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THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43RD STREET, SUITE 1404  
NEW YORK, NY 10017

**VIA E-MAIL**

January 11, 2019

The Honorable Andrew M. Cuomo  
Governor of New York State  
Capitol Building  
Albany, NY 12224

The Honorable Jamaal T. Bailey  
Chair of the New York State Senate Codes Committee  
188 State Street  
Legislative Office Building, Room 707  
Albany, NY 12247

The Honorable Robert Jackson  
Chair of the New York State Senate Cities Committee  
188 State Street  
Legislative Office Building, Room 311  
Albany, NY 12247

The Honorable Bill de Blasio  
Mayor of the City of New York  
City Hall  
New York, NY 10007

The Honorable Corey Johnson  
Speaker of the New York City Council  
250 Broadway, Suite 1804  
New York, NY 10007

The Honorable Robert E. Cornegy, Jr.  
Chair of the New York City Council Committee on Housing and Buildings  
250 Broadway, Suite 1743  
New York, NY 10007

**Resolution supporting New York City Council Intro 1171-2018 and New York State Senate Bills S8573 and S8810, requiring the DOB to identify cases of false statements regarding occupied and rent-regulated housing**

At the January 9, 2019 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

**WHEREAS**, Manhattan Community District Six (CD 6) contained, as of 2016, 23,985 rent stabilized apartments;<sup>1</sup>

**WHEREAS**, a common tactic used by landlords to compel turnover of rent stabilized apartments is to renovate adjacent apartments creating an environment of consistent air and noise pollution in their building;

**WHEREAS**, in order to obtain a construction permit from the New York City Department of Buildings (DOB) in a building containing rent stabilized units, the landlord must state the number of rent stabilized units on their permit application;

**WHEREAS**, City laws and regulations that protect tenants from eviction and disruption depend on true and accurate disclosures, by building owners and developers, of information about their rent-regulated tenants;

**WHEREAS**, some building owners and developers have failed to disclose such information accurately, resulting in the issuance of building permits that might not otherwise have been issued;

**WHEREAS**, the DOB, the New York City Department of Finance (DOF), and the New York State Department of Housing and Community Renewal (HCR) currently do not automatically coordinate the accuracy of the information disclosed to each agency, thus making it possible for building owners and developers to secure building permits for which they otherwise might be denied;

**WHEREAS**, New York City Council Bill 1171-2018, on “Identifying unlawful statements in submissions to the Department of Buildings,” will:

- direct City agencies including the Department of Buildings and the Department of Finance to share information, and to request information from State agencies, in specific ways, related to buildings for which building permit applications have been filed, in order to identify cases of false statements related to occupied and rent-regulated housing;
- if a given building owner submits false statements or is denied for a building permit, require the Department of Buildings to audit all of that owner’s properties for compliance with building permit requirements;
- require the Department of Buildings to audit 25% of the buildings on the Department of Housing Development and Preservation’s speculation watch list each year to ensure they are compliant with building permit requirements;
- require that when false-statement violations are found, they are formally disclosed to the NYC Council and the public and referred to the relevant District Attorney and the Attorney General for possible prosecution;

**WHEREAS**, Council Bill 1171-2018 is co-sponsored by Council Members Rivera, Powers, and Kallos, who represent Manhattan Community District Six;

**WHEREAS**, New York State Senate Bill S8810 “requires the New York City Department of Buildings to confirm that there are no tenants living at certain properties prior to approving or issuing permits for demolition or substantial alteration”;

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<sup>1</sup> <https://anhd.org/report/how-affordable-housing-threatened-your-neighborhood-2018>

**WHEREAS**, New York State Senate Bill S8573 would include “filing certain building permit applications containing false statements regarding tenant occupancy in the offense of offering a false instrument for filing in the first degree”;

**WHEREAS**, State Senator Brad Hoylman is the prime sponsor on both New York State Senate Bill S8810 and S8573 and represents a portion of CD 6;

**WHEREAS**, State Senator Liz Krueger is a co-sponsor on both New York State Senate Bill S8810 and S8573 and represents a portion of CD 6;

**THEREFORE, BE IT RESOLVED** that Manhattan Community Board Six (CB6) supports New York City Council Intro. 1171-2018 and urges the City Council to pass the bill and for the Mayor to sign it into law and for the City to appropriate the necessary funds for the implementation of this law;

**BE IT FURTHER RESOLVED** that Manhattan Community Board Six (CB6) supports New York State Senate Bills S8810 and S8573 and encourages our local elected officials in the New York State Assembly to draft and a corresponding bill, and for the Governor to sign the bill into law and for the State to appropriate the necessary funds for the implementation of this law.

**VOTE: 34 in Favor 1 Opposed 1 Abstention 0 Not Entitled**

Best regards,



Cody Osterman  
Assistant District Manager

Cc: Hon. Gale Brewer, Manhattan Borough President  
Hon. Keith Powers, Council Member  
Hon. Carlina Rivera, Council Member  
Hon. Ben Kallos, Council Member  
Hon. Ritchie J. Torres, Council Member  
Hon. Liz Krueger, State Senator  
Hon. Brad Hoylman, State Senator  
Hon. Dan Quart, State Assembly Member  
Hon. Richard Gottfried, State Assembly Member  
Hon. Harvey Epstein, State Assembly Member  
Carin van der Donk, Chair, CB6 housing, Homeless, & Human Rights Committee