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CASA Community Action for Safe Apartments
A Project of New Settlement Apartments

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Official CASA Testimony on Joint Legislative Budget Hearing on Housing Regarding DHCR, or the New York State Division of Homes and Community Renewal

Submitted by Pablo Estupiñan, Deputy Director of CASA

My name is Pablo Estupiñan, and I'm the Deputy Director of CASA. CASA is a member-led, grassroots tenant organizing group in the Southwest Bronx with over 3,000 members, founded in 2005, and currently works on several campaigns including the historic Right to Counsel legislation at the city level and Justice in Housing Court campaign at the state level targeting the Office of Court Administration to reform housing courts across New York State. In addition, we are a member of the Rent Justice Coalition and advocate for rent freezes on a yearly basis for a million rent stabilized tenants in NYC. We're here today as proud members and active supporters of the state-wide coalition, Housing Justice for All, and the 2020 campaign for a New York Homes Guarantee (aka #NYHomesGuarantee)

In order to prioritize Housing Justice in the upcoming fiscal year for New York State, New York legislators in the Assembly and Senate **must include the following** in the budget:

- $500 million in rental assistance for homeless New Yorkers or New Yorkers at risk of homelessness
- Fully fund the 20,000 units of supportive housing
- $3 billion investment in public housing authorities across New York
- $500 million for New York State Housing and Community Renewal to implement and enforce the new tenant protections

- Raise taxes on corporate landlords. Full elimination of 421-A and 485-A, taxes on private equity mezzanine debit, and a Pied-a-Terre tax
- Invest in tenant opportunity to purchase

CASA is coordinating the HCR working group in Housing Justice for All that has developed a comprehensive policy platform on how HCR can implement and enforce the historic rent laws. Dating back to 2015, CASA along with other coalition partners has targeted DHCR on changing administrative policies and practices around Major Capital Improvements. Since then, our movement has grown in strength, power, and unity. The organizations in Housing Justice for All, along with CASA, have identified the critical role HCR will play in interpreting, implementing, and enforcing the Housing Stability and Tenant Protection Act of 2019 (HSTPA).

We didn't take the summer off and celebrate our victories. Tenant leaders across the city with the support of Tenant Advocates and Attorneys met consistently and read through the entire text of HSTPA. We have identified several problems with HCR as an agency and recognize that historically, under Governor Cuomo's tenure, HCR has not received the funding necessary to meaningfully enforce the current laws. We understand the rent laws are only as strong as they are monitored and enforced by DHCR.

Viewed through the lens of the New York Tenant Advocate community and movement, DHCR functions primarily to serve landlord interests over tenant justice. I have personally organized a building, 1020 Gerard Avenue, that received an MCI rent increase submitted by the landlord. Despite the Tenant Association filing an extension request on time, DHCR approved the MCI rent increase citing no opposition from Tenants. When attorneys made a FOIL request, the letter was recovered. Over 600 tenants come to our office on a yearly basis to meet with an attorney. Clearly, the profits and applications of landlords are valued and prioritized over due process for tenants and their right to challenge landlords on an administrative level.

Over 600 tenants come to our office on a yearly basis to meet with an attorney. I recently witnessed an interaction in which a tenant with a legitimate and clear cut overcharge case complete with their rent history and leases were counseled by a tenant attorney to not "bother" filing an overcharge complaint because the case will not reach a resolution for

years. When DHCR was recently pressed on the matter of how long it takes them to process tenant-initiated complaints at a meeting, the response was unapologetic and unnerving from the community members in the room. DHCR's ability to process tenant complaints in a timely manner also compromises our ability to organize tenants and have them claim their rights. It should not take a year to process a building-wide rent reduction if a building has no gas for months or no elevator service. Rent reductions are one of the few avenues tenants have to seek monetary relief from their landlords from denying them a service entitled to by law.

On top of that, the agency routinely fails tenants whose primary language isn't English. How are tenants fluent in other languages supposed to respond to all of DHCR documents if they don't understand them and access to an interpreter is nil? I could go on, but the point has been made. DHCR does not currently possess the will to appear neutral as a state agency. DHCR is difficult for tenants to navigate, access basic information, and are not accountable to tenants. In order for our rent laws victories and the historic HSTPA that many Legislators here supported and voted for, DHCR has to drastically change immediately. It starts with increasing long overdue resources to the agency and putting the agency in a position to succeed. **That's why Housing Justice for All is demanding a $500 million dollar increase to DHCR.** Otherwise, business continues as usual. Landlords will adapt to the new rent laws and figure out new ways and new tactics to avoid enforcement and accountability. Municipalities and cities that opt into rent stabilization will inherit the same structural issues we are organizing to change for the benefit of people.