



## Committee on Social Services

~MINUTES~

Monday, May 6, 2019

2:00 PM

Committee Chair: Kitley Covill

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

### CALL TO ORDER

Joint with Labor & Housing

With a quorum present, Chair Kitley Covill called the meeting to order at 2:08 PM.

Attendee Name	Title	Status	Arrived
Kitley Covill	Chair	Present	
Nancy Barr	D6 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Present	
David J. Tubiolo	D14 Legislator	Present	
Alfreda Williams	D8 Legislator (Vice Chair)	Present	

Emiljana Ulaj, Senator Mayer's Office, Ed Riely, Regina Riely

### MINUTES APPROVAL

#### I. ITEMS FOR DISCUSSION

1. **(ID # 11811) Resolution – LEGISLATORS JOHNSON, BORGIA, SHIMSKY AND COVILL: Proposed Resolution regarding rent regulations:**

Forwarding a Proposed Resolution regarding rent regulations.

Legislator Johnson began the discussion and gave a brief overview of the current Resolution before the Committees. The County of Westchester is conducting a Housing Needs Assessment to document and identify unmet needs for affordable housing to serve low and moderate income residents. The Resolution supports the Bill packet in the New York State Senate and Assembly focusing on Rent Regulation. Ms. Ulaj and Mr. Buder were here to discuss the Senate packet. The members went through each bill and had discussion on each.

S.5040/A.7046 is a Bill that will remove the geographic restrictions from the Emergency Tenant Protection Act (ETPA) so local governments can take an active role addressing the cost of rental housing and to provide critical rental rights to tenants across the state.

S.2845A/A.4349 is a Bill that prohibits owners from adjusting the amount of preferential rent, rent charged and paid by the tenant which is less than the legal regulated rent for the housing accommodation,, upon the renewal of a lease; only allows the owner to make such adjustments upon vacancy which is not the result of the failure of the owner to maintain a habitable resident.

S.185/A.2351 is a Bill that protects tenants by repealing the ability of a landlord to obtain a twenty percent increase in rent pursuant to the statutory bonus provision of the ETPA.

Currently the law makes landlords eligible for a statutory vacancy bonus once per year when an apartment becomes vacant, up to 20%. The landlord can then transform an affordable apartment into one that is market rate and decontrolled. This creates an incentive for landlords to deprive tenants of habitable apartments in order to benefit from the statutory vacancy bonus.

S.3770 is a Bill that repeals provisions allowing landlords to adjust rents in accordance with the total cost incurred for individual apartment improvements (IAI). The IAI allows landlords to adjust rent on rent stabilized apartment by passing the cost of the physical improvements to the tenant by raising the monthly rent in the amount equal to 1/40th or 1/60th of the total cost depending on the size. The increase can be taken in addition to other rent increases, the landlord is statutorily entitled and it is permanently added to the rent even after the cost of the improvement has been fully recouped. The landlords are able to use the increase to move the apartment above the current threshold that allows them to permanently de-regulate the apartment.

S.3693/A.6322 is a Bill that eliminates rent increase for major capital improvements (MCI). An MCI can be the most damaging factor in the battle to preserve rent regulated units. Tenants whose rent includes MCIs often end up paying hundreds of dollars per room in addition to the legal regulated rent. This program has allowed rent increases, which can lead to deregulation of the unit, and housing instability or homelessness.

S.2591/A.1198 is a Bill that repeals the Provisions of New York State and New York City statutes that remove apartments from rent stabilization or rent control when such apartments are vacated and could be rented under such statutes for a monthly rent of \$2700 or more.

S.2892/A.5030-A is a Bill that relates to prohibiting eviction without good cause. This Bill will prohibit landlords from taking any action to evict, fail to renew a lease, or otherwise seek to remove a tenant from housing accommodations except for good cause.

The Committee had some minor changes to the Resolution and chose to hold it over for further discussion with Legal Services of Westchester.

No action was taken.

<b>RESULT:</b>	<b>PENDING</b>
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## II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

## III. RECEIVE & FILE

Moved by Legislator Shimsky seconded by Legislator Covill the Committee adjourned at 2:50 PM.

## ADJOURNMENT

Moved by Legislator \_\_\_\_\_ seconded by Legislator \_\_\_\_\_ the Committee adjourned at 2:50 PM.

**Christopher A. Johnson**Legislator, 16<sup>th</sup> District

Chair, Committee of Appointments

**Committee Assignments**

Labor &amp; Housing

Public Safety

To: Ben Boykin, Chairman of the Board of Legislators  
Sunday Vanderberg, Clerk of the Board of Legislators

From: Christopher Johnson, Legislator, 16<sup>th</sup> District  
Catherine Borgia, Legislator, 9<sup>th</sup> District

Date: April 17<sup>th</sup>, 2019

Re: Proposed Resolution regarding rent regulations

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Please refer the attached proposed Resolution supporting several bills before the New York State Senate & Assembly with regard to rent regulations throughout the state, to the appropriate committee(s) on the April 23, 2019 Westchester County Board of Legislators agenda.

Attachment: RESO - Proposed Resolution regarding rent regulations - DRAFT (11811 : Proposed Resolution regarding rent regulations)

**RESOLUTION            2019**

**WHEREAS**, the County of Westchester is conducting a Housing Needs Assessment to document and identify unmet needs for affordable housing opportunities to serve low and moderate income residents; and

**WHEREAS**, according to United States Census data, Westchester has several municipalities with rent burdened tenants; tenants paying over 30% of their income on rent; and

**WHEREAS**, housing cost are increasing dramatically, the displacement of working families and middle class residents has reached crisis proportions, emphasizing the need for affordable housing; and

**WHEREAS**, under the current ETPA law only municipalities in Nassau, Westchester, Rockland counties and New York City are eligible to adopt a form of rent stabilization, resulting in rent control only applying to tenants in 8 of the state's 62 counties; and

**WHEREAS**, Major Capital Improvement (MCI) increases are not considered rent increases, and tenants often carry the additional burden of paying for the cost of MCI's included in their rent, often years and sometimes decades, after the cost of the improvements are fully paid; and

**WHEREAS**, the ability of landlords to annually increase the prices of rent-regulated apartments that have become vacant, can rapidly transform an affordable apartment into one that is unaffordable for median income Westchester Residents; and

**WHEREAS**, some tenants are evicted without cause, allowing landlords to take unfair advantage of their ability to increase rents; now

**THEREFORE BE IT RESOLVED**, that the Westchester County Board of Legislators call upon our leaders in Albany to strike the geographic restrictions from the ETPA so that local governments can take an active role addressing the cost of rental housing and to provide critical rental rights to tenants across the state;

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse [S2845A/A4349](#) which would prohibit owners from adjusting the amount of preferential rent upon the renewal of a lease; and,

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse [S0185/A2351](#) which relates to rent increases after vacancy of a housing accommodation and would eliminate the vacancy bonus; and,

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse [S3770](#) which would prevent landlords from being able to take apartments out of rent regulation when existing tenants leaves; and,

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse S.3693/A.6322 which eliminates rent increases for major capital improvements; and,

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse S.2591A/A1198 which repeals provisions of law relating to individual apartment improvement rent increases; and

**BE IT FURTHER RESOLVED** that the Westchester County Board of Legislators support and endorse S2892A/A1198 which relates to prohibiting evictions without good cause; and,

**BE IT FURTHER RESOLVED**, that the Clerk of the Board of Legislators is directed to send a copy of this resolution to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, bill sponsors Senator Kreuger, Assembly Member Cymbrowitz, Senator Serrano, Assembly Member Pichardo, Senator Kavanaugh, Senator Salazar, Assembly Member Hunter, Senator Giannaris, Assembly Member Barnwell, Assembly Member Rosenthal and the Members of the Westchester County State Delegation.

Date  
White Plains, NY