugs at the park, and had numerous  
15 conversations with the Town of DeWitt Code  
16 Enforcement relative to the issues at  
17 Midler Meadows.

18 So I'm just trying to get a structural  
19 understanding of how the flow works relative to  
20 people who live in this community, who live in  
21 squalor, and I would ask you to please visit.

22 And is it their responsibility for the home?

23 And you had made mention that some of the  
24 folks couldn't afford, you know, to do the repairs.

25 I don't know if it's because the rent of the

1 lot is too high, but it's an issue.

2 And I know Sharon Sherman had made reference  
3 of Matthew Desmond's book, and I don't know if you  
4 read the book "Evicted."

5 And they had made mentions about, you know,  
6 some of the issues that there are with lot rents,  
7 and turning them up, and about, you know, some,  
8 potentially, predatory, in some cases, buyers that  
9 go from place to place.

10 And it's my understanding this current park  
11 is looking to find a new owner because there have  
12 been many issues.

13 So, I'm just trying to structurally try to  
14 get to, how does this community of owners of a  
15 building, but not the land, turn it around, so that  
16 they're not having hundreds of police calls, and  
17 schools aren't calling relative to concerns about  
18 the home?

19 BOB CAPENOS: You know, I think a lot of that  
20 is -- that's a true challenge, because that  
21 situation exists in many of the communities in the  
22 state, where the homes have aged, along with the  
23 infrastructure has aged.

24 And -- and -- and you may have a mix in that  
25 community of homeowners that are responsible for

1 their home, and, yes, they're paying lot rent to be  
2 there.

3 And then there may also be situations where  
4 people are renting the homes from the community  
5 owner.

6 So there's two different dynamics that are  
7 occurring there.

8 I might -- mentioned earlier that HCR has  
9 made some great strides in putting a program  
10 together to provide manufactured-home replacement  
11 directly to the residents.

12 And I'm not sure if you're familiar with the  
13 project they've worked on in Plattsburgh, New York,  
14 where they're replacing 47 homes in a community that  
15 had -- Governor Cuomo was up there after some  
16 flood damage three years, and -- and made the  
17 commitment that we're gonna -- we're gonna make this  
18 work.

19 That program is great.

20 We would love to have more of that available  
21 to our community residents, because that does  
22 provide them the opportunity to upgrade from what  
23 could be substandard housing.

24 And manufactured homes, as they age, they're  
25 are no different than other house. They're still

1       repairable. The furnace can be replaced. The water  
2       heater can be replaced.

3               And, you know, access to funds and  
4       availability to do that is very important.

5               ASSEMBLYWOMAN HUNTER: I just have one last  
6       question.

7               You had made mentioned about some of the  
8       places that you -- your association, you know,  
9       represents, has walking paths, you had made mention,  
10      and communities centers.

11              And I would just ask, as I represent the  
12      128th Assembly District that has, I would say, no  
13      less than six modular-home parks in its area, that  
14      I'm not aware that they have either one of those  
15      things.

16              How does one community get the benefits of  
17      these community centers and walking paths?

18              BOB CAPENOS: Well, a lot of that occurred  
19      during the initial development of the community, and  
20      the intention.

21              We have one here in Onondaga County that I'm  
22      very familiar with. I believe it's called  
23      Madison Village now, in the town of Clay. It's a  
24      1,000-space community.

25              And it's -- in its infancy in the 1960s, when

1       it was first developed, that community had an indoor  
2       Olympic pool, tennis courts, a 9-hole golf course, a  
3       marina on the Seneca River, walking paths, and --  
4       and all types of things for 1,000 families to -- to  
5       enjoy.

6               Over the years, many of those things have  
7       transformed to either a required sewer plant that  
8       they had to put in, you know, other upgrades that  
9       occurred to the community.

10              But I think a lot of that is really dependent  
11      on what is available at that property.

12              That's one example.

13              Conversely, the example of a smaller  
14      community, they may not have had the opportunity or  
15      the resources to put in those recreational-type  
16      facilities.

17              But I think -- I think all owners want a safe  
18      and good place for people to live.

19              And, you know, I would love to be able to  
20      tell you that every one of them had those  
21      opportunities.

22              ASSEMBLYWOMAN HUNTER: Thank you.

23              SENATOR KAVANAGH: I'm just going to ask one  
24      question, following up on some things.

25              You said that your association does not

1 condone situations where people -- where there's  
2 predatory capital, where people are coming in and  
3 buying these things, and then rapidly raising the  
4 rent beyond what the current residents can pay.

5 I have to say, coming from New York City,  
6 that sounds like a very familiar dynamic, with  
7 especially in communities where they have become  
8 suddenly desirable and you see people are being  
9 pushed out very rapidly.

10 You -- so you think that is a subject for  
11 legitimate -- putting aside that there's a  
12 particular bill that I understand you're going to  
13 speak to the sponsor about, do you think that is  
14 subject for -- that is a legitimate subject for  
15 concern, if we have people looking at these  
16 manufactured home -- homes as an opportunity to  
17 speculate on their ability to rapidly increase the  
18 rent?

19 BOB CAPENOS: I think, with an average  
20 vacancy rate of 21 percent, it's a challenge.

21 I mean, I -- I -- I know in the marketplace  
22 today, if you were to -- I'm going to go back to  
23 Madison Village, the 967-space community that --  
24 which is currently 40 percent vacant, there's a huge  
25 challenge there to get residents in that community.

1           Their rents are in the 500 range a month for  
2 the site.

3           It's -- it's -- it would take -- it's going  
4 to take them a number of years to fill those sites.

5           So I -- you know, I'm not so sure that --  
6 that --

7           SENATOR KAVANAGH: Just -- let me ask you,  
8 because I'm not going to ask you to pass judgment on  
9 any particular member, or perhaps nonmember, of your  
10 association.

11           But we certainly have heard stories, and  
12 we -- you know, we were pursuing this.

13           But -- and by the way, we also all very, you  
14 know, happily added money to that program that you  
15 mentioned earlier.

16           BOB CAPENOS: Thank you.

17           SENATOR KAVANAGH: Another round this year.

18           We're interested in addressing this, and  
19 we're interested in working with responsible owners.

20           But, we have heard stories, I assume you have  
21 heard stories, of people looking at these things  
22 and, like, looking at them as investments, buying,  
23 and then very substan -- and then announcing very  
24 substantial rent increases upon acquisition of these  
25 things.



1 Is that -- I mean --

2 BOB CAPENOS: That's a problem.

3 SENATOR KAVANAGH: -- right.

4 BOB CAPENOS: That's a problem.

5 SENATOR KAVANAGH: I'll take that as a  
6 problem that perhaps we should be addressing --

7 SENATOR ANTONACCI: And we would like to work  
8 with the Legislature in addressing that problem.

9 SENATOR KAVANAGH: Yep, okay.

10 We appreciate your testimony.

11 BOB CAPENOS: Thank you.

12 SENATOR KAVANAGH: Next up, with apologies,  
13 folks, we're going -- we've had some people that  
14 made -- you know, you were -- each person was asked  
15 if they had a specific time constraint.

16 So we're juggling the list a little bit to  
17 accommodate some requests we had.

18 -- we're going to have Twiggy Billue, I'm not  
19 sure I'm saying that properly, come up.

20 And then next up we'll have Council Member --  
21 Syracuse Common Council Member Latoya Allen to  
22 follow up on some of her colleagues that were here  
23 earlier.

24 So, thank you, Ms. Billue, I'm told.

25 TWIGGY BILLUE: Thank you.

1           SENATOR KAVANAGH: Did I get it right the  
2 second time?

3           TWIGGY BILLUE: Yes, you did. Thank you.

4           I wasn't going to complain about the first  
5 time. You were close enough.

6           Good evening, everyone.

7           Thank you for having me, and thank you for  
8 doing this in the city of Syracuse.

9           I am Twiggy Billue. I am the president of  
10 the Syracuse chapter of the National Action Network.

11          And I want to just bring to you some concerns  
12 from our senior population.

13          And as we get started, one of the things that  
14 the National Action Network does, is that we believe  
15 in documentation research.

16          But Reverend Al Sharpton has told us, "when  
17 it is our young people and our elderly people, we  
18 must step in."

19          So that's why I'm here tonight, because we  
20 feel that we must step in.

21          We have a lot of members, and their members'  
22 parents are elderly or live in senior buildings.  
23 And some of them live in buildings that are  
24 controlled by private entities.

25          And although they're on a fixed income, their

1 rental prices keep going up without any affordation  
2 to them, without any letters going out, preparing  
3 them for it.

4 I mean, it's even bad when they can't cross  
5 the street from Seneca Turnpike and Brighton Ave to  
6 get to Kinny Drugstore, or whatnot.

7 That's one thing.

8 But when you can't get your current landlord  
9 to listen, right, when your rent is being assessed,  
10 just as SU students' rents are being assessed.

11 My mother lives at Nob Hill. My mother is 72  
12 years old.

13 They changed management companies and went up  
14 tremendously.

15 Well, what we are used to hearing is  
16 "Nob Hill is high."

17 My mother came from Washington, D.C.

18 There's no rent higher in the country,  
19 I believe, than Washington, D.C.

20 The reason that my mother moved to Suitland,  
21 Maryland, before we brought her here, there was no  
22 rent control in Washington, D.C.

23 So, literally, she was moved out of a place  
24 that she had lived for 30 years, up, because there  
25 was no rent control. It went up to about \$2500 a

1 month in an area that was Anacostia in D.C.

2 So this is similar to an 81 coming through --  
3 a highway, being Main Street, coming through your  
4 town, and rent control being so bad, that you now  
5 have to leave your city and move out to Maryland,  
6 where she lived at until she moved here.

7 Her friends I call the "old-lady gang."

8 They are a group of women that sit in the  
9 lobby of Nob Hill, and they talk about the things  
10 that are going on in their building, about  
11 transportation to and from grocery stores, and other  
12 things.

13 But I would say, since Sinatra Management  
14 Company has taken over, every conversation has been  
15 to get me in the room to talk to me about the  
16 increases in the rent.

17 The increases for people that have service  
18 dogs, that was never an increase because it's a  
19 service dog, are now getting an upcharge of \$200 on  
20 their rent, or, \$20 extra a month on their rent,  
21 when this dog was prescribed by a doctor.

22 So, if we're not sure of who is buying these  
23 buildings or these complexes that our elderly and  
24 that our youth are going to be living in, that they  
25 can make it such a hardship on a person that's

1 already lived there for over 8 to 10 years, to want  
2 to move, and then find, the only place that they can  
3 afford being outside of the city limits, being  
4 outside of all the services that they can make.

5 So, yes, I can move my mother up by OCC, but  
6 she is not going to be able to get around on her own  
7 anymore because the buses aren't the same in that  
8 area as they are.

9 So when you look at rent control as just what  
10 it does to a person's pocket, I think we limit  
11 ourselves, because we're not looking at the other  
12 hardships that it places when they have to move one  
13 set of money over to another, or when they have to  
14 travel now leaps and bounds of ways.

15 I was telling a councilor the other day, that  
16 if you looked at my mother's growing prescription  
17 cost, and her friends' prescription cost, in  
18 addition to the increase in rent, and some of the  
19 other things that are increasing, and a lack of  
20 adjustment in her retirement pay, what is she  
21 supposed to do in 20 years?

22 Well, of course I can move her in with me,  
23 but she has to want to move in with me.

24 Right?

25 She started out living with me, and then

1 wanted to be on her own.

2 And while I have a mother that's  
3 70-some years old and still able to get around  
4 on her own, I don't want to take any of that  
5 quality of life away from her.

6 All of you all there have mothers, that have  
7 some way and somehow have rented, tried to buy a  
8 home.

9 And the only true way, if we're not going to  
10 have rent control, is that we do some rent  
11 stabilization.

12 There has to be programs around, right, that  
13 can -- that can say, well, we don't -- we can  
14 control rent because we're offering homes.

15 Right?

16 There has to be some inclusionary zoning that  
17 allows those apartment buildings that are being  
18 built to include us, at fair market rate, and those  
19 that wouldn't be normally qualified to get into  
20 them, the ability to get into them, and not have to  
21 pay three times the amount that anyone would have to  
22 pay to live.

23 So I come and I appeal to you, when you look  
24 at rent control, don't look at it as, me, the person  
25 that might be able to go out and get another job.

1           Look at my mom.

2           Think about your mother.

3           Think about the mothers and the fathers of  
4 the people that are sitting in here, that are on  
5 fixed incomes, that are doing everything they can to  
6 stay in the city, that are doing everything they can  
7 to stay where they are in the suburbs. But rent is  
8 going up so high, that they're having to make  
9 decisions about where they live, what they eat, what  
10 they buy, and it's not fair.

11           It may be fair to me because I'm more mobile.

12           But when we look at inclusionary zoning, when  
13 we look at rent control, when we look at  
14 stabilization, we must look at our elderly and our  
15 youth, especially those youth that are receiving  
16 free lunch, that have been transient, that have  
17 moved from apartment to apartment, because the  
18 landlords refuse to take care of their apartments.

19           That's a whole nother part of this that  
20 I think we sometimes miss, because some of the  
21 dilapidated housing that's there today is there by  
22 design, is there because no landlord was made to  
23 take care of his buildings.

24           We have a lead-paint crisis in this city.

25           And the house that was just shown on the news

1 has been a house in my neighborhood for a long time.

2 Only now is it a problem?

3 It has to be a problem when you know it goes  
4 against the policy that New York State has put in  
5 place to protect all New Yorkers.

6 All I'm asking you to do is protect all  
7 New Yorkers.

8 Thank you.

9 SENATOR KAVANAGH: Thank you.

10 Questions from colleagues?

11 Okay. We tremendously appreciate your  
12 testimony, and your patience.

13 Thank you so much.

14 TWIGGY BILLUE: Thank you.

15 SENATOR KAVANAGH: Next up we were going to  
16 have, again, a member of the common council,  
17 Latoya Allen.

18 And we will follow Ms. Allen with  
19 Sally Santangelo of the Central New York Fair  
20 Housing.

21 SENATOR MAY: And we can't see the timer down  
22 there, but we're going to try to keep it to  
23 5 minutes.

24 LATOYA ALLEN: 5 minutes?

25 Okay, that's fine. I have to run out



1           anyways.

2                   First I want to say, thank you for coming  
3 here, and thank you for hosting this public hearing,  
4 and thanks to everyone that has spoken before me.

5                   I first want to speak just as a resident and  
6 not as a city councilor.

7                   I live here on the south side. I'm a renter  
8 as of now.

9                   Hopefully, within the next few months, I'll  
10 be able to move and own a home.

11                   But, as for now, I'm a renter, and I'm also a  
12 parent with two boys.

13                   I'm on the city council, so you will all know  
14 that we do not get paid that much, and this is my  
15 one job.

16                   With my salary of \$21,000, I can't afford a  
17 rent increase at all.

18                   A rent increase, a car breakdown, something  
19 goes wrong with my kids, that puts me in a huge  
20 bind.

21                   And for something that wouldn't be an issue  
22 for other people would definitely be an issue for  
23 me.

24                   We have to look at this, the lack of  
25 affordable housing in Syracuse, and the lack of

1 affordable quality housing in Syracuse, is directly  
2 related to so many other issues that we have here in  
3 the city.

4 So, everyone, they run around and they talk  
5 about this word "poverty." Right?

6 Let's talk about poverty.

7 Our education system may not be the best  
8 here.

9 All of these things are tied directly to  
10 housing.

11 As I don't have a comfortable house to go  
12 into at the end of the day and lay my head down and  
13 take care of my kids, my kids cannot go to school  
14 and focus the way they need to focus to get a good  
15 education.

16 If I don't have a quality home to go to every  
17 night, that's going to be hard for me to get up  
18 every day and go to work, work all day, but still  
19 come home to something that is less than what  
20 I deserve.

21 This past Monday I put forth a -- it was a  
22 resolution to support the costs by our wonderful  
23 Assemblywoman Pam Hunter.

24 And I was almost disgusted that I had to hold  
25 the item.

1           And the reason why I held it was because it  
2 did not have the votes to pass by our councilors  
3 that, we in this room have elected, to make sure  
4 that we in this room have everything that we need to  
5 be successful, to be able to stay in Syracuse; live  
6 here, work here, and raise our families here.

7           And I knew that it wouldn't have enough votes  
8 to pass.

9           And some of it I believe was done in a  
10 selfish manner. But then, also, I think it's  
11 just -- it's a huge disconnect.

12           And, for me, that becomes a problem, when we  
13 have elected officials in a place where they're  
14 supposed to be able to connect to us so, that way,  
15 they can pass legislation and pass laws that protect  
16 us.

17           And in this moment, it seems like it failed,  
18 and I feel like we failed.

19           We felt there was many people that live in  
20 substandard housing.

21           We felt there was many people that are forced  
22 to move because they can't afford their rent when  
23 their landlord wants to hike the price.

24           We need something here, especially in  
25 Syracuse, that will stabilize rent in this area.

1 Right now, when I calculate my expenses, if  
2 my rent goes up \$50, I can't afford it anymore.

3 So that means now I have -- I'm in -- I'm put  
4 in a position to where I have to move.

5 And I know there are so many other people  
6 that deal with this on a daily basis.

7 And, for me, it's unfair.

8 And we're at this time, right now, where we  
9 can put something in place that would prevent this.

10 So I'm urging you and your colleagues to  
11 please allow this bill to pass.

12 And I'm urging, and calling -- I only see two  
13 of my colleagues here right now, but the other ones  
14 that were against it, I'm urging on them to support  
15 this legislation, even if you're in a position to  
16 where you go home and you live in a comfortable  
17 neighborhood and you live in a comfortable house,  
18 and you're not worried how you're going to pay your  
19 rent and how you're going to pay your bills.

20 There are people that are worried about that  
21 every single day.

22 And I feel like we have to do something now  
23 to make sure that that worry can go away.

24 So I'm not going to take up too much of your  
25 time 'cause I have to go get my children.

1           But, I do want to say, thank you, and  
2 I appreciate you guys for coming out here.

3           And I thank everybody for coming and speaking  
4 up, even if it's not for you, just speaking up for  
5 your neighbors and for the people that you care  
6 about here in the city of Syracuse.

7           Thank you.

8           SENATOR KAVANAGH: Thank you.

9           Any -- do you have a couple of questions?

10          SENATOR MAY: I just want to apologize.

11          It was supposed to be 10 minutes.

12          The other hearings we've had, we had to keep  
13 them to five.

14          LATOYA ALLEN: It's okay, I totally  
15 understand.

16          SENATOR MAY: I'm sorry.

17          SENATOR KAVANAGH: All right.

18          Senator Salazar.

19          SENATOR SALAZAR: Thank you for your  
20 testimony.

21          I just wanted to ask, regarding the  
22 resolution that you brought to the common council in  
23 support of good-cause, did you have conversations  
24 with your colleagues?

25          And could you explain maybe concerns that

1 they expressed or reasons that they cited for not  
2 supporting the resolution?

3 LATOYA ALLEN: Yes.

4 We actually had a committee meeting, so we  
5 had a committee meeting that lasted about an hour.

6 The main concern was that it was going to  
7 hinder landlords from wanting to rent out  
8 properties, supposedly.

9 So, basically, it was, they chose the  
10 landlords over the tenants, pretty much.

11 SENATOR ANTONACCI: Thank you, Mr. Chairman.

12 Councilor, thank you for your service.

13 I believe we -- I know who you are,  
14 obviously, but I believe we met at the Syracuse  
15 (indiscernible) football game. Is that correct?

16 LATOYA ALLEN: Yes, yes, (indiscernible).

17 SENATOR ANTONACCI: Yes, and it was a great  
18 season for the (indiscernible), by the way.

19 So congratulations.

20 LATOYA ALLEN: Thank you.

21 SENATOR ANTONACCI: I read the article  
22 primarily because it was written by the great  
23 Chris Baker, who is also here with us today.

24 I know the result wasn't what you wanted.

25 It did look like there was some pretty good

1 debate.

2           Would it be your preference that the State  
3 pass uniform law that is, you know, I don't want to  
4 say no choice, but that it would be across the state  
5 without any buy-in?

6           Or, is the City, in your opinion, or you as a  
7 councilor, looking for options on these laws, or do  
8 you want them all to be, you know, without a choice?

9           LATOYA ALLEN: I mean, I'm okay with -- I'm  
10 okay with choices, and I'm okay with options,  
11 because I understand that every city is different.

12           So some things that may apply in other cities  
13 doesn't apply in Syracuse, and that was one of the  
14 arguments.

15           So I'm okay with that.

16           But for it to just get dismissed totally, I'm  
17 not okay with that.

18           SENATOR ANTONACCI: Okay. Thank you.

19           LATOYA ALLEN: You're welcome.

20           SENATOR KAVANAGH: Thank you.

21           LATOYA ALLEN: All right.

22           Thank you.

23           SENATOR KAVANAGH: So, Sally Santangelo.

24           Welcome.

25           And we are just -- so we have many witnesses,

1 we appreciate your patience.

2 We are going to -- I think, my colleagues and  
3 I, we will ask questions as they come up.

4 I think we are going to try to sort of have a  
5 less-spirited dialogue with -- you know, maybe fewer  
6 questions.

7 But, obviously, to the extent members have  
8 questions, they should continue to ask them.

9 But, thank you for your time.

10 SALLY SANTANGELO: Thank you for your time.  
11 We certainly appreciate you coming here and  
12 listening to our voices on these important housing  
13 protections.

14 I'm the executive director of CNY Fair  
15 Housing.

16 We are a nonprofit fair-housing services  
17 organization that serves nine counties of central  
18 and northern New York.

19 We cover from Binghamton to Massena, and from  
20 Auburn to Utica, and in that, we serve a lot of  
21 different areas, not only the city of Syracuse and  
22 our suburban communities, but we serve a lot of the  
23 small cities, including Oswego, Auburn, Rome, Utica,  
24 Binghamton, Watertown, as well a lot of the rural  
25 areas, of course, all of the rural areas in between.



1           And what's remarkable, I think, to us, is how  
2 often we see the same issues throughout the areas we  
3 serve.

4           So our organization works to eliminate  
5 housing discrimination.

6           We investigate complaints and provide  
7 counseling and referrals -- or, counseling and  
8 advocacy to victims of housing discrimination.

9           We have attorneys on staff who provide legal  
10 representation to victims as well.

11           And, we educate about 1500 to 2,000 people a  
12 year on housing rights and responsibilities.

13           We also provide technical assistance to  
14 municipalities, to improve housing choice and  
15 opportunities.

16           And a lot of the calls we receive are related  
17 to landlord-tenant issues, and not just fair-housing  
18 and housing-discrimination complaints, and we  
19 provide these tenants with counseling as well on  
20 their housing rights.

21           And I want to comment specifically on support  
22 of the good-cause eviction bill.

23           I think one of the biggest problems we see,  
24 whether it's in the city of Syracuse or in  
25 Oswego County or the other areas we serve, is the

1           quality of housing.

2                   And we need to do more to empower tenants to  
3 hold their housing providers responsible, and  
4 I think that this bill would go a long ways in doing  
5 that.

6                   We advise tenants about what their rights are  
7 related to their housing. We advise them to call  
8 code enforcement. We advise them on how to talk to  
9 their landlord and request repairs from their  
10 landlord. And we always advise them to be prepared  
11 to have to leave the apartment because their  
12 landlord may not renew their lease if they complain.

13                   And, especially with a month-to-month tenant,  
14 we let them know, yes, you should call codes; yes,  
15 you should request the maintenance of this  
16 landlord -- from the landlord; and you should also  
17 start looking for other housing, because that's the  
18 reality.

19                   And it's sometimes even worse in rural areas  
20 where the landlord -- where we have almost no code  
21 enforcement, where the landlords are friends with  
22 the code-enforcement officer, or where we have  
23 judges who have told our clients that, things like,  
24 a home is habitable even when they don't have  
25 working toilets.

1           We even see concerns -- we advise people, of  
2           course, that there is, you know, protections against  
3           retaliation, but that it is very difficult to prove  
4           that.

5           And we -- even in our fair-housing cases,  
6           even in cases we are actually filing federal  
7           complaints, or even state complaints, we see  
8           retaliation for those individuals for enforcing  
9           their fair-housing rights.

10          We have several cases pending right now in  
11          which tenants who have sought reasonable  
12          accommodations did not have their leases renewed.

13          For example, we have one case, where our  
14          staff had called the landlord to ask about a  
15          reasonable accommodation for a tenant, and the  
16          landlord said, Well, if she's just -- if she's not  
17          happy here, I'll just not renew her lease.

18          And we explained, no, she is happy here. You  
19          know, she just needs this one thing in order to be  
20          able to remain in her housing.

21          So not only are these tenants/these clients  
22          struggling with not what -- not getting what they  
23          need to accommodate their disability, but now  
24          they're struggling with the stress of not knowing if  
25          they can even remain in the home.

1           These cases often take two to three years to  
2 resolve, and so this tenant is living for two to  
3 three years without knowing what the outcome of  
4 their housing case is going to be.

5           So as I said, we need to do more to empower  
6 tenants.

7           And we need to make sure that they have --  
8 are able to enforce the rights that we've given them  
9 when it comes to habitability and the right to a  
10 decent and safe home.

11           We also work on a lot of cases related to  
12 domestic-violence survivors who are evicted for  
13 domestic-violence activity in their homes.

14           I think the just-cause eviction/good-cause  
15 eviction, bill would go a long way in helping  
16 protect those individuals as well.

17           Often they are -- the eviction maybe comes a  
18 couple of months later, so it isn't obvious that  
19 it's because of the police activity. But we do see  
20 cases where women are being evicted, and being told  
21 it's because of the police activity in their home.

22           Regarding some of the other proposed  
23 legislation, I will say the "LLC," I think, bill  
24 would be great.

25           We know in our fair-housing cases it can take

1 months of discovery to identify even who the parties  
2 are in a case that we need to name.

3 And regarding with the rent-control bill,  
4 I think you need to think about how we can define  
5 "vacancy rate" in our community.

6 Our vacancy rate should apply to our  
7 habitable housing.

8 If a house is not habitable, we shouldn't be  
9 calling that "a home that is vacant."

10 It's a structure, and not suitable housing.

11 And so we need to think about that.

12 Perhaps looking at properties that are  
13 approved and inspected through our rental registry  
14 as a trigger for the vacancy-rate provision would be  
15 better than just the number of structures that we  
16 might have, I think would be -- go a long way.

17 I'd also like just to take a moment, we've  
18 been fighting for "source of income" legislation  
19 through -- for many years.

20 And I just want to take a moment to thank you  
21 for your support in passing statewide "source of  
22 income" protection.

23 We are excited about this. We can't wait to  
24 start enforcing it.

25 I really -- like, we really can't wait to

1 start enforcing it, and filing some cases to expand  
2 housing choice for voucher holders throughout the  
3 state.

4 I'd be happy to take questions.

5 SENATOR KAVANAGH: Great. Thank you.

6 And I think I'll defer to my colleagues.

7 Senator May.

8 SENATOR MAY: Thank you.

9 Thank you, Sally, for the work you do.

10 I have a question about what leverage tenants  
11 can possibly have.

12 It seems like, in a lot of ways, that the  
13 landlords have all the leverage, and -- and even  
14 incentive, to evict tenants.

15 Can -- can tenants withhold rent in escrow in  
16 order to -- you know, if they have a complaint?

17 Or, is there any leverage like that, or  
18 should there be?

19 SALLY SANTANGELO: I mean, certainly, tenants  
20 can hold, you know, rent in escrow.

21 I think the reality is, is when they go to  
22 court, judges usually find that the amount a  
23 particular issue is worth is significantly less than  
24 perhaps what it should be.

25 And so -- and those tenants, you know, it's a

1 very risky thing to hold rent in escrow.

2           Emergencies come up, and so it can be very  
3 risky for a tenant to do that.

4           You know, it's a -- it's a tough way to have  
5 to enforce your rights, is to, basically, bring  
6 yourself to the brink of eviction in order to get  
7 your landlord to make repairs on your property.

8           That's a pretty risky thing for people to  
9 have to do.

10           So I don't think that's the best way that we  
11 need to pursue those things.

12           I wanted to mention one other thing that we  
13 see in some of the communities we serve, is we see  
14 blacklists of tenants, particularly in some of the  
15 smaller cities.

16           We know these exist in places like Massena  
17 and Ogdensburg, where there are -- the communities  
18 are so small that everyone is known.

19           And so there are tenants who may call code  
20 enforcement, may try to enforce their rights.

21           Maybe they complain about sexual harassment  
22 of a landlord.

23           And that landlord puts them on a blacklist  
24 that's then shared among other landlords, and those  
25 tenants can't find housing again.

1           And these things exist, we know they exist,  
2           we've seen some of them in some of these  
3           communities. And people just have very few options  
4           in those places as well, in particular.

5           SENATOR MAY: Thank you.

6           SENATOR KAVANAGH: I have one other.

7           Any other senator, questions?

8           Okay.

9           And did you have a question?

10          Okay, great.

11          ASSEMBLYWOMAN HUNTER: And, Sally, thank you  
12          so much for coming. I always appreciate you putting  
13          forth testimony.

14          And, simply, and this does to the mean to be  
15          a sarcastic question, but, you know, simply, because  
16          this is being live-feed, and I made mention earlier  
17          that there are people who are my colleagues who have  
18          said that we don't have a housing problem, you know,  
19          here. That this kind of problem, relative to  
20          evictions, isn't something that happens outside of  
21          New York City.

22          And I would just ask you, simply, what would  
23          you say to all of those legislative members who feel  
24          that evictions for people calling code enforcement,  
25          you know, where rents are being, you know,



1 increased, where people are blacklisted in places  
2 where you made mention are very rural?

3 What would you say to them to say, it is  
4 happening in your neighborhood?

5 How would you get them to the place to say,  
6 this protects the people who you represent?

7 SALLY SANTANGELO: You know, I welcome anyone  
8 to field calls in my office any day. You know,  
9 these are issues we hear about every day.

10 This week alone we're helping a family who  
11 had, the children were being picked on at school  
12 because they had cockroaches coming out of their  
13 backpack. And they had to have their -- take their  
14 child to the hospital to remove a cockroach from  
15 their ear.

16 This is in the city of Syracuse, and the  
17 landlord has done nothing about it.

18 They also have sewage in their basement. The  
19 children have lead poisoning now.

20 And the system hasn't been working for them  
21 either beyond the individual landlord.

22 It's -- you know, we're happy to share our  
23 data with anyone who questions the stories.

24 We're happy to introduce them to our clients,  
25 to talk about their experiences, and hear from them

1           firsthand on what they are going through.

2                    You know, as you said, all you have do is  
3           look around and you can see these problems.

4                    You can look around the city of Syracuse, you  
5           can look around rural Oswego County or rural  
6           Cayuga County, and see these issues.

7                    They do exist, and we have to be honest about  
8           it.

9                    ASSEMBLYWOMAN HUNTER:   Thank you.

10                   SENATOR KAVANAGH:   I just want to follow up  
11           on the comment.

12                    So the -- the blacklist issue, as I have  
13           experienced it, has come from people culling court  
14           records, are getting data directly, and sort of,  
15           effectively, making a list based on prior court  
16           appearances.  And, you know, the notion that if  
17           you're a landlord and your tenant has been in court,  
18           you should, you know, think twice about renting them  
19           an apartment.

20                    And we -- actually, a number of us tried to  
21           get the office of court administration to address  
22           that directly.

23                    And I think we are -- some of us are  
24           discussing legislative solutions.

25                    But this idea that there's sort of an

1 informal list that's just sort of passed around is  
2 new to me.

3 Has -- do you -- I mean, as someone who's  
4 seen that before and thought about it, is there some  
5 suggestion about how we might address that?

6 Do you think that is something we could  
7 restrict or ban through legislative -- legislation?

8 SALLY SANTANGELO: I don't know how you --  
9 it's a -- you know, it's a -- these are done a lot  
10 of times by private landlord associations and  
11 informal landlord associations. So it is -- I think  
12 that makes it challenging.

13 I -- it would be something I would have to  
14 think about, how you could structure legislation to  
15 address it.

16 I think -- you know, I think blocking court  
17 records, particularly for people who have -- you  
18 know, the eviction -- the eviction issue and  
19 withholding rent, you know, if someone withholds  
20 rent, and then they face eviction for it, now they  
21 have a record of having gone to eviction court, even  
22 if they were in the right in doing so.

23 So blocking that, I think, goes a long ways  
24 in terms of helping people recover from their past  
25 rent -- you know, rental issues.

1 I'm not sure, in terms of the -- you know,  
2 how you would address the -- these kind of private  
3 blacklists, but it's something I'm certainly willing  
4 to put some thought behind.

5 SENATOR KAVANAGH: Yeah, I would ask you,  
6 I mean, to the extent we might be thinking about  
7 (indiscernible) we might.

8 And I just -- you know, there are circum --  
9 there are obviously circumstances where we -- where  
10 collect -- where, you know, an individual can choose  
11 to not do something. But you do it collectively, it  
12 becomes a policy problem. And, you know, boy --  
13 boycotts are illegal in certain cases and  
14 (indiscernible).

15 So I would -- it is -- again, it's a new one  
16 for me, but I think it is something we would like to  
17 explore.

18 You also mentioned, you know, there's data  
19 that you would be willing to share with  
20 (indiscernible).

21 If there is, you know -- your testimony's  
22 been terrific and very helpful.

23 But if you have additional data that you  
24 think would be useful for the Committee to consider,  
25 or our colleagues to consider, and you want to

1 supplement that with your testimony, we would  
2 appreciate it.

3 SALLY SANTANGELO: Okay.

4 Thank you.

5 SENATOR KAVANAGH: Thank you.

6 Next up we're going to have -- we have a  
7 couple of folks from TNT Southside, Palmer Harvey --  
8 Palmer Harvey and Jamie Howley.

9 I think we'll have them come up together.

10 And if there's anyone else who's planning to  
11 testify from TNT Southside, if you want to come on  
12 up together, that would be great.

13 Do you guys want to join the table, or do you  
14 want to -- you okay there?

15 You can sit wherever you want.

16 Great.

17 So if each of you could introduce yourself  
18 for the record, and then, you know, we'll proceed --

19 JAMIE HOWLEY: My name is Jamie Howley, and  
20 I'm a retired social worker.

21 I have lived on the south side for going  
22 on --

23 What?

24 (Discussion between witnesses.)

25 JAMIE HOWLEY: Oh.

1 PALMER HARVEY: My name is Palmer Harvey.

2 Go ahead.

3 JAMIE HOWLEY: I'm Jamie Howley. I'm a  
4 retired social worker, and I've lived on the south  
5 side going on 15 years.

6 Palmer Harvey and I are the co-chairs of the  
7 housing task force with Tomorrow's Neighborhoods  
8 Today Southside.

9 We have been working with Mary Traynor, a  
10 lawyer at Legal Services of CNY.

11 We are just beginning to educate and organize  
12 tenants in Syracuse.

13 Currently, tenants have almost no voice and  
14 are not well organized.

15 The unlucky ones suffer and struggle in their  
16 own private housing hell.

17 So having this hearing held, just a few days  
18 did not allow us a lot of time to collect actual  
19 tenants to come and speak about their situations  
20 with you, and the need to prepare written statements  
21 with 10 printed pages was difficult. I don't have a  
22 printer that works.

23 SENATOR KAVANAGH: We're happy that you're  
24 here to give testimony. That's good enough for us.

25 JAMIE HOWLEY: Okay.

1           Nonetheless, my written testimony follows.

2           My neighborhood has some of the highest  
3 concentration of poverty in the nation for  
4 African-Americans and Spanish-speakers.

5           Just today in "The Post Standard," they  
6 listed Syracuse as having the tenth-highest  
7 concentration of poverty in the nation for cities.

8           Over 90 percent of our housing was built  
9 before 1978 and contains lead paint on the inside  
10 and outside.

11           Over 60 percent of the population are  
12 renters.

13           The total population of Syracuse is a hundred  
14 and forty three.

15           So doing the math, over 85,000 are renters.

16           But I'm not going to focus on the good  
17 landlords or the decent rental properties.

18           I want to talk about that 25 percent who move  
19 at least once a year. Oftentimes, when you're  
20 evicted, you move more than once.

21           Matthew Desmond explained that eviction is  
22 intimately tied with poverty.

23           People lose their possessions as well as  
24 their home.

25           And in Syracuse, 25 percent of that rental

1 population translates into more than 21,000 people.

2 They're constantly -- are constantly churning  
3 population, frequently separating families by  
4 sending members to friends or family members  
5 elsewhere in the city.

6 Children, of course, have their educations  
7 disrupted, and their connections with people who are  
8 important in their lives are also disrupted, and  
9 this is a con -- represents a continuous crisis for  
10 them.

11 This population lives in constant fear of  
12 homelessness, stemming from eviction.

13 The recently released FBI report --

14 Rebecca, what does "FBI" stand for?

15 REBECCA: (Inaudible.)

16 JAMIE HOWLEY: Yes.

17 -- indicated that over 50 percent of people  
18 in Syracuse are paying more than 30 percent of their  
19 income for housing.

20 These people will tolerate the lead poisoning  
21 of their children which threatens their success in  
22 life.

23 They also have infestations of roaches,  
24 bedbugs, and rodents, and they have a higher  
25 percentage of asthma because of this.



1           Tenants may also have issues with sewage  
2 backups, poor insulation, high National Grid bills,  
3 and entry doors that may not have proper locks, mold  
4 and water damage, and so on.

5           The list goes on and on.

6           Eviction leads to a downward snowball effect;  
7 it leads to more problems.

8           A high a number of these properties are  
9 actually owned by out-of-county landlords. Many are  
10 actually from New York City. And they are expanding  
11 their properties here in Central New York because we  
12 do not have the same laws as New York City.

13           They hire -- and they also have limited  
14 liability corporations (LLCs) that help to hide  
15 their ownership.

16           They hire local property managers as  
17 intermediaries who may or may not be responsive to  
18 tenants.

19           Tenants are afraid to call codes to report  
20 even health and safety violations.

21           Section 8 housing in Syracuse has been closed  
22 for 10 years, and there are still 3,000 people on  
23 the list.

24           Syracuse, like many other places across the  
25 nation, is in a rental housing crisis.

1           In Syracuse, this will soon become still  
2 worse because of the I-81 project which will evict  
3 people from public housing.

4           They are being given Section 8 vouchers and  
5 told that they can move anywhere in the  
6 United States, not in Syracuse, because we don't  
7 have enough Section 8 housing for them.

8           This is a devastating thing to say, but this  
9 displacement is going to actually replicate what  
10 happened when 81 first went up.

11           The 15th Ward that was demolished with the  
12 rise of 81 destroyed a vibrant area with  
13 African-American and Jewish businesses and  
14 residents.

15           Furthermore, the bridge paint on elevated  
16 sections of I-81 contains a high level of lead. And  
17 when they take it down, they will have to apply EPA  
18 guidelines to prevent contamination of the city.

19           The housing situation in Syracuse is even  
20 more dire because of this.

21           We are still unsure if the plans will  
22 actually build additional affordable housing before  
23 all this happens.

24           As a social worker, I am concerned with the  
25 housing conditions in the neighborhoods around me.

1           The poorest of the poor have real housing  
2 problems, but that is not their only problem.

3           Moving once a year is expensive, and many of  
4 them are also witnesses to violence in the city.

5           What I'm saying is, that they have multiple  
6 issues that lead to an extremely high level of  
7 stress.

8           It's not surprising that they suffer from  
9 high levels of depression and anxiety, and even  
10 PTSD.

11           In addition, many tenants actually do not  
12 understand that, if they stop paying their rent,  
13 they are increasing the chances that they will be  
14 evicted.

15           Some of them also make the repairs themselves  
16 and deduct the cost of the repairs from their rent.  
17 That also is maybe a prescription for eviction.

18           It's not uncommon for tenants to be placed on  
19 month-to-month leases after the initial yearlong  
20 lease lapses.

21           Landlords can also evict them for no reason,  
22 and give them perhaps 30 days to leave -- vacate.

23           They feel continuous anxiety about keeping  
24 the roof over their heads.

25           These families are usually headed by a woman

1 with several children.

2 Moving suddenly is a crisis situation, but  
3 they are trapped in this situation.

4 Still, somehow, they find the energy to raise  
5 their children, send them to school, feed them,  
6 clothe them, and somehow to carry on.

7 Housing instability has been identified by  
8 our mayor, Ben Walsh, as a problem that flows into  
9 the rest of the city, and must be solved.

10 City schools are not performing well, and  
11 those schools that are substandard are at risk of  
12 being taken over by the State.

13 Violence in the city involves drugs, guns,  
14 and knives, and not just in this neighborhood, but  
15 across the city.

16 In the past, there was a gang battle in the  
17 next block -- in the next block up from where I live  
18 and a woman was shot inside her house.

19 There was also a daylight shooting at the  
20 convenience store on the corner less than two blocks  
21 away. It happened at 2:30 in the afternoon, with  
22 school buses unloading children at the Southwest  
23 Community Center.

24 Fortunately, no one was injured.

25 Good-cause eviction will be a great start to

1 protect good tenants, good landlords, and the  
2 homeowners that live amongst them.

3 Bad landlords must be controlled or forced  
4 out of business.

5 The City -- the City is working on this too,  
6 but expanding rental law to the entire state is an  
7 important part of the solution.

8 New York State would be the second state in  
9 the nation to extend rental legislation.

10 Oregon was the first.

11 Everyone deserves to live in a safe -- in  
12 safe, healthy, and decent housing that they can  
13 afford.

14 Thank you for your consideration.

15 SENATOR KAVANAGH: Thank you.

16 PALMER HARVEY: Syracuse has over 60 percent  
17 renters, and yet we the majority get no respect.

18 We as tenants in Syracuse are subject to  
19 (indiscernible) and mental torture by the hands of  
20 vile, money-hungry, dumpster-fire of people called  
21 "slumlords."

22 Tenants deal with such vile people often will  
23 have to put up with multitude of disgusting,  
24 hazardous, health-declining, pest-infested,  
25 electrical fire possible, crappy housing.

1           Few consumers in the world would continue to  
2 pay for anything that was consistently broken or  
3 never fixed, but a tenant must continue to pay rent  
4 even though their landlord has done the bare, bare  
5 minimum to rectify the maintenance issue that the  
6 tenant's having.

7           At this point, I'm asking myself, why does  
8 New York City get all the tough rental regulations  
9 and the rest of the state is treated like a burden?

10           Tenants in Syracuse are strong because we put  
11 up with a lot to live like this.

12           I want to know, why is it okay for terrible  
13 landlords to pillage their tenants?

14           Our rental-regulation laws are not tough  
15 enough. In fact, these current housing laws  
16 contribute to the delinquency of a bad landlord.

17           I would like to know, why is it okay for the  
18 government to sanction torture of its own people?

19           No one seems to care when a mother has to  
20 consistently take their son or daughter to the  
21 doctors because their apartment that they are living  
22 in is slowly taking the very breath from a child  
23 because of pest infestation, even though the tenant  
24 has made repeated pleas to the landlord to do  
25 something about the poor conditions in their

1 apartment.

2 The only weapon that a tenant has against a  
3 poor-quality landlord is to withhold rent. But,  
4 when a tenant does that in Syracuse, it triggers an  
5 eviction.

6 I have witnessed for-rent signs on apartments  
7 with open code violations for bedbugs, mice, and  
8 roaches.

9 I have seen tenants live in conditions that  
10 should have had a wrecking ball taken to it long  
11 ago.

12 (Indiscernible) evictions of predatory  
13 landlords are a massive business here.

14 If -- I find the poor (indiscernible) that  
15 most of the worst landlords, with the most code  
16 violations, are based in the New York City area.

17 To -- I have known many people over the years  
18 that moved from New York City to Syracuse because  
19 the cost of living is lower.

20 Like, little do they know that they are  
21 giving up stricter housing rights for a  
22 cost-effective life.

23 It's time to say "no more" of this passive  
24 mindset for upstate folks.

25 We are here, we want things to change now.

1 Thank you.

2 But I also want to add to the list, it's  
3 gotten so bad, that I ask for a "top-five bad  
4 landlord" list.

5 And I just want to read you some -- how many  
6 one person has of LLCs here.

7 This person's name is Mindy Colinski (ph.),  
8 and they have several -- three different tax  
9 addresses locally in Brooklyn, New York, and 14 LLCs  
10 located in the city of Syracuse.

11 That's one of the top five.

12 And that -- that landlord has 138 current  
13 open code violations off of one.

14 One.

15 And the list goes on and on.

16 Lawrence, New York, all over, three.

17 And another one in Brooklyn -- and what's the  
18 name here? -- Bernard Iceland.

19 And another one, 16.

20 It's ridiculous.

21 At some point, we, as Syracusans, have to  
22 give -- someone has to do something about this,  
23 because in this current state, at this current  
24 level, it cannot continue.

25 It's gonna be a riot in the streets pretty



1 soon.

2 You're worried about people paying rent.

3 And I will just say also, to add, I'm also  
4 disappointed in my local common council for not  
5 passing the resolution when they know the dire state  
6 that Syracuse is in.

7 I pass the same houses every single day,  
8 I see what they see.

9 JAMIE HOWLEY: I want to speak.

10 Palmer and I are very interactive because we  
11 work together.

12 I want to talk about what Palmer is doing  
13 that she hasn't shared, because she's very modest.

14 Palmer is working at the Maxwell School on  
15 eviction.

16 She goes to eviction court regularly.

17 She follows up and goes to the people's  
18 homes.

19 If she were to sit here and talk to you about  
20 the conditions in the houses that she has visited,  
21 you would feel sick.

22 PALMER HARVEY: I think I often don't talk  
23 about that thing because it takes me, literally,  
24 when I -- after I visit some of these people, at  
25 least two hours to get the depression off of me,

1 because it's so -- the amount of disgust that these  
2 people are allowed to live in.

3 And, to me, the landlord had the nerve to  
4 evict somebody from this?

5 They allow somebody to even give them money  
6 for it, let alone living there.

7 And as I see it, I get the most frustration  
8 with my lawmakers because, okay, if they see what  
9 I'm seeing, what is the problem?

10 What is the problem?

11 And I understand that you -- you want -- or  
12 you say, you guys say, you want to do the best  
13 (indiscernible).

14 If some people are working very hard  
15 (indiscernible), but it's not enough.

16 It is not enough.

17 We depend on you; we elect you to do right by  
18 us. And that's not happening.

19 It makes me physically ill to leave someone's  
20 house. Or, you know, go to these people's house,  
21 and I'm interviewing someone, and, you know, people  
22 say, Well, this person owns the whole block. All --  
23 most of the apartments are like this.

24 I have people chasing me down, saying, Look  
25 at my apartment.

1           You see those pictures there?

2           JAMIE HOWLEY: (Indiscernible) T-shirt.

3           PALMER HARVEY: Those pictures are of  
4 apartments I've been in from the interviews.

5           Why is there a hole there in the apartment?

6           This is not people -- why -- you know, living  
7 there for, like, years and years and years.

8           That's one year.

9           One year.

10          Being in the apartment was like that when  
11 they moved in.

12          So what level are we -- what bar are we going  
13 to set here for these landlords?

14          What are you allowing to happen?

15          That's why I had to reiterate, also  
16 (indiscernible) -- when I look in the New York  
17 State's rental-rights book, the first caveat they  
18 give is for New York City.

19          That's ridiculous.

20          Only these laws for New York City?

21          And we are, literally, having to deal with so  
22 many medical issues from the abhorrent state of  
23 these apartments.

24          People are really having things you wouldn't  
25 imagine, not to mention the sidebar symptoms of

1 depression, no hope, "be prepared to move."

2 I mean, this is the answers I'm giving  
3 tenants:

4 Like, okay, if you call codes, be prepared to  
5 pack your bags. Be prepared to fight in court.  
6 Make sure you have everything ready.

7 I should not be preparing people to go into  
8 battle.

9 This is ridiculous.

10 JAMIE HOWLEY: Palmer, Mary, and I have been  
11 holding monthly tenants' teach-ins at  
12 Beecham Library, and it is not infrequent that we  
13 have to tell people to document what they are doing.

14 Take pictures with your cellphones. Record  
15 every contact you have with the landlord or code  
16 enforcement. You need to back up your case.

17 And if Mary were here, because she's a  
18 lawyer, she would tell you that there are no cases  
19 of tenants suing landlords.

20 It is all about landlords suing tenants.

21 Tenants need protection.

22 Do something.

23 PALMER HARVEY: And (indiscernible) -- so --  
24 the landlord has no rights, retaliatory, to evict  
25 someone.

1           It happens every single day.

2           We just sit in eviction court as people --  
3           the first thing one -- the first thing they say,  
4           Because I called codes on him, this is why I'm here.

5           Oftentimes, the rent is paid by a multitude  
6           of agencies. It has nothing to do with them not  
7           paying rent.

8           It is, literally, because they called codes.

9           And I have seen people with five kids walking  
10          into the courtroom, you know, trying to rectify a  
11          situation.

12          And I say, Well, why are you here if you can  
13          pay your rent?

14          Well, because I called codes, and I'm arguing  
15          with the landlord.

16          It's so many different reasons, it's  
17          ridiculous. And none of it -- it all boils up to a  
18          pettiness.

19          I can just get somebody else in here and you  
20          can go. Why do I need to deal with this headache?  
21          Let me go try and get some other person who's not  
22          going to push as hard for me to actually do anything  
23          for the crap I've created.

24          I mean, it's utter sadness for me to walk  
25          into these apartments and just, you know, try to

1 give somebody hope when I know there's no hope.

2 Thank you.

3 SENATOR KAVANAGH: Thank you.

4 Thank you for your testimony.

5 Questions from colleagues?

6 Well, you said, you know, you want us to do  
7 something?

8 We're here -- oh, did you have a --

9 CHARLIE PIERCE ALLEN (ph.): Yes.

10 My name is Charlie Pierce Allen (ph.).

11 I'm a native Syracusan. I was born and  
12 raised here 70-something years ago.

13 Chairman, I appreciate you coming down here  
14 because, in Syracuse, New York, which is upstate  
15 from you, because you're one of the few chairpersons  
16 of a committee that's been visiting in this  
17 community in a long, long time.

18 And I applaud the senators, Senator May,  
19 Senator Salasa (ph.) (sic) --

20 PALMER HARVEY: Salazar.

21 CHARLIE PIERCE ALLEN (ph.): -- and also  
22 Robert Antonacci, Jr., which I worked with his  
23 father.

24 And, of course, my Assembly Person,  
25 Pam Hunter.

1           So I appreciate you guys coming down here to  
2           give us and get input from us.

3           My concern, basically -- and I haven't read  
4           your bill completely, but I'm going to study it  
5           because I'm an avid reader, and I applaud what  
6           you're doing, and trying to do.

7           But I'm most impressive -- the most  
8           impressive thing about you, is you're here to listen  
9           to what we have to say.

10          And as a homeowner, I retired from Chrysler  
11          in 2002, and I have seen a lot of slum landlords in  
12          our community.

13          I have seen my community before it got --  
14          re-gentrification came here to Syracuse with I-81  
15          coming down in the first place.

16          I was about 13 years old when that took  
17          place.

18          I'm a community activist. I do a lot of  
19          things in our community.

20          But my main concern with what's going on,  
21          I think you guys are looking for solutions, and  
22          I think some of the issues, as far as with these  
23          landlords, and stuff.

24          And I'm also chair person of a homeowners'  
25          association. And what we do as homeowners, we

1 invite tenants to our meeting, and we protect them  
2 from their landlord.

3 So what I mean by that, if a tenant has a  
4 problem, I tell them to address the issue with us,  
5 because we're land own -- we own the homes, so we  
6 will advocate for you.

7 We'll be in there advocating for you against  
8 this slum landlord, whatever, because we got a bunch  
9 of them here in Syracuse, from out of state, like  
10 these ladies says and previous guests has stated,  
11 about the landlord situation here.

12 And we also, in the city of Syracuse, we have  
13 more -- we have more property that is non-taxable  
14 than we have taxable homeowners.

15 And that's the problem that we have to  
16 straighten out as city government, but also I think  
17 State should mandate some of that stuff that's going  
18 on, because Syracuse is just a model city.

19 And if it's happening in Syracuse, it's  
20 happening in a lot of those small cities, that their  
21 taxes -- their tax base are more tax-exempt  
22 properties is going on in these cities, such as  
23 Syracuse.

24 And churches play a big role in that too, as  
25 far as universities, and as far as hospitals, and



1 stuff.

2 I don't know what the rules is about  
3 hospitals and areas not paying taxes.

4 But I think, after I worked for 30 years,  
5 I got to pay taxes.

6 And here I got President Trump don't pay no  
7 taxes. So I got a big issue with that.

8 But still and all, as legislators, I just  
9 hope that you guys look in those directions where  
10 things are -- things can be balanced out strictly,  
11 especially for people that are in modest -- that  
12 live below the poverty line, which we know we have  
13 in Syracuse and other small cities in the state of  
14 New York.

15 Because, we got 64 counties, and I don't know  
16 why, out of 64 counties, that New York State is  
17 behind in a lot of stuff, where, you know, we can do  
18 a lot better than what we're doing if we listen to  
19 the people.

20 Thank you for your time.

21 SENATOR KAVANAGH: Thank you.

22 JAMIE HOWLEY: I also remembered a fact that  
23 I wanted to get across, and that is, that in the  
24 city of Syracuse, there are between 1600 and  
25 1800 abandoned houses.

1           And that's a big problem because they aren't  
2           paying taxes. They're deteriorating, they're  
3           shedding lead into the environment.

4           It's a very big problem.

5           SENATOR KAVANAGH: Thank you.

6           Okay.

7           We appreciate the panel, and we're going to  
8           get to the next witness.

9           But thank you for your testimony.

10          SENATOR ANTONACCI: (Inaudible.)

11          SENATOR KAVANAGH: Oh, we have a -- okay.

12          While we're getting the next -- I'll call up  
13          the next witness (indiscernible).

14          So next up we're going have Maurice Brown,  
15          who is identified on my sheet as a homeowner.

16          Go ahead.

17          SENATOR ANTONACCI: (Inaudible) bringing the  
18          hearing to Syracuse.

19          Thank you, Senator Salazar, for coming.

20          I do have to go out to another commitment, as  
21          I said earlier.

22          But if anyone needs to get a hold of me at my  
23          office, I'm, literally, right next door to  
24          Senator May. You can look up our phone number.

25          But, please, I represent a portion of the

1 city of Syracuse.

2 Feel free to call our office or stop by.

3 I will be stepping out shortly, and I just  
4 wanted to say, thank you, and good-bye.

5 SENATOR KAVANAGH: And we appreciate your  
6 hospitality, and your joining us for the hearing.

7 SENATOR MAY: And I need to say something  
8 too, which is, congratulations to Moe (ph.) Brown  
9 who is graduating from Syracuse University this  
10 weekend.

11 [Applause.]

12 MAURICE BROWN: Thank you, Senator.  
13 I appreciate that.

14 SENATOR KAVANAGH: With that introduction,  
15 the floor is yours.

16 MAURICE BROWN: Senators, thank you --

17 (Inaudible comment from the audience.)

18 UNIDENTIFIED SPEAKER: Am I the only one?

19 MAURICE BROWN: A few other people.

20 Thank you, guys, for holding this hearing.

21 Senator Antonacci, Senator Salazar,  
22 Senator May, Senator Kavanagh, thank you guys for  
23 holding this hearing.

24 Pam just stepped out, but thank you to Pam  
25 for sponsoring this legislation.

1 I would like to start by acknowledging the  
2 Onondaga Nation, the Haudenosaunee, whose land we  
3 are currently on.

4 I think about this legislation, looking back,  
5 looking at how it is now, and how it's going to be  
6 forward. So I look at it in three parts;  
7 specifically, Assembly Bill 0503A, which is the same  
8 as Senate Bill 02892-A, which prohibits eviction  
9 without good cause.

10 For far too long, landlords have taken  
11 advantage of tenants by forcing them to live in  
12 improper living conditions, and making it so, that  
13 if a tenant wants to suggest improvements that the  
14 apartment needs, they are forced to either live with  
15 the -- live with the dysfunction or risk having to  
16 move.

17 This fear, over time, has created a situation  
18 where our properties in Syracuse are so worn, so  
19 very desperately in need of repair and renovation,  
20 that they're almost, in some cases, unliveable.

21 This brings me with an eye to the future.

22 With the EIS's release, it looks like we are  
23 finally going to have a resolution to the I-81  
24 (indiscernible) project here in Syracuse.

25 While I'm happy that it looks like we are

1 trended towards a very much-needed community grid  
2 option, I am worried about what that could mean to  
3 residents and renters living near the project.

4 As our city becomes more vibrant, and our  
5 downtown becomes more exciting and interesting to  
6 live in, we need to be fearful of possible  
7 gentrification, where the market makes it so that  
8 new people who are financially more able and more  
9 well-off are interested to move in, but, in the  
10 process, we get rid of anyone who will stand in  
11 their way.

12 What happens in the past, when a property  
13 becomes more valuable than the current tenant is  
14 paying in rent, the landlord will raise the rent  
15 and, therefore, price-out the tenant.

16 This can very well happen in -- here in  
17 Syracuse as we become a more liveable, a more  
18 walkable, and a more bikable city.

19 I am urging for the passing of the bills  
20 involving expanding the ETPA, as well as  
21 implementing good-cause eviction protections.

22 Our city needs this, our region needs this,  
23 and our state needs this.

24 Thank you.  
25

1           SENATOR MAY: Thank you.

2           Any questions?

3           MAURICE BROWN: If you have any questions?

4 Do you have any questions?

5           SENATOR ANTONACCI: Congratulations.

6           MAURICE BROWN: Thank you. I appreciate  
7 that.

8           SENATOR MAY: Actually, I have a question for  
9 you, Moe, because you also have lived in New York  
10 City.

11          MAURICE BROWN: I have.

12          SENATOR MAY: And we've heard about how the  
13 laws are different there.

14          Are you -- is this -- do you see a difference  
15 in Syracuse, given that we have less-stringent laws  
16 about rental property?

17          MAURICE BROWN: Uhm, yes, in that, I come  
18 from a unique situation, where, just the timing,  
19 while I lived in New York City, I wasn't doing as  
20 well as in life as I am now here in Syracuse.

21          So when I lived in New York City, my family,  
22 we were priced out.

23          We actually lived downtown Brooklyn, near  
24 where the Barclay Center project happened. And the  
25 stadium came in, and we were priced out.

1           Once the stadium came, gentrification hit my  
2 neighborhood really hard.

3           I lived in the Prospect Heights section, and  
4 my family was forced to move.

5           So I've seen the effects of gentrification.

6           It really hurt my family. It destroyed my  
7 mother. We had to move from Prospect Heights. We  
8 moved back to Brownsville.

9           And, it hurts, it hurts.

10          Living one place one month, the rent is \$900.  
11 And then, three months later, the landlord is asking  
12 for \$1500.

13          It's painful. You can't deal with that.

14          And we were priced out.

15          And I'm very fearful of it happening here.

16          I see a lot of the same things happening:

17          That excitement around the new project that's  
18 going to bring jobs to the region. And those jobs  
19 come with people who can afford, you know, a higher  
20 cost of living.

21          And while it's good, we definitely want to be  
22 encouraging, you know, improve property, and we want  
23 to encourage people to move to our downtown, we  
24 can't do it at the cost where we price out everyone  
25 who currently lives there.

1           And, yes, I think this bill does a -- it  
2           won't be like an end-all, be-all, solution, but  
3           I think this is a good step towards not letting that  
4           happen in Syracuse, as well as the rest of New York  
5           City.

6           SENATOR MAY: Thank you.

7           MAURICE BROWN: Thank you, guys.

8           SENATOR MAY: Rebecca Gerard.

9           REBECCCA GERARD: (Not speaking into a  
10          microphone.)

11          So I had just (inaudible).

12          If there are other residents that are waiting  
13          to testify, I'm happy, because I work in Albany, to  
14          testify at a different hearing.

15          Unless I'm last on the list, then I'm happy  
16          to sit down.

17          But -- but if there are other people waiting,  
18          since I work in Albany, I'm more than happy to, you  
19          know, cede my spot.

20          SENATOR MAY: Okay, well, thank you.

21          If you're willing to wait, well, let's go to  
22          a few others. And then if we have time --

23          REBECCCA GERARD: Yeah, I have to present at  
24          a WOP meeting here in Syracuse.

25          SENATOR MAY: Oh, okay.



1 REBECCA GERARD: But I think -- I think it's  
2 more important that the people --

3 SENATOR MAY: That the local people --

4 REBECCA GERARD: -- who are here from this  
5 area get a chance to speak.

6 And I will have a chance to speak at one of  
7 the future events.

8 SENATOR MAY: Okay.

9 Well, thank you very much.

10 In that case, Phil Prehn, followed by  
11 Robert Rubenstein.

12 Is that you?

13 We'll have Phil first, and then just giving  
14 you a heads-up, you'll be next.

15 PHIL PREHN: Hello.

16 Hello?

17 SENATOR MAY: Go ahead.

18 PHIL PREHN: Okay.

19 Thank you very much, Senators May and  
20 Salazar, for having this hearing, and I was  
21 particularly pleased to see it happen here at  
22 Danforth School.

23 For 20 years, starting in 1994, I was the  
24 south-side organizer for Syracuse United Neighbors,  
25 and I walked these streets, door to door, knocking

1 on people's doors and asking them questions about  
2 what was going on in their neighborhoods, and  
3 helping put together coalitions of people that  
4 worked on issues, and most of them surrounded  
5 housing.

6 And I'd like to echo the comments that  
7 Common Council President Hudson, you know, uttered  
8 earlier, that it's widely different today than it  
9 was, you know, 20 years ago, even 10 years ago.

10 You know, we dealt mostly with homeowner  
11 issues -- low-income homeowner issues.

12 And -- but now it's mostly tenant issues, and  
13 tenants are under attack by a very new breed of  
14 predatory landlords.

15 And we're very happy to see some of the  
16 legislation that's being proposed here today.

17 Currently, I work as the systems change  
18 advocate for ARISE.

19 ARISE is an independent living center,  
20 one of thirty-two across the state. We operate  
21 in five counties.

22 I work here out of Syracuse. I'm the systems  
23 change advocate.

24 We work to help change policy, and to improve  
25 the lives of people with disabilities, and help

1 people with disabilities live independently in the  
2 community.

3 Obviously, one of the major things that  
4 people need, as a person with a disability to live  
5 independently, is a place to live. And it's become  
6 increasingly hard for people with disabilities to  
7 find a place to live, largely for two reasons:

8 First of all, to find a place that's  
9 affordable, and second of all, to find a place  
10 that's accessible.

11 In the city of Syracuse, affordability is the  
12 key issue for people with disabilities.

13 People with disabilities are amongst the  
14 poorest group of people in the city of Syracuse.

15 The city of Syracuse has the  
16 ninth-highest-rated rate of poverty in the nation.

17 People with disabilities exceed that level of  
18 32 percent.

19 40 percent of people with disabilities in the  
20 city of Syracuse live under the poverty level.

21 A person with disability, for instance,  
22 living on social -- supplemental security income  
23 (SSI) benefits receives a little over \$850 a month.

24 An affordable house is something that takes  
25 30 percent or less of your income to pay for,

1 traditionally.

2 That would be \$255.

3 HUD's fair-market rate estimate for a  
4 one-bedroom apartment in Syracuse is \$688.

5 So it would take 81 percent of an SSI  
6 benefit, for a person of disability in Syracuse  
7 relying on that kind of benefit, to afford their  
8 home.

9 And, of course, the other big, critical  
10 challenge faced by tenants with disabilities is a  
11 need for accessible housing units.

12 Basic accessibility is a home with either a  
13 no-step entrance or a ramp, a 36-inch wide doorway,  
14 living space on the first floor that's wide enough,  
15 and, hopefully, with a bathroom. It has a 5-foot  
16 turning radius in the kitchen and other areas.

17 The housing stock in the city of Syracuse,  
18 mostly older one- and two-family structures, were  
19 not built with accessibility in mind.

20 95 percent of the housing in Syracuse was  
21 built prior to 1990.

22 That's when the ADA was passed and the Fair  
23 Housing Act was amended to require construction for  
24 four more units to be accessible.

25 And that's the other big issue: The

1 requirements for accessibility under the Fair  
2 Housing Act really focuses on multi-unit properties,  
3 and those don't exist within the city of Syracuse.

4 They largely exist in Onondaga County out in  
5 the suburbs.

6 And people who -- people with disabilities,  
7 on limited income and looking for accessible  
8 housing, often find it very difficult to access  
9 those kind of apartments even if they're accessible,  
10 largely because they have higher rents and they're  
11 not always served by adequate public transit.

12 So as a result, people with disabilities are  
13 facing, in the city of Syracuse, wait lists of at  
14 least a year or more.

15 We've heard of people waiting for up to  
16 four years for an accessible and affordable place to  
17 live.

18 The alternative is:

19 Paying up to 50 to 75 percent of your income  
20 for your housing;

21 To just give up and live in housing that's  
22 not accessible at all, and have people drag your  
23 wheelchair up the stairs, or, you know, be in a  
24 place that's hard to occupy safely.

25 The worst-case scenario, of course, is being

1 forced out of your home into a nursing home or  
2 another institutionalized set.

3 So there are several things that we're  
4 looking for the New York State Legislature to do to  
5 help tenants with disabilities find this kind of  
6 affordable and accessible housing.

7 We -- ARISE adds its voice to the people  
8 today, asking, you know, for some of the legislation  
9 that we've been proposing.

10 You know, and one of the ones that wasn't  
11 mentioned, that I'd like to focus on, is -- it's  
12 Senate Bill 2375, sponsored by Senator Krueger,  
13 and it's in the Assembly, it's 1620, by Assembly  
14 Member Hevesi: Housing Stability Supports.

15 This would create a new statewide rent  
16 supplement for families and individuals eligible for  
17 public assistance and are facing eviction or  
18 homelessness or loss of housing due to domestic  
19 violence.

20 HSS would replace all current rent  
21 supplements.

22 So, currently, the stipend for a person on  
23 public assistance for -- in Onondaga County is  
24 something like \$375.

25 Housing Stability Support proposes to pay

1 80 percent of this -- of HUD fair-market rate of  
2 \$800.

3 And the county has the option to bring that  
4 up to 100 percent of HUD fair-market value.

5 The alternative is paying for people to be  
6 in, you know, homeless shelters, and it's a serious  
7 problem here as well.

8 It's not as huge a problem maybe as perhaps  
9 downstate, but it's still a problem here.

10 One of the interesting things that we find is  
11 that a lot of -- an unintended consequence is that a  
12 lot of, you know, housing shelters, homeless  
13 shelters, are not accessible, and people with  
14 disabilities have time -- a hard time accessing  
15 them.

16 And one of the perverse things about that is  
17 that, in order to get any of the services that flow  
18 with the federal government's money for  
19 homelessness, the continuum of care, you have to be  
20 in that shelter before all the services kick in and  
21 people look at you and start talking about your  
22 situation.

23 And so we find a lot of people who are  
24 out-of-doors and other places like that are not  
25 eligible.

1           We've had situations where, a mother who is a  
2 caregiver for her son, they both arrived at the  
3 shelter, and that shelter says, "We don't allow male  
4 and females to be in the same room."

5           They broke them apart.

6           And because the son was -- had so many  
7 difficulties as a person with a disability, they  
8 shipped him off to a nursing home in Cortland  
9 30 miles away.

10          So, you know, it's -- it's -- people with  
11 disabilities face a lot of issues.

12          I know Sally Santangelo mentioned that, you  
13 know, asking for a reasonable accommodation  
14 oftentimes results in, you know, an eviction notice  
15 from landlords.

16          Ironically, people with disabilities,  
17 requesting to make your apartment more accessible,  
18 it's just a request to be allowed to pay for it  
19 yourself.

20          You know, that's what they're asking.

21          And oftentimes, even just that, saying,  
22 "I want to, you know, put in a ramp. I'll pay for  
23 it. I want, you know, grab bars in the bathroom,"  
24 result in that.

25          Oftentimes, you know, we've seen instances



1 with just pure, you know, ignorance of what a person  
2 with disability goes through, that landlords are  
3 scared they're going to be liable for problems.

4 We had a woman who got a -- one of the very  
5 rare Section 8 vouchers in our town, because the  
6 Section 8 list is closed, has been closed for  
7 several years.

8 She finally made it to the top of the list.

9 And she was -- she took the whole 120 days to  
10 try to find a place to use her voucher, and could  
11 not.

12 So, I guess my time is up.

13 SENATOR KAVANAGH: Yeah, I'm (indiscernible)  
14 just because we have a limited amount of time here.

15 But we really -- we tremendously appreciate  
16 your testimony.

17 Do we have any questions from my colleagues?

18 PHIL PREHN: And very quickly, I'd like to  
19 say, thank -- I'd like to support, also,  
20 Senator Hunter -- uh, Assemblyman (sic) Hunter and  
21 Senator May's bill to, you know, require, before  
22 imposing sanctions with DSS, to ask about  
23 accommodations for disabilities.

24 SENATOR KAVANAGH: Good.

25 Again, we appreciate all of your testimony,

1 and, you know, thank you.

2 Next up we have -- I think we're going to  
3 bring these folks up together, if that makes sense  
4 to you, Paul Ciavarri of Legal Services of Central  
5 New York, and Robert Rubinstein of Hiscock Legal Aid  
6 Society.

7 Am I saying that properly?

8 Which one are you?

9 ROBERT RUBENSTEIN: Robert Rubenstein.

10 SENATOR KAVANAGH: Okay, great. Thank you.

11 Welcome.

12 So if you could just say your name into the  
13 mic for the record, and then we'll start.

14 ROBERT RUBENSTEIN: Robert Rubenstein.

15 I apologize, Senators. I wasn't aware that  
16 I would be giving any testimony, so I don't have any  
17 prepared remarks that were sent to the Committee.

18 I guess really all I can provide to the  
19 Committee with regards to this hearing is my own  
20 personal knowledge as to what happens at court.

21 Myself, alongside with many of the attorneys  
22 who fearlessly defend tenants in eviction court, day  
23 in and day out, we are constantly seeing what the  
24 effects of 30-day notices are having, the effects of  
25 habitability issues within the properties that are

1 not being called into code enforcement, and  
2 resulting in these evictions.

3 Code enforcement can only do so much.

4 There have been many other people who have  
5 testified as to what is being done, what is not  
6 being done.

7 And, again, all I can tell the Committee is  
8 what I see at court.

9 And a complaint gets made to code  
10 enforcement. A report gets made. Little to nothing  
11 gets done.

12 And, yes, there is retaliation by landlords.

13 I have made those arguments myself in court.

14 I have had to make the case. In some  
15 instances I succeed. In others I don't, because  
16 there is a rebuttable presumption.

17 The fact that many of these tenants are  
18 scared to call code enforcement results in  
19 deplorable conditions that many of our city's  
20 tenants have to live in.

21 There are unknown numbers of tenants who are  
22 probably being forced to move because they would  
23 rather not deal with the court system, or they're  
24 being intimidated or harassed by their landlords.

25 I'm not trying to paint all landlords with a

1 broad brush.

2 There are some who do listen to their tenants  
3 and do what needs to be done.

4 But there are, especially those that we deal  
5 with in court, not -- they're not doing what they  
6 should be doing.

7 The issue of a 30-day notice is devastating  
8 on a lot of tenants, because a lot of them will say,  
9 "I have paid my rent. I don't know why this is  
10 happening. Why is my landlord kicking me out?"

11 You know, strengthening that protection, you  
12 know, making it so that a 30-day notice has to have  
13 very specific reasons as to why it can be served,  
14 will provide tenants that security with contacting  
15 code enforcement.

16 The Committee's heard about tenants using  
17 their only weapon, which is rent, against the  
18 landlords being extremely risky.

19 The withholding of rent will almost always  
20 bring the tenant into court, and it will almost  
21 always require either a payment of that rent, either  
22 in full or abated because the Court has ordered it  
23 so, or the tenant has ultimately spent the money  
24 because a lot of our tenants are just one emergency  
25 away from an eviction.

1 I think what this Committee ought to  
2 understand is that, where habitability concerns  
3 arise, and if the Committee wants to provide teeth  
4 to the various code-enforcement agencies around the  
5 state, would be to require and strengthen the  
6 ability of our courts to order repairs to be made by  
7 the landlords.

8 That is generally what tenants want done:  
9 they want the repairs made.

10 You know, you've heard from the tenants that  
11 people are living in these conditions, and they're  
12 putting up with it. But they just want to live in a  
13 decent, habitable home.

14 And we have legislation which requires these  
15 landlords to maintain these properties in a safe --  
16 at a safe -- at a safe standard, and yet it's not  
17 being done.

18 There's no teeth behind it.

19 And I think that that's what this Committee  
20 really ought to consider, in addition to good-cause  
21 eviction, and, as well, any other proposals that are  
22 before it or the rest of the Legislature.

23 SENATOR KAVANAGH: Thank you.

24 And on the -- I just -- I don't know if you  
25 were here before, but this Committee also will be --

1 we will be doing a hearing specifically on  
2 code-enforcement issues, where we're having it in  
3 Newburgh in the Hudson Valley, and focusing on a few  
4 specific localities, so we can go into some depth.

5 We think it will shed light on what we can do  
6 in various places around the state.

7 Just on the last issue you raised, the  
8 question of giving courts the ability to order  
9 repairs, are there models of that that you're  
10 familiar with?

11 Like, I think it happens different -- I mean,  
12 in a New York City context (indiscernible) somewhat  
13 differently, because it often involves the housing  
14 agency itself, sort of, threatening to do the  
15 repairs, and then -- on an emergency basis, and then  
16 bill the landlord.

17 And I think there's usually more than an  
18 administrative agency involved in those cases.

19 But is there -- are there -- are there models  
20 of laws that permit judges to just order it directly  
21 that you're familiar with?

22 ROBERT RUBENSTEIN: So, at present, in terms  
23 of legislation, there is both the Uniform City  
24 Courts Act, which is modeled off of the New York  
25 City Civil Courts Act; specifically, Article 2 of

1 both of those acts, which do grant the courts the  
2 ability to do this; however, it's an equitable power  
3 of the courts.

4 It's one which the courts can use only in a  
5 discretionary manner, and it's not a mandatory power  
6 that the courts can use.

7 I think strengthening that power of the  
8 courts would, in fact, give more teeth behind  
9 complaints to code enforcement about housing  
10 violations, habitability issues that are being  
11 raised, and providing an alternative, especially for  
12 those tenants who just want the repairs made and  
13 have the money there with them, and say, Your Honor,  
14 I have the rent money. I just want them to make the  
15 repairs.

16 SENATOR KAVANAGH: So we, obviously, can  
17 follow up with that.

18 But if you have further -- you know, if --  
19 further thoughts on how to do that, or -- we would  
20 be -- I think we would be interested in having that  
21 conversation.

22 Other questions?

23 SENATOR MAY: Yeah.

24 Thank you for your testimony.

25 I guess one of the things that I'm struggling

1 with is how, in the absence of really enforced  
2 codes, if the City doesn't have the money, for  
3 example, to really do code enforcement, how do you  
4 see the relationship between the legal side of  
5 things and that kind of, just, enforcement side of  
6 things?

7 ROBERT RUBENSTEIN: I think something that  
8 could potentially assist the enforcement of the  
9 various code provisions would be something in the  
10 form of the statewide rental registry, building into  
11 that a possibility, that if a property is not on the  
12 local municipality's rental registry, that there is  
13 no allowed rent to be collected.

14 The majority of cases we see at court are  
15 non-payment of rent, for various reasons.

16 If a property were to be found not on the  
17 rental registry, then it would provide greater  
18 protections to a tenant. It provides a complete  
19 defense, and it's an issue that we can raise.

20 Obviously, being fair-minded, there would  
21 need to be some provisions to allow landlords some  
22 kind of -- I appreciate that things have to be  
23 balanced.

24 It would necessarily have to have some  
25 balance, I think, in order for the Legislature to



1 probably consider passing anything.

2 But that kind of a protection, in terms of a  
3 rental registry, would, I think, provide more  
4 strength to code enforcement, to make sure that the  
5 properties are up to habitable standards, by  
6 requiring these periodic inspections, as  
7 Councilman Driscoll had testified to earlier.

8 SENATOR MAY: Thank you.

9 SENATOR SALAZAR: Thank you so much for your  
10 testimony.

11 I wanted to ask, just for clarification on  
12 what you were proposing with regard to the Civil  
13 Courts Act, is that -- that's not -- or, is it  
14 currently existing legislation, or a proposal to  
15 strengthen CCA 10 -- or, 110?

16 Sorry.

17 ROBERT RUBENSTEIN: The legislation  
18 I referred to, the -- both the Uniform City Courts  
19 Act and the New York City Civil Courts Act, are  
20 existing pieces of legislation.

21 What I would suggest is the Committee or the  
22 Legislature, in full, consider strengthening those  
23 provisions, to change it from a discretionary power  
24 of the courts to a mandatory power of the courts.

25 SENATOR SALAZAR: Thank you.

1 SENATOR KAVANAGH: Great.

2 Thank you again for your testimony,  
3 appreciate it.

4 ROBERT RUBENSTEIN: Thank you, Senators.  
5 Thank you for having the Committee come.

6 SENATOR KAVANAGH: Next --

7 SENATOR MAY: (Inaudible) I apologize, but  
8 I need to leave.

9 But I want to thank again my colleagues for  
10 coming up here and listening to the issues of  
11 Central New York.

12 And I look forward to bringing these -- what  
13 we found, back, and being able to talk to people  
14 about how we are going to act on some of these  
15 issues.

16 So, thank you so much.

17 SENATOR KAVANAGH: And I'd like to thank  
18 Senator May for her -- her and her staff's  
19 assistance in putting this hearing together, and for  
20 her extraordinary advocacy for this community, and  
21 for emphasizing just how important it was for us to  
22 be here today.

23 And we're very happy to accommodate.

24 SENATOR MAY: And let me also thank the  
25 central staff who have come here -- come so far.

1           These guys have been here multiple times now  
2 to help us out.

3           They do a great job.

4           Thank you all.

5           SENATOR KAVANAGH: Thank you.

6           Like I said, next up on my list here, we have  
7 Mark Spatafore (ph.)?

8           Is Mark here?

9           Okay. I don't see mark.

10          Okay. Darlene Medley?

11          Sorry?

12          Sorry, Darlene Medley is next.

13          And, yeah, right that after that we'll have a  
14 panel, including Missy Ross.

15          But, Darlene, come on up.

16          DARLENE MEDLEY: Hello.

17          My name is Darlene Medley.

18          In November of 2017, my home at 255 Rockland  
19 Avenue was deemed unfit for human habitat due to the  
20 foundation of the house completely slipping.

21          I received help from Catholic Charities'  
22 relocation program. They connected me to my current  
23 landlord, MRT Properties.

24          I've been at MRT Properties now for a little  
25 bit over a year.

1           Back in January of 2019 was the last time  
2 I was taken to court by MRT Properties.

3           While in the courtroom, there were 25 other  
4 different cases. All 25 these cases were for  
5 MRT Properties, every single last one of us.

6           We all came from different walks of life,  
7 different sides of town, but we all had the same  
8 common theme: Our landlord does not fix anything.  
9 He just wants our money.

10           So upon that, my landlord was requesting that  
11 I needed to pay 1350, which was more than my average  
12 monthly rent amount.

13           My landlord would wait until the rent would  
14 build up past the monthly rent amount, and then try  
15 and come collect the money.

16           Never once would the landlord leave me with a  
17 copy of my lease, with the proper address to be able  
18 to even get a money order to mail it to him.

19           So this was a continuing pattern.

20           Then, back in November, I had to take my  
21 twins, who are 3 years old, to WIC. This was  
22 November 15th.

23           November 30th I learned that my twins had  
24 high lead levels.

25           One over 22, and one of 12.

1           They are premature twins.

2           The Onondaga County Department of Health  
3           contacted me and came out with a public-health nurse  
4           to teach me how to properly clean up the lead.

5           I was also given ideas on different foods to  
6           help them get the lead levels down.

7           I worked really hard.

8           My twins' lead levels are now 8 and a 9.

9           My landlord was informed that he needed to  
10          remediate the lead.

11          Upon me finding out, I called code  
12          enforcement, and I gave my information.

13          I was told, and I quote: Have you spoken to  
14          your landlord? Because this is going to cause  
15          problems for you and your family.

16          I immediately hung up out of fear.

17          My landlord began to remediate the lead by  
18          sending one man, with one paintbrush and one paint  
19          can.

20          Never once was I asked for a cloth, a spray  
21          bottle, or a bucket.

22          Nothing.

23          My landlord was allowed to pass -- to fail,  
24          excuse me, this inspection on four different  
25          occasions.

1           And so finally the department of health put a  
2 notice my door, which was very embarrassing.

3           The whole time, though, my landlord was  
4 allowed to collect his \$1100.

5           Finally, in March, the apartment supposedly  
6 passed the lead inspection by simply just painting  
7 over it.

8           Upon doing my own research, I learned that my  
9 landlord owned over 100 rental properties, along  
10 with a very wealthy business.

11           I would have been more understanding if he  
12 only owed -- owned, excuse me, four, or maybe even  
13 five properties.

14           But then on top of that, he's also one of the  
15 top ten CNY realtors in Central New York.

16           I lost my job behind this.

17           I even had a mental breakdown behind this.

18           But, I never stopped. I didn't give up.

19           I just knew I had to do something to help  
20 create change.

21           I never thought about being retaliated on, so  
22 I began to speak my story, first to "SU News," then  
23 to News Channel 9, and even going to a legislative  
24 session and speaking there, and to "The Post  
25 Standard," which was just this Tuesday, on the

1 7th.

2 As I was down there and I told my story,  
3 I began to feel -- and start feeling like, you know,  
4 things were moving in a positive direction, and,  
5 maybe, working with my local elected officials in my  
6 community, that we could really create change.

7 On this day, a few of my children had started  
8 to get sick, so I went to the store to get some  
9 chicken noodle soup because I didn't have any in the  
10 cabinets. I hit the corner of Park and Pine, going  
11 down Pine -- going down Pine toward Butternut.

12 I saw my landlord, who made a left, going  
13 down Pine, like he was heading to the highway, he  
14 was going away from my house. So I kind of shrugged  
15 it off, I didn't think anything of it.

16 So when I left the store and I got home,  
17 I got in my driveway, and, literally, as soon as my  
18 feet hit the driveway, my landlord was right behind  
19 me.

20 He was so close I could feel his headlights  
21 on the back of my legs.

22 He called my name numerous times.

23 I didn't have anything to say to my landlord,  
24 because never once did he even knock on the door to  
25 apologize for my twins contacting lead from his

1 property.

2 So I figured, you know what? Let me give him  
3 the benefit of the doubt. Maybe that's what he's  
4 here for.

5 So I went to go listen to what he had to say,  
6 and he began this rant of:

7 Why are you going around lying on me?

8 Why are you telling all these stories on me?

9 Why do you have newspaper people hassling me?

10 I have friends downtown too. They called me  
11 and told me you were there.

12 So I felt real little, and I tried to tell  
13 him: I'm not lying. The lead did come from your  
14 home. Yes, I did tell you I thought it was going  
15 come from Rockland, because that home was deemed  
16 unfit for human habitat. But when they tested them,  
17 and they tested your home, we found it to be here.

18 He therefore looked at me and told me, Do you  
19 know I can have you and your family out of here in  
20 1.5 seconds?

21 I'm a single mother of nine children, eight  
22 whom are boys.

23 If I go to a shelter, my boys that are 14 and  
24 up cannot come to the shelter with me.

25 We would be separated, which is very, very



1       unfair.

2               I'm not a parent that just allows their  
3 children to do what they want.

4               My children did put two holes in this man's  
5 wall.

6               I went out, I bought the Sheetrock, I bought  
7 the plaster, I bought the spatulas, I even bought  
8 paint.

9               All I needed him to do was to send somebody  
10 in my home to properly fix it.

11              He wouldn't even do that.

12              He did not fix the wall until lead came and  
13 told him that he had to fix it, and they gave him  
14 that grant.

15              And the whole time, though, that this man was  
16 failing these inspections, he was allowed to collect  
17 his \$1100, where me and my children are now back on  
18 DSS.

19              We were 30 days away from telling the system  
20 that we did not need them anymore.

21              I was down to the point where DSS was paying  
22 \$282 of my rent. I was paying all the rest of the  
23 rent by myself.

24              I was doing very well before this whole lead  
25 situation happened.

1           And then this man just kind of came and  
2           ripped us apart, basically, by being able to just,  
3           basically, do whatever he wanted to do, because  
4           that's really what happened.

5           So, I'm asking you to really please think  
6           about pushing this, really.

7           Like, we have to do something.

8           There's no protection, and it's not even  
9           about the adult tenants.

10          It's more along the lines for me about the  
11          babies, because, as a mom, I feel like I failed my  
12          children, because now I'm watching my oldest one,  
13          who you could meet when -- before the lead issue  
14          happened, you could sit down with him, and he's 3,  
15          and you could have a full-blown conversation and  
16          understand everything that comes out of his mouth.

17          Now he stutters.

18          I've been going to the same daycare provider  
19          for eight years. The daycare provider has seen a  
20          change in him.

21          They don't -- he doesn't even talk, and  
22          I really believe it's because he's starting to  
23          fumble over his words.

24          My younger twin, he's becoming very violent  
25          and aggressive now. He's always fighting.

1           Their appetites are diminishing. They were  
2 good eaters.

3           I'm talking about, the older one, he loves  
4 vegetables. They're not doing that no more.

5           They were eating fruits. They would go crazy  
6 for bananas and strawberries. (Shakes head.)

7           So now I'm forced to give them whatever I can  
8 get them to eat, meaning, if it's a popsicle;  
9 meaning, if it's a piece of candy, which is  
10 something I don't even allow in my house.

11           But just for them to get something on their  
12 stomach, I'll do what I have to do.

13           And it's very unfair because there was no  
14 protection for me.

15           And now the only thing that I have to show  
16 for is it a Section 8 voucher.

17           I don't want that Section 8 voucher, in all  
18 honesty. It makes it harder for me now.

19           It makes it really hard for me because a lot  
20 of landlords, first of all, they know how many kids  
21 I got. I'm automatically put in a bubble.

22           Then they hear "Section 8." Again, I'm  
23 automatically put in a bubble.

24           But they don't know that I've worked so much  
25 of my life, that within five years I'll have enough

1 credits to the point where, if I wanted to sit down  
2 and collect, I could.

3 That's not the kind of parent I am.

4 I'm really trying to teach my kids to go  
5 above and beyond, to always keep pushing and to be  
6 better.

7 So I ask you, when you go back to Albany and  
8 you talk to your co-workers, remember me, remember  
9 my two twins.

10 Tell my story, and help create the change  
11 that I'm trying to create.

12 Thank you.

13 [Applause.]

14 SENATOR KAVANAGH: Thank you.

15 Thank you.

16 We certainly -- we certainly will remember.

17 Next up we have -- we're going to have --

18 I don't know which of these folks are here.

19 -- Missy Ross and Ahmad Raheem and

20 Mary Cuna (ph.).

21 I have you listed all as a group, but it  
22 looks like, perhaps, we just have Ms. Ross.

23 Okay.

24 Great.

25 MISSY ROSS: Good evening.

1 I'm glad you had the opportunity to hear  
2 Darlene's story before mine.

3 Darlene is one of my friends.

4 I want you to make note that Darlene is not  
5 alone in the situation that she is facing.

6 I talk to people every day.

7 I live on the south side. I talk to people  
8 every day that are in her situation.

9 I don't know how we're going to make  
10 landlords fix any of these things if they can just  
11 kick out, and we have such a lack of affordable  
12 housing.

13 Our houses in Syracuse are so cheap.

14 I'm a homeowner.

15 My mortgage, including my escrow insurance,  
16 all that, is \$506 a month for a 4-bedroom house.

17 Okay?

18 There's no reason.

19 I know people in my same area who are paying  
20 \$1100 for, basically, places that are falling apart,  
21 are uninhabitable, and they're in my neighborhoods  
22 as well.

23 This lead, it's not just on the inside of  
24 those houses. It's on the outside.

25 When they're not fixing that, that's

1 affecting our whole community.

2 It's getting in our soil, it's getting in our  
3 air, and it's impacting our kids.

4 It's impacting violence in our community.

5 It's impacting our graduation rates.

6 It's impacting everything.

7 And I don't see how, if you can just -- we  
8 have such a large group of people who are desperate  
9 for housing that they are willing to live in these.

10 One of my best friends just moved into an  
11 apartment. It has no working stove.

12 No oven, no stove.

13 Catholic Charities placed her there.

14 She's desperate.

15 She was homeless, sleeping couch to couch, so  
16 she is willing to take it. But it's very much not  
17 inhabitable, in my opinion.

18 And that's why we have to start making  
19 landlords accountable. We have to force them to fix  
20 it.

21 You can't just kick people out for  
22 complaining.

23 I mean, it doesn't help our community at  
24 large.

25 It's impacting my neighborhood terribly.

1 I mean, we have people who are also, like  
2 Twiggy said earlier, that are leaving the area  
3 entirely because they can't find affordable,  
4 adequate housing.

5 They're going to live with family and friends  
6 in other parts of the country.

7 And, I mean, someone else mentioned our tax  
8 base.

9 We've got about 58 percent of our taxable  
10 land is exempt right now.

11 We can't keep hemorrhaging people.

12 We have to start correcting what we've got  
13 going on, and we have to start making sure that  
14 these kids' health and safety is a priority.

15 It has got to be a priority.

16 I mean, we have school buildings that have  
17 lead and asbestos in them.

18 We have to start taking these kids seriously,  
19 and their health seriously, because it impacts them  
20 for the rest of their lives, and it costs us money  
21 in the long run.

22 The houses are cheap enough in Syracuse that  
23 these landlords, for the rent that they are  
24 charging, can afford to fix these properties.

25 There's no reason they can't.

1 I'm able to keep up my property. I am poor  
2 as well.

3 It's -- there's no reason why they can't; not  
4 people who are owning lucrative businesses, people  
5 that are owning 100-plus properties.

6 People need that security, that they're not  
7 going to be thrown out when they call codes.

8 And that's, basically, just all I want to  
9 impress upon you, is that it doesn't just hurt the  
10 tenants.

11 It hurts them, it hurts our entire community.

12 And this community needs a lot of help to  
13 rebuild, and we need a lot of investment in our  
14 children and in protecting them, because they fall  
15 into the wayside for too long.

16 Thank you.

17 SENATOR KAVANAGH: Can you actually talk a  
18 little bit about of your -- you are -- you're --  
19 you're managing -- you (indiscernible) talk  
20 (indiscernible) about your property, are you  
21 referring to your home? Do you -- do you -- are  
22 you --

23 MISSY ROSS: Do I own my home?

24 SENATOR KAVANAGH: Yeah.

25 MISSY ROSS: Yes, I've owned my home for



1 13 years.

2 SENATOR KAVANAGH: Okay.

3 MISSY ROSS: I bought my house, basically,  
4 because I was tired of slumlords.

5 I used to live on Lodi and Butternut Street.  
6 There's a red house there, a lot of people know what  
7 it's like, they've seen it. It's there for a long  
8 time.

9 My sink fell off the wall in the bathroom.

10 I had all kinds of chipping paint.

11 The fan was hanging by wires.

12 I mean, and, again, you call and ask for  
13 help.

14 I did end up turning that landlord in to,  
15 actually, it was National Grid, because there was a  
16 gas leak. I was pregnant at the time.

17 So this was 21 years ago.

18 There was a gas leak, and they came and  
19 red-tagged it because that's what the power company  
20 does when there's a gas leak in an oven.

21 So they came and red-tagged it.

22 Let me tell you, that my landlord was so mad,  
23 that he picked that oven up, ancient thing that it  
24 was, and threw it down the stairs.

25 And I looked at him, and I was, like, those

1 are your stairs, not mine.

2 And I moved.

3 And I've had a series of bad landlords.

4 And I had opportunity that not everyone has,  
5 and I was able to purchase my own home.

6 I mean, there was a lot of things going on  
7 in, like, 2006, when I bought my house.

8 There was a lot of programs to help, like,  
9 first-time homebuyers.

10 I got almost \$10,000 worth of grants to buy  
11 my first house.

12 But those things aren't available to people  
13 today.

14 So, I mean, if there's any way to bring those  
15 things back, that would be great.

16 Something else I know, Pam Hunter mentioned,  
17 a bedbug bill.

18 I've not heard anything about that.

19 I'm very interested.

20 We have a serious problem here in Syracuse  
21 with the bedbugs. They're being spread through our  
22 schools, is what's happening.

23 I have had the bedbugs, and I will tell you,  
24 as somebody living in poverty, it is \$3,000 for a  
25 small house. I had to borrow from everyone I know.

1           And I have read articles that having bug  
2           infestations, especially the bedbug infestations,  
3           can cause people to have mental breakdowns because  
4           they start to have a lot of lack of sleep, the  
5           insomnia, and that goes on.

6           So I'd love to hear more about that bill, and  
7           I am glad that somebody is talking about that issue  
8           as well.

9           SENATOR KAVANAGH: Thank you.

10          Yeah, and it's been very recently introduced.  
11          And I have spoken with the Assembly Member about  
12          some -- about the possibility of Senate sponsorship  
13          as well.

14          I will say that, in 2002, I was working for a  
15          city council member in New York, and she proposed  
16          that there needed to be a "bedbug task force" to  
17          start looking at this in New York.

18          And New York has made a lot of progress.

19          But I remember, at the time, people said, you  
20          know, that was -- that seemed like some off-the-wall  
21          idea.

22          But I think people understand that that -- in  
23          many, many of our cities, that's -- it's become a  
24          huge problem.

25          And so, you know, it is something that we --

1 you know, we're also glad that we're seeing a  
2 legislative proposal, and we will be taking a look  
3 it.

4 MISSY ROSS: Thank you.

5 SENATOR KAVANAGH: Thank you so much for your  
6 testimony.

7 Next up we have Geneva Hudson.

8 OFF-CAMERA SPEAKER: She left.

9 SENATOR KAVANAGH: Okay. She was here for  
10 quite a while. So apolo -- tell -- thank her for  
11 her patience, and tell her we're sorry we didn't get  
12 to her.

13 Next up I have, I believe it's Kay -- this is  
14 handwritten -- Kayla --

15 KAYLA KELECHAIN: (Inaudible.)

16 SENATOR KAVANAGH: Yes, that's you.

17 Thank you for saying that better than I could  
18 say it.

19 If you could -- yeah, if you could say your  
20 name for the record, and --

21 KAYLA KELECHAIN: Okay.

22 So my name is Kayla, it's actually,  
23 Kelechain, we say it in Spanish.

24 I actually heard about this a day ago, so  
25 I didn't bring anybody with me.

1 I'm an organizer for the Workers Center of  
2 Central New York.

3 I am really interested in coming here today  
4 because, if you needed stories of bad housing, the  
5 discrimination that goes along with the  
6 gentrification of the city, and, also, those who are  
7 undocumented. Right?

8 And, I don't know if this would relate  
9 farmworkers as well, who -- their -- the properties  
10 that they live on aren't even registered as rental  
11 units.

12 We won one case in Auburn, and we had to do a  
13 lot of work to even get code enforcement involved.

14 I do also want to mention, and thank you for  
15 being sponsors of Green Light NY. So we work on  
16 that here too.

17 Worker Center of Central New York, we serve  
18 Central New York in general. That's a lot of rural  
19 areas.

20 I myself organize in the city, but I think,  
21 most importantly, I'm coming here today to talk  
22 about the experiences I've had.

23 I -- it was interesting when  
24 Assemblywoman Pam Hunter was talking about, the  
25 streets. So it was, what, Ashe Street,

1 Division Street.

2 I've lived on all those streets.

3 I've lived on Park Street.

4 When I first moved here, the first house --  
5 I came with nothing. And the first house that  
6 I moved into had a dead mouse in the light. Right?

7 It was fried because of the light and it was  
8 decomposed.

9 In that same house I woke up to a dead mouse  
10 in my bed. It must have suffocated when I slept.

11 I mean, these were the -- this is the housing  
12 conditions that are prevalent, not only on the north  
13 side of the city, but I'm pretty sure in different  
14 parts of the city.

15 We also had lead in our homes.

16 My daughter would break out into allergic  
17 reactions. When I got testing for her, they said  
18 she was allergic to mice.

19 So you could see how the infestation we had.

20 When we called the landlord, who is out in  
21 California, who has an office here, one of those  
22 LLCs, there's nothing that they could do.

23 I also worked a lot with the refugee  
24 community, and a lot of the people had problems  
25 getting help, right, anything that happened.

1           If it was infestation of bedbugs, they were  
2 made to feel like it's their fault.

3           If there's rodents, it's their fault.

4           But the housing, I mean, there's holes  
5 everywhere, windows are broken, paint is chipping,  
6 doors don't close, and the landlords tell them,  
7 "It's your fault."

8           And, of course, there's that "lack of rights"  
9 piece. Right?

10          There's no real organizing, or, back then,  
11 when I came in 2008, I would say that would be from  
12 2008 to 2010 when I lived on the north side, there  
13 wasn't a lot of help or rights or enforcement.

14          It was just unheard of.

15          And I would say that a lot of the times  
16 people would just move, because they didn't know  
17 what to do. Right? Immigrant communities, they  
18 don't know what to do, and they're scared to say  
19 anything.

20          That's just one -- one part of my life here  
21 in Syracuse.

22          As I moved up, not only academically, but  
23 socioeconomically, right, it was -- I was -- back  
24 then I thought, you know, I need to move out of the  
25 area to look for something else.

1           You have to have three time -- you have to  
2           make three times the amount of your rent to even be  
3           able to rent in a better area.

4           Right?

5           And I would to go places that weren't even  
6           that much better, maybe probably around the  
7           university, because I thought, oh, students, safer,  
8           you have access to like better restaurants, better  
9           busing system, right, all these issues are  
10          connected.

11          And, I'm not a student. I'm not a young  
12          professional.

13          Even though I had a management position at  
14          that time, it seemed like I was barred from renting  
15          in that area. Right? They just want students.

16          I think it's a citywide problem, and I think  
17          it goes beyond legislation.

18          And I'm a little sad to say that I think our  
19          City has to do more, but I think there has to be  
20          more enforcement statewide as well.

21          I -- yeah, I would say so, and I think a lot  
22          of people would agree with me.

23          I moved up a little bit more with pay scale,  
24          so I was able to afford the three times my rent,  
25          because the last time that I looked for something



1 around the university area, which there's a lot of  
2 students who have problems, but they're transient,  
3 right, so nothing really -- there's real no --  
4 there's no organizing that's really going on.

5 There's probably like one group, and I don't  
6 see them here today.

7 But, as I moved up in the pay scale and  
8 I could afford it, and, on paper I looked great.  
9 Right? So they meet me, they give me an apartment,  
10 and I'm, like, I'm one of the lucky ones. Right?  
11 I'm one of the lucky ones that can move out of the  
12 neighborhood.

13 And the neighborhood I live in is a lot  
14 better, but it's not that great, and these problems  
15 are still felt widely.

16 I would say the bedbug problem is a huge,  
17 huge part of my life, where I possibly had a mental  
18 breakdown at that time because I couldn't sleep. My  
19 kids couldn't sleep.

20 And it is like \$3,000 just for a small  
21 apartment. It's ridiculous.

22 And the landlords, again, it's your fault.  
23 Right?

24 We're not allowed access to a better quality  
25 of life. It's our fault.

1           And I think, with this whole ID-1 (ph.)  
2           thing, we have to be really -- I don't know what the  
3           word is, I've been in meetings all day -- but, we  
4           have to be -- we have to push, because I feel like  
5           the City, especially the City, especially the  
6           development agencies, Syracuse industrial  
7           development agencies, is in bed with the developers.

8           Let's just be honest, right, exempt so many  
9           taxes.

10          And they're -- they're -- I sat in a meeting  
11          that was, like, a developer came in, so I think the  
12          developers have a huge part in this as well.

13          They want to attract the best and the  
14          brightest to Syracuse, without -- and the City just  
15          completely like, oh, yeah, let's give you a tax  
16          break.

17          You know what I mean?

18          Without realizing that we have residents  
19          here, who just because we don't fit the  
20          socioeconomic standards that they want the city to  
21          reflect, that we don't deserve the quality of life.

22          And this whole ID-1 thing, they really want  
23          to move people out. They want to displace people,  
24          move them outside, concentrate the poverty. Put  
25          more Family Dollars, Dollar Trees.

1           Those rents are affordable, but they're  
2 really not. They're still like in the \$700 range  
3 for like a two-bedroom, one-bedroom, horrible  
4 housing.

5           There's also the issue -- I mean, all these  
6 issues connect as we know, but they want to take  
7 people out. They're forcing people out. Right?

8           When one tenant moves, they fix up the  
9 apartments and they raise up the rent super high,  
10 and there's more development going on in the city,  
11 and so now they're just barring all these people.

12           Right?

13           They're making it higher, people are forced  
14 to move out.

15           And it's happening more and more, and it's  
16 going to keep happening.

17           And things -- I think one important part also  
18 is deposits.

19           I don't -- I haven't read the bill, I haven't  
20 read the proposals, anything like that, so I'm not  
21 as prepared, but, deposits are a huge part.

22           If -- if I -- I know so many people who have  
23 moved, and can't move, or can't move fast enough.

24           Right?

25           Because nobody depends on code enforcement,

1 I think, unless they have access, or they're able to  
2 have a -- I really think it takes like a support  
3 network for you to be able to get like the help that  
4 you need in this city.

5 But if you don't have that, you're just going  
6 to move and find another place.

7 And, a landlord will use any reason to keep  
8 your deposit.

9 Right?

10 So you pay your first month's rent and your  
11 deposit which is the same.

12 I mean, that's like \$2,000, just to move  
13 to -- I was going to say a "bad" word -- to a basic  
14 apartment that's not in a very safe area.

15 And then when you do move into an area, or  
16 are allowed to rent in an area, that's better, has a  
17 better quality of life, it's almost like you don't  
18 see any more of your kind, you know what I mean, any  
19 more of your people, let's just put it that way.

20 Yeah, and then -- I have a minute left.

21 So, farmworkers, I don't know if this goes to  
22 farmworkers as well.

23 We recently had a case, you could look on  
24 "The Auburn Pub," I believe that's the publication,  
25 there was horrible living conditions, and code

1 enforcement didn't really do anything. And these  
2 people, of course, a lot of them are undocumented,  
3 and they don't feel comfortable.

4 And the landlord, even this place isn't even  
5 registered as a living unit, right, they still have  
6 the audacity to be, like, you've got to, you know,  
7 pack up and move, or we're going to call the police,  
8 and they harass people.

9 I mean, there's just no protections.

10 I think it goes beyond the city.

11 I think the city and the rural areas are --  
12 are -- there's nothing special about any of these  
13 places that we're talking about.

14 I mean, it's all going on in the same place.  
15 Syracuse isn't more special than any other  
16 place.

17 I think it's sad to say that, right, that,  
18 oh, this is just this one isolated case, it's one  
19 city.

20 And it's not.

21 We see it everywhere, discrimination, and  
22 lack of protection, in general.

23 Thank you.

24 SENATOR KAVANAGH: Thank you.

25 Questions?

1 Thank you, I appreciate it.

2 All right, so we're getting down to the --  
3 and we appreciate the patience of those who are  
4 still waiting to testify.

5 I have three people left on my list.

6 I'm going to read them now. Just -- and if  
7 you don't hear your name right now and you're  
8 expecting to testify, speak up. My staff will get  
9 your name now.

10 But we have, Jai Subedi.

11 And then I've got Ayman Moussa.

12 And I've got Carlotta Brown.

13 Okay, and those are the three.

14 Anybody else?

15 I see a few other folks here.

16 Anybody else expecting to testify who hasn't  
17 testified?

18 Okay, great.

19 So, please, begin.

20 JAI SUBEDI: Thank you, Senators.

21 My name is Jai Subedi, and I'm a former  
22 refugee from Bhutan.

23 And my story -- I'd like to high -- most of  
24 the things Kayla mentioned, what we have the north  
25 side, she covered it, most of the things that we are

1       having.

2               But my story, being as a renter, I have to  
3       move five times in two years.

4               So because of the quality of the housing, the  
5       lead issue, how court violation, the landlord is  
6       being very disrespectful.

7               And, finally, we put down a little bit of  
8       money together, and we own the home and we moved in  
9       three years.

10              So that is a good part of the story, that  
11       finally owned the house in three years and move in  
12       our own house.

13              But I'd like to highlight a couple things.

14              I work in the refugee resettlement program as  
15       a housing coordinator for a good chunk of time.  
16       Almost -- I was a case manager for seven years, and  
17       two years for the housing coordinator.

18              So -- but in my prior in case-manager time,  
19       I was -- most of the time I was dealing with the  
20       landlords.

21              And I worked with many landlords. We formed  
22       a landlord association in the city.

23              I worked with the home headquarters, I worked  
24       with city government, to work together in a  
25       collaboration.

1           But most of the time we found, and, the quite  
2 surprising thing that I found, I had interns from  
3 the LeMoyne College, and I used him most of the time  
4 to do a little bit more research on the housing  
5 side.

6           So he made a good effort reaching out to the  
7 different sections of the city, the suburb area,  
8 where we can have new immigrants, or new-arriving  
9 refugee families, can be placed in good areas of the  
10 city or around the cities.

11           So in areas where we found, is some of the  
12 landlords, they don't want to take the  
13 public-assistance money.

14           Some of the areas, they said they don't like  
15 refugees.

16           Some of the areas, they said they don't take  
17 immigrants in their whole area.

18           Some of the areas, they said the housing is  
19 not affordable for them, because they have to rely  
20 on the public-assistance money, which is not  
21 affordable for the small-size families, and they  
22 don't take a lot of size families in those  
23 neighborhood.

24           So, end of the day, we have to stick in the  
25 city where there we can find the houses, but it is



1 always end-of-the day stories, not quality, the lead  
2 issue.

3 And always we have to, as Kayla said, one  
4 after another, one family lives. Then the landlord  
5 comes for a day, he fixed some, he clean up, and  
6 then the next family goes in there tomorrow.

7 There's no time.

8 And, always, the landlord there always after  
9 the money, you know.

10 So -- but there are also good landlords I can  
11 say in the city.

12 So I like to highlight some of the good  
13 landlords that has made good progress in the city.

14 They own the homes from the land bank or from  
15 the foreclosure property. They fix it, and they  
16 rent it to the new immigrants and new refugees  
17 families.

18 So -- and those are former new -- former  
19 refugees or immigrants itself.

20 So what I see is difference, is most of my  
21 previous speaker will say, the investor -- I got a  
22 call from many, many investor during that time.  
23 Some from Washington, D.C., some from New York.

24 Okay, I would like to invest \$5 million. Can  
25 you help me to find the houses?

1           So those kind of calls I got, so I have that  
2 experience.

3           So -- but my -- if we work with the local  
4 landlords, working together, for the quality  
5 housing, the better housing, the tax-revenue side  
6 for the City.

7           And the more homeowners increase program,  
8 I think that will really change the dynamic of the  
9 housing in the city and in the state.

10          The lease, that I like to mention is, the  
11 lease were brought to families, and they don't know.

12          They are not written in their own language  
13 and nobody interpreted in their language.

14          So somebody just made a plus.

15          So if the house is \$1,000, they don't know  
16 how much the rent is it, you know, and for  
17 five-years contract.

18          So they cannot move out for five years, and  
19 they cannot afford \$1,000 for staying in the house.

20          So those would be in the, I think, new  
21 policies should come up, should be interpreted or  
22 have in their language explanation.

23          LLC loopholes would be closed.

24          I know there are many LLCs in the town and in  
25 the city that are taking good advantage of those

1 immigrants and refugees families and low-income  
2 families in the city area.

3 That's where the housing quality we see going  
4 down.

5 And -- and the PM money, you know, they  
6 should be taking the public-assistance money no  
7 matter what.

8 I think they still should come up with some  
9 sort of rules.

10 I don't know if there is any already, no  
11 discrimination.

12 But we see there are many landlords that  
13 refuse to take the public-assistance money, and  
14 they're going after the cash. Maybe they are hiding  
15 their taxes.

16 So this is pretty much I would like to  
17 highlight, and my experience.

18 And the good news from yesterday is, one of  
19 the new refugee family was from Somalia. Moved into  
20 the Kenyan refugee camp for a long time. And came  
21 to Syracuse, and he became a new homeowner in the  
22 city of Syracuse on the north side.

23 So we had a good coverage on the  
24 Syracuse dot-com today.

25 Thank you.

1 Thank you for your time, Senator.

2 SENATOR KAVANAGH: Thank you, and thank you  
3 for your work.

4 JAI SUBEDI: Any question?

5 SENATOR KAVANAGH: I think we're good.  
6 But we appreciate your testimony.

7 Next up, Ayman Moussa.

8 AYMAN MOUSSA: Yes.

9 I have accent too, but I didn't know about  
10 anything until yesterday.

11 I heard the State can regulates rent, and all  
12 that.

13 I moved to the United States about 10 years  
14 ago, in New Jersey. I didn't know how to speak  
15 English. I still don't know to speak English  
16 correctly.

17 I rent basement for \$500, I lived there.

18 I work in (indiscernible). I work 99-Cent  
19 Store. I work so hard, until I find better job.

20 And I then move, my job move me, to Syracuse.

21 And when I came here, it was a dream for me,  
22 because houses is so cheap here, you know.

23 And, luckily, someone from my job tell me,  
24 Don't buy anything in the city of Syracuse. There  
25 is -- anything you buy, you don't know, the value

1       gonna go down.

2               And I meet one in my church. He purchase his  
3 house 30 years ago for \$60,000.

4               This is was -- I have been in Syracuse for  
5 15 year -- or, 14 year.

6               He tried to sells the house for \$60,000 after  
7 10 years. He have a hard time selling it.

8               Okay?

9               Anyway, I start -- I want to buy my own  
10 house.

11              I -- they tells me, Stay away from the city.

12              I -- with my job, I was making \$1400 --  
13 \$14 per hour for my job, and this was really great  
14 for me, and I found apartment for \$650.

15              It's a great, it's a nice, apartment.

16              I rented, and I decided to buy a house.

17              I figured out, it is better for me to buy  
18 two-family house because my wife doesn't work.

19              I end up buys two-family house nearby, and  
20 I become a landlord.

21              Okay?

22              And I start to buys the house next door from  
23 me, and I start to buy several houses.

24              When I heard the government controls the  
25 rent, I came from Egypt.

1           Egypt.

2           Until 1952 was an university Egyptian guy, or  
3 Egyptian people, moved before 1960, because our  
4 economy was so good. Italian people and Greek used  
5 to come to Egypt to find job.

6           Now it is the opposite. We are all over the  
7 place because, what happens, the government want to  
8 protect the poor people. 1952, it becomes a  
9 revolution, and they start to regulate the rent, and  
10 regulate all that.

11           And what happened, once they start to  
12 regulate the rent, people stop investment in real  
13 estate. And people will struggle to find a place to  
14 live for 30 years.

15           Okay?

16           What I'm try to say is, the mores the  
17 government going involved between the landlord and  
18 the tenant, it gonna hurt everybody.

19           The landlord, it's not fun as is right now to  
20 be a landlord.

21           If you gonna make it more difficult for the  
22 landlord, make it a free market.

23           I hear a lot of people, I'm a foreigner too,  
24 if you don't like this house, why you have to stay  
25 there?

1           Go try to find another house, better house.

2           The problem is not -- the problem --  
3       Syracuse, in one point, used to hold almost  
4       250,000 people.

5           Now there is 140,000 people live in Syracuse.

6           And, luckily, we didn't lose 10,000 people,  
7       because there is refugees, 10,000 refugees, move to  
8       Syracuse.

9           Can you imagine the problem, we have too many  
10       vacant houses.

11          Okay?

12          You talk -- you are asking the landlord --  
13       the lead issue.

14          Okay, this is stop 19 -- what, 1970, the lead  
15       issue.

16          I mean, anyone -- landlord, he didn't put  
17       this lead. And it costs a lot of money to removes  
18       the lead. Okay?

19          If you try to pass that to individual as a  
20       landlord, it's not going to be -- it's not going to  
21       be doable.

22          Okay?

23          By the way, I don't own a lot of old houses.

24          I own about 16 houses right now.

25          Okay?

1 I'm doing very well.

2 I'm -- I'm -- I actually -- the only time  
3 I evict, one time, one tenant. Okay?

4 Before, it was okay to say in the ad, No  
5 Section 8 and no public assistance.

6 Okay?

7 Now you cannot say that.

8 Okay?

9 I'm willing to accept Section 8 and public  
10 assistance.

11 But people in Section 8, it has to be limit  
12 for how many year to be in Section 8.

13 How many people -- I'm -- I consider myself  
14 so lucky, because, when I moved to the  
15 United States, nobody show me the freebie stuff.

16 Okay?

17 If I didn't have to work hard, I would be  
18 still relying on Section 8. Or, I never collect  
19 welfare or anything since I moved to the state,  
20 because I didn't know anything about it.

21 I considered myself so lucky not to know  
22 anything, because, if you keep giving someone  
23 something free, he is not going to treat it right,  
24 in my opinion.

25 What I'm asking, you're talking -- I gonna



1 give you one example.

2 Now I become smarter, I try to buy houses  
3 cheap, because, you buy a house here in Syracuse,  
4 you don't make any money equity.

5 The government shift the equity every year  
6 out of the house in Syracuse.

7 Okay?

8 I bought a house for \$60,000 in town of  
9 Salina, okay, two-family house.

10 The house assessed for \$130,000.

11 Okay, I tried to grieve the tax. They tell  
12 me, You get a good deal.

13 Yes, I did, I got a good deal.

14 How much is the tax?

15 It's almost \$7,000. \$7,000 for the tax.

16 I'm still make -- my mortgage is, like, 1500,  
17 I'm collecting 2100. I'm still doing okay.

18 Okay?

19 But what I say, the houses doesn't go up in  
20 value because the tax is so high.

21 The tax is so high.

22 And I look -- I go buy houses from the tax  
23 auction. I look at it, and now when people working  
24 at the tax auction.

25 If we shrink the government a little bit,

1 probably half of these houses not going to go  
2 foreclosure. People will be able to afford these  
3 houses.

4 Most of the people cannot afford the houses  
5 here, not because of the price of the house, but  
6 because of property tax.

7 I heard about, they not going to increase the  
8 property tax more than 2 percent, or something like  
9 that.

10 But they could increase the assessment value.

11 This year I received, like, six houses, each  
12 one, the assessment increased seven, eight thousand  
13 dollars.

14 Okay.

15 I keep all my houses in perfect condition.

16 Any house I rent, it's a beautiful house.

17 I don't mind, I love to live in this house.

18 I treat any -- every -- I treat that my  
19 rental belongs to my own house because this is how  
20 I survive, this is how I live.

21 My (indiscernible) -- I still have full-time  
22 job, plus my renter. But the majority of my income,  
23 I move to bigger house and better neighborhood, and  
24 all this stuff.

25 This is because my rental and my investment.

1           And I -- when I heard that, I'm planning to  
2           keep these houses forever.

3           If the government is going to start to  
4           involve into that, it is gonna to be -- it's not  
5           going to be fun, and the landlords are going to  
6           start to move out.

7           It's already, New York State been losing  
8           population.

9           I don't think -- so, this area, it's a  
10          beautiful area to live.

11          I don't care, whatever who say, it's because  
12          of school, the people move.

13          Mr. Cuomo, he say, because it's cold, the  
14          people are moving out, is not true.

15          People moving out because they are tired from  
16          paying so much tax.

17          The middle-class hurts the most here, and  
18          there is too many jobs here.

19          They couldn't find qualified people because  
20          most of the people start to moving out.

21          SENATOR KAVANAGH: Thank you for your  
22          testimony.

23          I -- a few of the topics you have raised  
24          today, although very important, are not -- are sort  
25          of beyond the scope of what we're here to talk about

1 today.

2 You know, and we might have, in some other  
3 context, be able to have a conversation about the --  
4 you know, the purpose of public assistance and those  
5 things.

6 But besides -- and we -- we have not had a  
7 lot of landlords here, and a lot of landlord  
8 perspectives here.

9 And we understand that what we're talking  
10 about is a set of regulations about (indiscernible).

11 So we do -- we really very much appreciate  
12 your coming here and sharing your perspective.

13 I just want to -- I want to ask you a couple  
14 of questions (indiscernible).

15 AYMAN MOUSSA: Sure.

16 SENATOR KAVANAGH: So you've been here for a  
17 while.

18 AYMAN MOUSSA: Yes.

19 SENATOR KAVANAGH: And you've heard people  
20 testify; you heard lawyers who were in court, you've  
21 heard tenants that have experienced this.

22 If a tenant is in a building that's not as  
23 well maintained as you suggest -- as you have --  
24 that I'm -- I have no doubt yours -- your buildings  
25 are, and there's a problem, and they ask the

1 landlord to fix it, and the landlord doesn't fix it,  
2 and they then decide to complain to the relevant  
3 authorities, the code enforcement, about that  
4 condition, do you think that the landlord ought to  
5 be able to just say, Well, I don't like people who  
6 complain about my building, so I think you should go  
7 elsewhere?

8 AYMAN MOUSSA: No.

9 They could complain. But, if I'm the tenant,  
10 and I don't like this place, there is plenty of  
11 houses I could find in Syracuse.

12 Syracuse is not like New York City.

13 There is -- the apartment I was rented for  
14 \$650 in Syracuse, I have a swimming pool. This is  
15 in Franklin Park Apartment.

16 SENATOR KAVANAGH: We -- I will stip that  
17 we -- some -- those of us from New York City  
18 sometimes marvel at what, you know -- what you can  
19 buy in some places, in some neighborhoods, with --  
20 with -- given the rents in New York City, and we  
21 understand that.

22 But just -- do -- can you see something to  
23 the argument that, if there's a code-enforcement  
24 agency that, if you legitimately complain about a  
25 legitimate problem, there shouldn't be a landlord's

1 ability to retaliate by just saying, you know, your  
2 lease is over and you need to pack up your bags and  
3 go somewhere else, because you complained when there  
4 was no heat in the winter, or because you complained  
5 when, you know, the conditions violated the --

6 AYMAN MOUSSA: I understand there is a lot of  
7 slumlord. I understand it.

8 But, when you start go between the tenant  
9 and the landlord, okay, the same time, in Syracuse,  
10 I see the home development, or they start to build  
11 the brand-new houses in bad neighborhood or rundown  
12 neighborhood, this is not going to fix the  
13 problem.

14 The only problem we have in Syracuse, think  
15 about it.

16 You have, before, in one point, it was  
17 250,000 -- almost 250,000 people living in this  
18 city.

19 Today it is 140,000 people, mean, this city  
20 could handle another 100,000 people to live in the  
21 city.

22 The problem, we have too many people move  
23 out.

24 If you have a car was \$100, and it need  
25 \$5,000 to fix it, are you going to put the \$5,000 to

1 fix this car?

2 I'm asking you here.

3 SENATOR KAVANAGH: And I -- they -- I --

4 AYMAN MOUSSA: You not going to fix it.

5 SENATOR KAVANAGH: -- I think we understand  
6 that people won't spend money unless there is  
7 some -- unless it makes sense for them to do so.

8 And that -- and I think that, you know -- you  
9 know, to the extent, we've had many people say  
10 today, that we stipulate, that many landlords are  
11 good, decent people, trying to provide housing to  
12 people.

13 This is not about, you know, suggesting that  
14 every person -- that every -- that we're not  
15 suggesting that, you know, no landlord should be  
16 able to do their business and do it reasonably and  
17 charge rent.

18 I'm just -- for your comfort, given the  
19 business you're in, we're propose -- there are two  
20 distinct things that are proposed.

21 One is -- I mean, there -- actually, there  
22 are any number of bills we might consider.

23 But the big things that people are focusing  
24 that would constitute rent regulation, and one of  
25 them an expansion of the Emergency Tenant Protection

1 Act, which should allow localities to opt in to this  
2 system under certain circumstances.

3 I mean, New York City and in the current law,  
4 it only applies to buildings with six or more units.

5 So it would not apply to the, sort of, one-  
6 and two-family homes that you're talking about. And  
7 there are other conditions to get into that system.

8 The bill -- the other bill that's been talked  
9 about a lot today is good-cause eviction, does -- is  
10 intended to address situations where people -- where  
11 someone is willing to pay the rent, they're willing  
12 to pay a reasonable rent. But, for reasons that  
13 don't seem justified, the landlord wants to push  
14 them out of the -- wants to evict them.

15 And so that is indeed -- you know, it may not  
16 surprise you that, given that we're in government up  
17 on this panel, we believe in the government  
18 getting -- involving itself in these problems.

19 But it is -- it's not -- there are other  
20 states that have some of these laws on the books,  
21 and have not found it at onerous as you suggest.

22 But we do appreciate your perspective on that  
23 today.

24 AYMAN MOUSSA: Thank you.

25 SENATOR KAVANAGH: Do you want to --



1           SENATOR SALAZAR: Yeah, I -- first of all, as  
2           Senator Kavanaugh said, I really appreciate your  
3           perspective as a property owner, since most of the  
4           testimony today came from tenants.

5           But I was wondering if you had been present  
6           for the testimony of the tenants, and --

7           AYMAN MOUSSA: Yes.

8           SENATOR SALAZAR: -- listened to it.

9           AYMAN MOUSSA: Yes.

10          SENATOR SALAZAR: Because you said in your  
11          testimony that, if someone doesn't like it, that  
12          they should move.

13          But, did you hear, as I did, from the tenants  
14          who relayed their experiences about how they would  
15          not be able to move?

16          They wouldn't be able to afford to move, even  
17          as people who are working, or, certainly, as people  
18          who are perhaps on a fixed income, living with a  
19          disability, aging.

20          AYMAN MOUSSA: I'm 100 percent help the  
21          disability.

22          Okay, I'm came here, anyone talk today,  
23          sitting 10 years ago, he was 1,000 times better than  
24          me because at least he know how to speak English.

25          And when I came here, I didn't know how to

1 speak English. I didn't rely on the government.

2 I work hard to get where I am today.

3 Okay?

4 If I am in their situation, and I have a bad  
5 landlord, I gonna work hard to get myself out of  
6 this situation.

7 I'm not (indiscernible). I used to live in a  
8 basement.

9 I'm not in a basement anymore.

10 People have to take responsibility to improve  
11 their life.

12 Okay, if I'm going rely on the government to  
13 take care of me, okay, I -- this is how it is.

14 I understand, fair -- fair is great.

15 Okay?

16 But if you take from the hard-working guy to  
17 give someone to try to bring in to better equal,  
18 okay, why I work so hard?

19 Why I work so hard?

20 If I sees a person not working hard as much  
21 as me, he has the same standard of living as me.

22 Do you follow me?

23 SENATOR SALAZAR: Yeah, I follow you.

24 But --

25 AYMAN MOUSSA: I'm not a rich guy. I'm not a

1 Trump. I'm not, anything.

2 I'm just -- I have three kids. My wife is at  
3 home. And I work hard to provide for my own family.

4 Okay?

5 And I teach my kids how to rely on themself.

6 Not nobody.

7 When I came to United -- you -- I hear about  
8 discrimination.

9 This is a joke to me.

10 I came from real discrimination.

11 Discrimination to me, I'm Catholic, I'm  
12 Christian, live in Egypt. I'm a minority in Egypt.

13 As a minority in Egypt, you go in Egypt, you  
14 know, we are educated. We are -- but, we get killed  
15 for being Christian.

16 This is to me what discrimination.

17 If someone here doesn't like my skin, who  
18 cares?

19 It doesn't hurt me. It doesn't bother me.

20 It's a joke.

21 Whatever -- the people so sensitive about  
22 discrimination.

23 I don't care if you don't like me because I'm  
24 Brown or Black, or whatever.

25 Okay, but, end of the day, there is law here

1 to protect me, again, if someone discriminate  
2 against me.

3 I have -- I could get a job.

4 I could buy a house.

5 I could -- who care?

6 Whatever inside your heart, I don't care  
7 about.

8 SENATOR SALAZAR: Yeah.

9 Okay.

10 SENATOR KAVANAGH: Again, we very much  
11 appreciate your patience, and your shared  
12 perspective.

13 I'm not sure we have come to a consensus  
14 here.

15 But we -- and, also, we really do appreciate  
16 you joining us.

17 AYMAN MOUSSA: Thank you.

18 SENATOR KAVANAGH: Thank you.

19 And our very last, and very patient, witness,  
20 Carlotta Brown.

21 CHARLOTTA BROWN: I also only found out about  
22 this yesterday.

23 My name is Carlotta Brown. I am the  
24 president of the Onondaga County Real Estate  
25 Investors Club.

1           We have, currently, 80 members who pay to  
2 belong. They own all kinds of properties, whether  
3 it's, you know, one family house, or hundreds of  
4 houses, or multi-family houses.

5           I'm in as a member of our club.

6           I've been to court many times, and I've seen  
7 these attorneys.

8           And I have been here in Syracuse since 2006.

9           I am originally from New York City.

10          I am aware of the rules and rent laws in  
11 New York City, because I was a landlord there also.

12          I'm a real estate broker.

13          And in New York City I was a mortgage-loan  
14 officer for 18 years.

15          So I know a lot about real estate.

16          I moved here, why -- you say, well, why would  
17 I move here?

18          Because the houses were inexpensive, and  
19 I could make a living from renting properties.

20          I'm going to address first what you just  
21 talked about, because I really was -- didn't know  
22 what the two factors that you were actually  
23 interested in talking about, which you just  
24 outlined. Right?

25          The rent regulation. The Emergency Tenant

1 Protection Act was one. And the other one, the  
2 good-cause eviction.

3 SENATOR KAVANAGH: Right, and just to be  
4 clear, the -- you know, the -- the topic of the  
5 hearing is open-ended, and we've had testimony on a  
6 variety of bills.

7 But we're particularly focused on things that  
8 protect tenants, and things that regulate rent, and  
9 those are the two of the very big topics that people  
10 have discussed here today.

11 CHARLOTTA BROWN: Okay.

12 So I personally own about 25 units, and  
13 I manage about 25 units.

14 So, in 15 years, you can imagine how many  
15 tenants I have had.

16 And I'm not a slum landlord, and I don't  
17 represent slum landlords.

18 If I find I have a slum landlord, I quit  
19 them, because I just can't deal with the situation.

20 But, on the other side of it, you know,  
21 I hear, and I've had tenants who had complaints of  
22 what some of the tenants talked about here.

23 But a lot of the tenants cause the problems  
24 themselves.

25 I have properties that I have renovated,

1 totally, 10 times in 15 years.

2 Even today, I had a tenant call me and say,  
3 Well, Ms. Brown, why did you evict me the other day?

4 I said, Oh, really, why did I -- why did you  
5 just break the window when you left?

6 And he wanted to come and collect his  
7 furnishings that was still left in the apartment.

8 I said, Well, we have to fix the door that  
9 you broke the window out, and I have to find out how  
10 much it is.

11 He says, Oh, I know exactly how much it is.  
12 It's \$37, because I've broken it three times before.

13 He only lived there eight months.

14 My point is that, the tenants need to have  
15 some accountability of their own.

16 Kind of what he's saying, that, you know,  
17 we're -- I know sometimes I feel like I'm an  
18 extension of the social service department, because  
19 people in the government feel that, oh, well you own  
20 the house, so it's okay you lose \$2,000 on this, and  
21 \$1,000 on that.

22 I had another time, when I had a  
23 code-enforcement violation against me. I couldn't  
24 pass my rent regu -- my five-year  
25 certificate-of-compliance inspection because of one

1 apartment that a tenant lived in, who was a refugee,  
2 because of the condition of the apartment.

3 Now when he moved in, it was inspected, it  
4 was in great condition.

5 And it had roaches, mice, food everywhere,  
6 beer containers. He had two little children.

7 And I could not pass my inspection because of  
8 that (indiscernible) family.

9 So I called social services, and I made a  
10 complaint about the condition of the apartment.

11 And you know what they told me?

12 They said it wasn't bad enough.

13 So now I'm left, that I can't pass  
14 inspection. I had to pay another fee because I went  
15 past the time that I was allowed to get that.

16 And then, when they did finally move out,  
17 then I had to renovate that apartment again.

18 So there's two sides of it.

19 You do have people who -- I own -- and this  
20 is in the north side of Syracuse, I feel that there  
21 should be more education for the tenants of what is  
22 expected for someone to live in an apartment.

23 You come from the -- you know, the jungles of  
24 Bhutan, you have no -- you don't care that there's  
25 roaches or anything running around.



1           This is what I have learned: They don't care  
2 about those situations.

3           They don't care about washing the wall or  
4 washing the floor, or anything. It's just really,  
5 really dirty.

6           They need tenant education.

7           You also need financial education.

8           The young lady that talked earlier, she  
9 learned how to buy her own house.

10           When we have people here who own more of the  
11 houses here, then they're going to take care of them  
12 because, they bought that door, they bought that  
13 doorknob, they bought that sink.

14           I have people that break sinks and say, oh,  
15 we have an emergency, come over.

16           What happened?

17           Oh, I got in a fight with my boyfriend. The  
18 sink is off the wall. Please come over and fix it  
19 immediately or I'm gonna call code enforcement.

20           I also find that tenants use code enforcement  
21 as a weapon.

22           They'll do things to the property, call code  
23 enforcement to try to get the house condemned.

24           I've had that happen many times.

25           And there really wasn't much wrong with it.

1           But they -- and then I don't tell the tenant  
2           that I'm no longer condemned.

3           You think I'm in this condemned situation,  
4           and then later on they'll say, well, you know, I had  
5           your house condemned.

6           I said, well, the house isn't condemned. I  
7           fixed whatever the problem was.

8           So there's really two sides of the story of  
9           that.

10          Good-cause.

11          And then there's a lot of times you have  
12          apartments that are in -- what I told you was  
13          renovated. The tenant broke, whatever, broke a lot  
14          of things. A landlord doesn't want to fix that.

15          Why are they going to fix it, and they're  
16          going to go back there again and fix it?

17          And if I go in, I put in my lease, that, you  
18          know, you have to keep the appliances clean.

19          I go in the apartment, there's piles of food  
20          on the stove.

21          I have to fix -- if I look back over my  
22          records over time, I kept going to that one  
23          apartment and fixing the stove because there's food  
24          all over it. And they don't -- they say, well,  
25          I paid my rent. I can do whatever I want in the

1 apartment.

2 That's what I've had told to me.

3 So I understand the emergency, you know, and  
4 there should be protection against -- for tenants  
5 who have problems with their landlord.

6 I do feel, though, that tenants have no --  
7 very little accountability.

8 And there's no way here -- this is something  
9 else.

10 When we talk to code enforcement, and code  
11 enforcement has come many times to our organization  
12 to speak, there is no way that they can give any  
13 kind of violation to a tenant, even if they know the  
14 tenant did it.

15 It only goes on the landlord.

16 Another thing that's here, we need as  
17 landlords, is more help fixing the properties.

18 As Ayman said, why would -- you know, there  
19 only gonna be a certain limit of money that -- as a  
20 businessperson, that they're going to put into a  
21 property, knowing that it's not going to be worth  
22 it.

23 So, in a lot of cases, especially on the  
24 south side where the houses aren't worth more than  
25 thirty-five, forty thousand, for a one-family, they

1 can't some spend, ten, fifteen, twenty thousand  
2 dollars for lead remediation.

3 I currently, right now, am working with one  
4 of my landlords who has a lead case, where the  
5 tenant actually lived in an apartment that had been  
6 renovated.

7 So the only things that was found to have  
8 lead was the windows.

9 And the tenant told me, I'm going have this  
10 place shut down. I'm going to call every agency  
11 I can find, just to get back at you.

12 The house is an older house.

13 We currently are working on estimates right  
14 now. The work that's going to be done is around  
15 \$60,000 for a three-family house, for lead  
16 remediation and upgrading.

17 So there needs to be more programs to help --  
18 grants, or whatever, to help the landlords abate  
19 some of these problems that's beyond their control.

20 The houses were built -- the average house  
21 here is built in 1920. So, at this moment, the  
22 average house here in Syracuse is 100 years old.

23 And, also, more education for the tenants who  
24 live in properties.

25 I had a tenant who had a child that had

1 lead-paint poisoning.

2 And, come to find out, when I went there, she  
3 said, oh, yes, my child was chewing on the window  
4 sill. But I didn't know it was going to give him  
5 lead-paint poisoning. You should have told me.

6 I said, When you moved in, you signed that  
7 you received my lead-paint disclosure, and we talked  
8 about it. But you let your child chew on the wall.

9 So you are responsible to look out after your  
10 children, to keep it clean. Not to let kids, you  
11 know, go and pick on the walls and throw toys  
12 against the wall, or jump on their beds and break  
13 holes in the wall.

14 This is -- I found an average situation.

15 But I own my own house since 2005 here in  
16 Syracuse. I haven't had to fix one hole in my wall,  
17 because I'm not destroying it, because I bought it,  
18 I took care of it, and I wanted to have it. And  
19 I know that I'm not moving somewhere else. I'm  
20 going to stay there permanently.

21 The taxes that we talked about are incredible  
22 here.

23 I have property -- you have many properties  
24 here, especially, I'm mostly on the north side, you  
25 have houses that are maybe worth \$60,000, that the

1 taxes is \$4,800 a year. More than, you  
2 know, 10 percent of the value.

3 This is an incredible amount of taxes.

4 And as they discussed earlier, 60 percent of  
5 the taxes here -- properties here are non-taxed.

6 So the landlords are carrying the other  
7 balance of the taxes, in general, because you have  
8 very low home ownership.

9 I guess that's all of the notes I had had,  
10 really.

11 SENATOR KAVANAGH: Thank you.

12 You're right on time.

13 Just -- can you -- and, again, we -- as it  
14 was noted with the prior witness, this is a  
15 perspective that has not been as, you know, well  
16 represented here today, and we do appreciate it.

17 And, you know, these hearings were put  
18 together on relatively short notice, so you're not  
19 alone in kind of hearing about it late in the  
20 process.

21 But we really do appreciate you taking the  
22 time, and your patience to be here still at this  
23 hour.

24 Just, when you talk about -- you said at one  
25 point that you do acknowledge that tenants --

1 CHARLOTTA BROWN: I, what?

2 SENATOR KAVANAGH: -- you said at one point  
3 that you do acknowledge that tenants need  
4 protections in some circumstances from landlords.

5 And something -- both of you used the term  
6 "slum landlord" to refer to other folks.

7 And when you say you don't work -- you, as a  
8 manager of property, you don't work with someone  
9 (indiscernible). You sort of remove yourself from  
10 that relationship.

11 What -- do you have thoughts on how we should  
12 distinguish landlords who are willing to do the  
13 right thing in -- as -- as -- as you tell -- you  
14 know, that you have testified you try to do?

15 And what kinds of restrictions ought we to  
16 put on landlords who are, you know act -- you know,  
17 like, sort of, their intent is to be slum landlords,  
18 as you described them?

19 CHARLOTTA BROWN: Well, okay.

20 In Mount Vernon, New York, I have a -- I'm  
21 from New York City. So I have a friend of mine who  
22 is a code-enforcement inspector.

23 And I hate to volunteer, you know, work that  
24 we don't have here, but, in Mount Vernon, they  
25 inspect an apartment before a tenant moves in, and

1       they inspect the apartment when the tenant moves  
2       out.

3               That is not done here, so then it's my word  
4       against them about what happened.

5               SENATOR KAVANAGH:   And they inspect every  
6       apartment upon --

7               CHARLOTTA BROWN:   Yes, they do.

8               SENATOR KAVANAGH:   -- upon -- at each -- at  
9       exit --

10              CHARLOTTA BROWN:   Turnover.

11              SENATOR KAVANAGH:   -- and -- at turnover?

12              CHARLOTTA BROWN:   Yes.

13              SENATOR KAVANAGH:   That's helpful.

14              Thank you.

15              SENATOR SALAZAR:   Thank you.

16              I wanted to ask, sort of for clarification,  
17       about your use of the term "slumlord."

18              What do you think, as far as behavior, and  
19       the way that a landlord treats tenants, is actually  
20       the difference?

21              Like, what -- what -- what makes someone a  
22       slumlord, in your opinion?

23              Is it --

24              CHARLOTTA BROWN:   You know, I've been called  
25       a slum landlord, but a lot of times it came from the



1 way my property was treated.

2 Okay?

3 SENATOR SALAZAR: So --

4 CHARLOTTA BROWN: You know, it started out in  
5 one good situation, and then, you know, multiple  
6 people did a lot of damage to it.

7 Okay?

8 But to answer your question -- so, I mean,  
9 I have been called -- our tenants call me that  
10 sometimes too.

11 But there's -- you know, there is a line  
12 there.

13 So what you're asking about is, I have found  
14 that they're only -- and I don't think it's most  
15 landlords.

16 I really don't think it's most landlords.

17 And even in code enforcement here, when they  
18 come to our -- my organization, you know, they say  
19 they spend, you know, 80 percent of their time on  
20 10 percent of the landlords.

21 It's not everybody.

22 Okay?

23 So you have the ones that we're probably  
24 referring to mostly, are the ones that don't care  
25 about any part of repairing it.

1           They don't care that, you know, there's --  
2           I mean, because I have seen it, where -- I'm, like,  
3           you want me to rent this, and there's an actual hole  
4           in the floor, you know, that I can see into the  
5           basement?

6           Or, you know, the water is -- you know, pipes  
7           are broken in the basement and the water is still  
8           running, and I should rent it?

9           Or, I'm here in a house and there's mouse  
10          poop all over it, like rice on the floor, and  
11          I should still rent it?

12          You know, that kind of thing.

13          Not that, you know, you broke it/the tenant  
14          broke something, and you felt I didn't get there  
15          immediately.

16          You broke it, and now you want to snap my  
17          finger -- your finger, that I should come there  
18          right now and fix it.

19          No.

20          I still have to plan to take care of it.

21          But the properties that are never fixed.

22          SENATOR SALAZAR: So -- thank you.

23          And I think -- so I certainly agree that  
24          there are good landlords, and there are landlords  
25          who are neglecting the property, and who probably --

1           who we would probably say are bad landlords.

2                     I think that we both agree with that  
3           assessment.

4                     But, would you agree that, as legislators, we  
5           should ensure that there are protections for tenants  
6           against the bad landlords?

7                     CHARLOTTA BROWN: Like I said, it's a thin  
8           line.

9                     And then if you went to this other, where you  
10          had more protection for both of us, I guess, because  
11          I'm a victim too.

12                    I'm a victim too, if I take all of my money,  
13          and I'm continually -- and this is the truth -- I'm  
14          continually fixing these properties.

15                    I'm not like Ayman. He only buys in the  
16          suburbs, and they've got to have three times the  
17          rent, and he's has got the granite countertops.

18                    I don't have that.

19                    I just have average apartments that's going  
20          to be 700 to 1,000 dollars, and just keeping it  
21          status quo.

22                    All right?

23                    So where's my protection against the tenants  
24          that are constantly breaking my stuff?

25                    So it can work both ways.

1           What -- really.

2           So you're are asking me, I don't have an  
3 answer to that, kind of.

4           I really think only that inspect -- these  
5 inspections, that I know that a lot of landlords  
6 don't like to have.

7           But if you keep it -- you know, if you keep  
8 it in good condition, the inspection shouldn't  
9 bother you that much.

10          SENATOR SALAZAR:   Okay.

11          CHARLOTTA BROWN:   It all boils down to  
12 inspections, I think.

13          SENATOR KAVANAGH:   So -- and we very much  
14 appreciate your testimony.

15                 It is 8 p.m., which is our closing time.

16                 And so we're going to wrap up today.

17                 Again, this is the first of at least four  
18 hearings we will be having on these topics around  
19 the state.

20                 We greatly appreciate everybody who testified  
21 today, and, my Senate colleagues as well, especially  
22 Senator Salazar who stuck it out to the end.

23                 I also just with a want to acknowledge that,  
24 you know, the Committee staff worked very hard on  
25 this.

1           You know, we thanked Senator May's staff  
2 earlier, but, Committee Clerk Cleveland Stair, and,  
3 Nick Rangel, our counsel.

4           And I do want to thank the A/V folks, who I'm  
5 not -- I don't have the fortune of knowing their  
6 names.

7           So we tremendously appreciate their work to  
8 document this, so that people will be able to review  
9 this, which perhaps some of you are right now, at  
10 some future time at home.

11           And also Alex Lewis is here, also from  
12 central staff; we appreciate it.

13           Thank you very much, everybody who put this  
14 together.

15  
16           (Whereupon, at approximately 7:38 p.m.,  
17 the public hearing held before the New York State  
18 Senate Standing Committee on Housing,  
19 Construction, and Community Development concluded,  
20 and adjourned.)

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