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THE CITY OF NEW YORK  
RENT GUIDELINES BOARD

-----x

**VIRTUAL ZOOM  
PUBLIC MEETING  
OF  
THE DIRECTORS**

-----x

May 5, 2021  
7:00 o'clock p.m.

B e f o r e :

DAVID REISS,  
THE CHAIR

1

2     A P P E A R A N C E S:

3     Board of Directors:

4             David Reiss

5             Cecilia Joza

6             Alex Schwartz

7             Christian Gonzalez-Rivera

8             Christina DeRose

9             Scott Walsh

10            Shelia Garcia

11            Leah Goodridge

12            Robert Ehrlich

13

14     **S T A F F:**

15             Andrew McLaughlin

16                 Executive Director

17             Brian Hoberman

18                 Research Director

19             Danielle Burger

20                 Deputy Research Director

21             Charmaine Superville

22                 Office Manager

23

24

25

1

2

P R O C E E D I N G S

3

CHAIRMAN REISS: Good evening.

4

I'm David Reiss, Chair of the New

5

York City Rent Guidelines Board and I'd like to

6

welcome you to this virtual meeting of the board.

7

This is the fourth meeting and in a series of

8

public meetings and hearings to determine lease

9

adjustments for rent-stabilized housing units in

10

New York City, with leases commencing or being

11

renewed on or after October 1, 2021, and on or

12

before September 30, 2022.

13

On behalf of the board, I'd like

14

to take this opportunity to welcome our new owner

15

member, Robert Ehrlich. I look forward to working

16

with you in the coming days and months.

17

I will now take roll call. Please

18

respond if present.

19

Christina DeRose.

20

MS. DEROSE: Present.

21

CHAIRMAN REISS: Robert Ehrlich.

22

MR. EHRLICH: Present.

23

CHAIRMAN REISS: Sheila Garcia.

24

MS. GARCIA: Present.

25

CHAIRMAN REISS: Christian

1

2 Gonzalez-Rivera.

3

MR. RIVIERA: Present.

4

CHAIRMAN REISS: Leah Goodridge.

5

MS. GOODRIDGE: Present.

6

CHAIRMAN REISS: Cecilia Joza.

7

MS. GARCIA: Cecilia, we didn't

8

hear you.

9

MS. JOZA: Present.

10

CHAIRMAN REISS: Alex Schwartz.

11

MR. SCHWARTZ: Present.

12

CHAIRMAN REISS: Scott Walsh.

13

Scott, I -- I didn't catch you, Scott.

14

MR. WALSH: Present.

15

CHAIRMAN REISS: And David Reiss,

16

present.

17

The proposed rental adjustments

18

voted at this meeting will be published in the City

19

Record and posted on our website [nyc.gov/rgb](http://nyc.gov/rgb), and

20

through the New York City rules website at

21

[rules.cityofnewyork.us](http://rules.cityofnewyork.us).

22

Two virtual public hearings to

23

comment on the proposed guidelines will be held on

24

the following dates and times. Tuesday, June 15th,

25

two -- June 15, 2021, there will be a virtual

1

2 public hearing from 4:00 p.m. to 7:00 p.m. The  
3 public can view the meeting via YouTube feed and  
4 listen via telephone.

5

6 The second virtual public hearing  
7 is Thursday, June 17, 2021, from 5:00 p.m. to 9:00  
8 p.m. and, again, the public can view the meeting  
9 via YouTube feed and listen via telephone.

10

11 If you want to comment on the  
12 proposed rule at our virtual public hearings, you  
13 can sign up to speak. If there's time at the end  
14 of each hearing, after all of those who have  
15 registered had been heard, we will hear from other  
16 attendees at each virtual hearing.

17

18 Registration to speak will begin  
19 May 17, 2021. You can register online through our  
20 website, [nyc.gov/rgb](http://nyc.gov/rgb), by e-mail at  
21 [csupervill@nycrgb.org](mailto:csupervill@nycrgb.org), or by calling (212) 669-7480  
22 from 9:00 a.m. until 5:00 p.m. Monday through  
23 Friday. If you are unable to attend our virtual  
24 hearings, you can submit written, audio, and video  
25 comments prior to the hearings for the board  
members' review starting on May 14th.

26

27 Instructions to submit these  
28 comments will be available on the board's website

1

2 at [nyc.gov/rgb](http://nyc.gov/rgb), by e-mail at [ask@nycrgb.org](mailto:ask@nycrgb.org), or by  
3 calling the RGB at (212) 669-7480.

4

Our next virtual meeting will be  
5 June 3rd, starting at 9:30 a.m. Information on how  
6 to attend this meeting will be posted on our  
7 website, [nyc.gov/rgb](http://nyc.gov/rgb) in our meeting section in the  
8 near future and at the same time will be sent to  
9 those who are on our e-mail list.

10

If you're interested in receiving  
11 e-mail updates about upcoming RGB meetings and  
12 hearings, please go to our homepage and click on  
13 e-mail updates under quick links. You may also  
14 call the board at (212) 669-7480, or e-mail the  
15 staff at [ask@nycrgb.org](mailto:ask@nycrgb.org) for information on how to  
16 attend future virtual meetings.

17

The final vote will take place on  
18 June 23rd, starting at 7:00 p.m.

19

Prior to taking any proposals from  
20 the board members, I will first read into the  
21 record the proposed language for Hotel Order number  
22 51 and Apartment and Loft Order # 53.

23

New York City Rent Guidelines  
24 Board proposed 2021 Hotel order # 51.

25

**Proposed Order Number 51 -**

1

2 **Hotels, Rooming Houses, Single Room Occupancy**  
3 **Buildings, and Lodging Houses.** Rent levels to be  
4 effective for leases commencing **October 1, 2021,**  
5 through **September 30, 2022.**

6

7 NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY  
8 VESTED IN THE NEW YORK CITY RENT GUIDELINES BOARD  
9 BY THE RENT STABILIZATION LAW OF 1969, as amended,  
10 and the Emergency Tenant Protection Act of 1974, as  
11 amended, and as implemented by Resolution No. 276  
12 of 1974 of the New York City Council, and in  
13 accordance with the requirements of Section 1043 of  
14 the New York City Charter, that the Rent Guidelines  
15 Board hereby proposes the following levels of fair  
16 rent increases over lawful rents charged and paid  
17 on **September 30, 2021.**

18

19 APPLICABILITY

20

21 This order shall apply to units in buildings  
22 subject to the Hotel Section of the Rent  
23 Stabilization Law (Sections 26-504(c) and 26-506 of  
24 the N.Y.C. Administrative Code), as amended, or the  
25 Emergency Tenant Protection Act of 1974 (L.1974, c.

1

2 576 §4[§5(a)(7)]). With respect to any tenant who  
3 has no lease or rental agreement, the level of rent  
4 increase established herein shall be effective as  
5 of one year from the date of the tenant's  
6 commencing occupancy, or as of one year from the  
7 date of the last rent adjustment charged to the  
8 tenant, or as of **October 1, 2021**, whichever is  
9 later.

10 This anniversary date will also  
11 serve as the effective date for all subsequent Rent  
12 Guidelines Board Hotel Orders, unless the Board  
13 shall specifically provide otherwise in the Order.  
14 Where a lease or rental agreement is in effect,  
15 this Order shall govern the rent increase  
16 applicable on or after **October 1, 2021** upon  
17 expiration of such lease or rental agreement, but  
18 in no event prior to one year from the commencement  
19 date of the expiring lease, unless the parties have  
20 contracted to be bound by the effective date of  
21 this Order.

22

23 PROPOSED RENT GUIDELINES FOR HOTELS, ROOMING  
24 HOUSES, SINGLE ROOM OCCUPANCY BUILDINGS AND LODGING  
25 HOUSES



1

2 Pursuant to its mandate to promulgate rent  
3 adjustments for hotel units subject to the Rent  
4 Stabilization Law of 1969, as amended, (§26-510(e)  
5 of the N.Y.C Administrative Code) the Rent  
6 Guidelines Board hereby **proposes** the following rent  
7 adjustments:

8

9 The allowable level of rent adjustment over the  
10 lawful rent actually charged and paid on September  
11 30, 2021 shall be:

12

- 13 1) Residential Class A  
14 (apartment) hotels - blank.
- 15 2) Lodging houses - blank.
- 16 3) Rooming houses (Class B  
17 buildings containing less than 30 units) - blank.
- 18 4) Class B hotels - blank.
- 19 5) Single Room Occupancy  
20 buildings(MDL Section 248 SRO's) - blank.

21

22 NEW TENANCIES - PROPOSAL

23

24 **No "vacancy allowance"** is permitted under this  
25 order. Therefore, the rents charged for tenancies

1

2 commencing on or after **October 1, 2021** and on or  
3 before **September 30, 2022** may not exceed the levels  
4 over rentals charged on **September 30, 2021**.

5

6 ADDITIONAL CHARGES - PROPOSAL

7

8 It is expressly understood that the rents  
9 collectible under the terms of this Order are  
10 intended to compensate in full for all services  
11 provided without extra charge on the statutory date  
12 for the particular hotel dwelling unit or at the  
13 commencement of the tenancy if subsequent thereto.  
14 No additional charges may be made to a tenant for  
15 such services, however such charges may be called  
16 or identified.

17

18 STATEMENT OF BASIS AND PURPOSE

19

20 The Rent Guidelines Board is authorized to  
21 promulgate rent guidelines governing hotel units  
22 subject to the Rent Stabilization Law of 1969, as  
23 amended, and the Emergency Tenant Protection Act of  
24 1974, as amended. The purpose of these guidelines  
25 is to implement the public policy set forth in

1

2 Findings and Declaration of Emergency of the Rent  
3 Stabilization Law of 1969 (§26-501 of the N.Y.C.  
4 Administrative Code) and in the Legislative Finding  
5 contained in the Emergency Tenant Protection Act of  
6 1974 (L.1974 c. 576, §4 [§2]).

7 Dated: May 5, 2021 and signed by me, David Reiss,  
8 as Chair of the New York City Rent Guidelines  
9 Board.

10 I will now read into the record  
11 the language for the Apartment and Loft Order.

12

13 **New York City Rent Guidelines Board proposed 2021**  
14 **Apartment and Loft Order (# 5).**

15 **Proposed Order Number 53, Apartments and Lofts,**  
16 **Rent levels for leases commencing October 1, 2021,**  
17 **through September 30, 2022.**

18

19 Notice is hereby given pursuant to the authority  
20 vested in the New York City Rent Guidelines Board  
21 by the Rent Stabilization Law of 1969 as amended,  
22 and the Emergency Tenant Protection Law Act of 1974  
23 as amended, and as implemented by Resolution No 276  
24 of 1974 of the New York City Council, and in  
25 accordance with the requirements of Section 1043 of

1  
2 New York City Charter, that the Rent Guidelines  
3 Board (RGB) hereby **proposes** the following levels of  
4 fair rent increases over lawful rents charged and  
5 paid on **September 30, 2021**. These rent adjustments  
6 will apply to rent-stabilized apartments with  
7 leases commencing on or after **October 1, 2021**, and  
8 through **September 30, 2022**. Rent guidelines for  
9 loft units subject to section 286, subdivision 7 of  
10 the Multiple Dwelling Law are also included in this  
11 order.

12 Proposed Adjustments For Leases (Apartments.)

13 Together with such further  
14 adjustments as may be authorized by law, the annual  
15 adjustments for leases for apartments shall be for  
16 a **one-year** lease commencing on or after **October 1,**  
17 **2021**, and on or before **September 30, 2022**, blank to  
18 blank.

19 For a **two-year** lease commencing on  
20 or after **October 1, 2021**, and on or before  
21 **September 30, 2022**, blank to blank.

22 These adjustments shall apply also  
23 to dwelling units in a structure subject to the  
24 Partial Tax Exemption Program under section 421A of  
25 the Real Property Tax Law or in structures subject

1

2 to section 423 of the Real Property Tax Law as a  
3 redevelopment project.

4

5 Proposed Adjustments for Lofts (Units in the  
6 category of buildings covered by Article 7-C of the  
7 Multiple Dwelling Law.)

8

9 The Rent Guidelines Board **proposes** the following  
10 levels of rent increase above the base rent as  
11 defined in Section 286, subdivision 4 of the  
12 Multiple Dwelling Law for units to which these  
13 guidelines are applicable in accordance with  
14 Article 7-C of the Multiple Dwelling Law.

15

16 For **one- year** increased periods commencing on or  
17 after **October 1, 2021**, and on or before **September**  
18 **30, 2022**, blank to blank.

19

20 For **two-year** increased periods commencing on or  
21 after **October 1, 2021**, and on or before **September**  
22 **30, 2022**, blank to blank.

23

24

25

1

2 Fractional Terms - Proposal.

3

4 For the purposes of these guidelines, any lease or  
5 tenancy for a period up to and including one year  
6 shall be deemed a one-year lease or tenancy, and  
7 any lease or tenancy for a period of over one year  
8 and up to and including two years shall be deemed a  
9 two-year tenancy or lease.

10

11 Escalator Clauses - Proposal.

12 Where a lease for a dwelling unit in effect on May  
13 31, 1968, or a lease in effect on June 30, 1974,  
14 for a dwelling unit which became subject to the  
15 Rent Stabilization Law of 1969, by virtue of the  
16 Emergency Tenant Protection Act of 1974 and  
17 resolution number 276 of the New York City Council,  
18 contained an escalator clause for increased costs  
19 of operation, and such clause is still in effect,  
20 the lawful rent on **September 30, 2021**, over which  
21 the fair rent under this order is computed, shall  
22 include the increased rental, if any, due under  
23 such clause, except those charges which accrued  
24 within one year of the commencement of the renewal  
25 lease. Moreover, where a lease contained an

1

2 escalator clause that the owner may validly renew  
3 under the code unless the owner elects or has  
4 elected in writing to delete such clause effective  
5 no later than **October 1, 2021**, from the existing  
6 lease, and all subsequent leases for such dwelling  
7 unit, the increased rental, if any, due under such  
8 escalator clause, shall be offset against the  
9 amount of increase authorized under this Order.

10

11 Special Adjustments Under Prior Orders - Proposal.

12

13 All rent adjustments lawfully implemented and  
14 maintained under previous apartment orders and  
15 included in the base rent in effect on **September**  
16 **30, 2021**, shall continue to be included in the base  
17 rent for the purpose of computing subsequent rents  
18 adjusted pursuant to this order.

19

20 Proposed Special Guideline.

21 Under Section 26-513(b)(1) of the New York City  
22 Administrative Code and section 9E of the Emergency  
23 Tenant Protection Act of 1974, the Rent Guidelines  
24 Board is obligated to promulgate special guidelines  
25 to aid the State Division of Housing and Community

1

2 Renewal in its determination of initial legal  
3 regulated rents for housing accommodations  
4 previously subject to the City Rent and  
5 Rehabilitation Law, which are the subject of a  
6 tenant application for adjustment. The Rent  
7 Guidelines Board hereby **proposes** the following  
8 special guidelines:

9

10 For dwelling units subject to the Rent and  
11 Rehabilitation Law on **September 30, 2021**, which  
12 became vacant after **September 30, 2021**, the special  
13 guideline shall be blank.

14

15 Decontrolled Units Proposal.

16

17 The permissible increase for decontrolled units as  
18 referenced in order 3A, which became decontrolled  
19 after September 30, 2021, shall be, blank.

20

21 Credits - Proposal

22 Rental charge -- rentals charged and paid in excess  
23 of the levels of rent increase established by this  
24 order shall be fully credited against the next  
25 month's rent.



1

2 Statement of Basis and Purpose.

3 The Rent Guidelines Board is authorized to  
4 promulgate rent guidelines governing apartment  
5 units subject to the Rent Stabilization Law of 1969  
6 as amended and the Emergency Tenant Protection Act  
7 of 1974 as amended. The purpose of these  
8 guidelines is to implement the public policy set  
9 forth in findings and declaration of emergency of  
10 the Rent Stabilization Law of 1969, section 26-501  
11 of the New York City Administrative Code, and in  
12 the legislative finding contained in the Emergency  
13 Tenant Protection Act of 1974, Laws in 1974,  
14 chapter 576, section 4, subsection 2.

15

16 The Rent Guidelines Board is also authorized to  
17 promulgate rent guidelines for loft units subject  
18 to section 286, subdivision 7, of the Multiple  
19 Dwelling Law. The purpose of the Loft Guidelines  
20 is to implement the public policy set forth in the  
21 legislative findings in Article 7-C of the Multiple  
22 Dwelling Law, section 280.

23

24

25

Dated May 5, 2021, to be signed  
by David Reiss, Chair, New York City Rent  
Guidelines Board. And that -- that is our reading

1

2 into the record of the proposed language for the  
3 orders.

4

5 It has become an RGB tradition to  
6 allow tenant and owner members to make proposals  
7 first before we take motions from the public  
8 members. Last year, tenant members presented their  
9 proposal first, so this year, we will hear from the  
10 owner-members first.

11

12 As per our agenda, the board will  
13 be considering proposals for Hotel Order 51 first.  
14 So let me turn it to our two owner-members for --  
15 to see if they would like to make a motion.

16

17 MR. WALSH: Hi, David. Given  
18 that no hotel owner testified at this -- this year,  
19 we're not going to be making a recommendation to  
20 the group.

21

22 CHAIRMAN REISS: Thank -- thank  
23 you, Scott,

24

25 Let me turn to Leah and Sheila to  
see if you would like to make a motion for the  
Hotel Order?

26

27 MS. GARCIA: We are not making a  
28 motion as well.

29

30 CHAIRMAN REISS: Okay. So I will

1

2 make a motion.

3

I would like to put forward a  
4 motion for proposed rental adjustments for  
5 rent-stabilized -- stabilized houses -- hotel  
6 units.

7

I move to adopt the language of  
8 the proposed Hotel Order Number 51 as read into the  
9 record at this meeting and I move to adopt the  
10 following proposed rental adjustments for  
11 rent-stabilized hotels.

12

One, residential class-A apartment  
13 hotels, zero percent.

14

Two, lodging houses, zero percent.

15

Three, rooming houses, class-B  
16 buildings containing less than 30 units, zero  
17 percent.

18

Four, class-B hotels, zero  
19 percent.

20

Five, single-room occupancy  
21 buildings, MDL Section 248 SROs, zero percent.

22

To summarize, in accordance with  
23 my motion, you were voting on the adjustments I  
24 proposed and the proposed language of the order.

25

We will now consider -- we will now consider --

1

2 okay. So actually -- I'm sorry. Do we have a  
3 second for that motion?

4 MS. DEROSE: Second. Oh, this is  
5 Christina.

6 CHAIRMAN REISS: A second by  
7 Christina.

8 Sorry. I'm just -- I'm just  
9 writing my notes down. All right. And -- do we --  
10 so just to summarize, this is a vote for zeros for  
11 all categories of hotels.

12 Any discussion on the motion?

13 (No response.)

14 CHAIRMAN REISS: Hearing none. I  
15 called the question. I'll call in order.

16 Christina DeRose, how do you vote?

17 MS. DEROSE: Yes.

18 CHAIRMAN REISS: Robert Ehrlich,  
19 how do you vote?

20 MR. EHRLICH: I'm going to pass.

21 CHAIRMAN REISS: Pass. Okay.

22 Sorry, I'm just writing my notes.

23 Sheila Garcia, how do you vote?

24 MS. GARCIA: Yes.

25 CHAIRMAN REISS: Christian

1

2 Gonzalez-Rivera, how do you vote?

3 MR. GONZALEZ-RIVERA: Yes.

4 CHAIRMAN REISS: Leah Goodridge,

5 how do you vote?

6 MS. GOODRIDGE: Yes.

7 CHAIRMAN REISS: Cecilia Joza,

8 how do you vote?

9 MS. JOZA: Yes.

10 CHAIRMAN REISS: Alex Schwartz,

11 how do you vote?

12 MR. SCHWARZ: Yes.

13 CHAIRMAN REISS: Scott Walsh, how

14 do you vote?

15 MR. WALSH: No.

16 CHAIRMAN REISS: David Reiss

17 votes, yes.

18 And I'm returning to Robert

19 Ehrlich.

20 MR. EHRLICH: No.

21 CHAIRMAN REISS: No. Okay. So

22 The motion passes 7-2 with no abstentions.

23 All right. Just bear with me for

24 a second. I'm going to move to the apartments. We

25 will now consider motions for Apartment and Loft

1

2 Order number 53.

3

4 Owner members will get the first  
5 opportunity for a motion followed by the tenant  
6 members. And so let me turn it back to our two  
7 owner members for a motion.

8

9 MR. WALSH: And David, are we  
10 going to kind of make our statement and then read  
11 the motion or read the motion first?

12

13 CHAIRMAN REISS: This would be my  
14 preference, but I don't have a strong preference.  
15 I think make the motion, get the second and then  
16 I'll call on you to speak in support of the motion.

17

18 MR. WALSH: Okay. Got it. Okay.  
19 So let me read it.

20

21 So at this time, I would like to  
22 put forward a motion for proposing rental  
23 adjustments for rental stabilized apartments and  
24 lofts.

25

26 I move to adopt the language of  
27 the proposed Apartment and Loft order number 53 as  
28 read into the record at this meeting, and I move to  
29 adopt the following proposed rental adjustments for  
30 rent-stabilized apartments and lofts.

31

32 Underline bold, Apartments,

1

2 one-year lease, 2.75 percent.

3

4 Two-year lease, 5.75 percent for  
5 the first year and second year of the lease.

6

7 Underline bolded, Lofts, one-year  
8 increase period, 2.75 percent.

9

10 Two-year increase period, 5.75  
11 percent for the first year and the second year.

12

13 Underline and bolded, Special  
14 Guideline, 50 percent above the maximum base rent.

15

16 To summarize, in accordance with  
17 my motion, you are voting on adjustments I propose  
18 and the proposed language of the order.

19

20 CHAIRMAN REISS: Thank you,  
21 Scott.

22

23 Do I hear a second?

24

25 MR. EHRLICH: Second.

26

27 CHAIRMAN REISS: Okay. So the  
28 motion has been made and seconded. It is for  
29 apartments, one year at 2.75 percent. Two-year at  
30 5.75 percent for both years.

31

32 For lofts, the same, one-year,  
33 2.75 percent, two-year 5.75 percent for both years  
34 with a special guideline of 50 percent above  
35 maximum base rent.

1

2

Scott, can I call on you now?

3

MR. WALSH: Sure.

4

MR. MCLAUGHLIN: David, can I

5

chime in?

6

CHAIRMAN REISS: I'm sorry,

7

Andrew. Go ahead.

8

MR. MCLAUGHLIN: Just to clarify

9

that -- and am confirming this with Scott, that

10

it's 5.75 percent for a two-year lease. You don't

11

charge 5.75 in the first year and charge an

12

additional 5.75 the second year; is that clear?

13

MR. WALSH: Yes.

14

MR. MCLAUGHLIN: Okay. I just

15

want to make that clear that it's not both years.

16

It's -- it's when you sign a two-year lease, you're

17

being charged an increase of 5.75 percent.

18

MR. WALSH: Correct.

19

CHAIRMAN REISS: So I'm -- I'm

20

going -- I guess what we refer to as a total --

21

MR. MCLAUGHLIN: Yeah. I would

22

just --

23

CHAIRMAN REISS: How do we

24

classify that? Are we good enough or it's clear

25

enough?



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MR. MCLAUGHLIN: I think just refer to it as 5.75 percent for a two-year lease.

CHAIRMAN REISS: Okay. Got it. Okay. I got it. Okay. All right. Scott.

MR. WALSH: So I just want to -- I just want to present our motion and then -- before we go into the vote. Is that okay?

CHAIRMAN REISS: Yeah. 100 percent.

MR. WALSH: Okay. Got it. So I'm going to mostly talk about the operating of buildings. And I just want to say good evening to all people in the public watching this into my fellow board members.

As we take the preliminary vote during this exciting month, both in the remarkable economic and health improvements within our city, state, and country, I want to make sure that we consider the range for these renewals that takes that into effect and the improvement in our economy that will definitely be taking place by the time we get to the fall, and in 2022, when the majority of these leases that we're discussing will be up for -- up for renewal.

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As we all know the science and not one person's political bravado versus another has already shown dramatic improvement in health outcomes in our ability to return to activities is increasing by the hour and the day, which I think we're all probably very grateful for. And hopefully, this board will be able to meet in person again next year after our two-week -- two-year hiatus.

For the record, I would note for the third time, this administration has not been able to fully appoint both seats of the owner member and has left a seat vacant for months into the process, only to be filled hours before this vote. This vote occurs after many detailed research reports and presentations made available to the board in advance of those presentations. These reports are not one-page summaries, but well-researched documents that take hours, not minutes to read and fully understand.

It is one thing to have constructive disagreement but quite something else to systematically hold seats vacant in an attempt to silence owners and limit participation. It is

1

2 against the spirit and goals of this board. The  
3 fact that the public members continue to look the  
4 other way as this occurs year after year, I hope  
5 will lead to serious reform of this board and the  
6 next administration in 2022.

7 Additionally, where I feel less  
8 hopeful is clear that there's an over-mandate to  
9 put -- to put forced disinvestment into the  
10 rent-stabilized housing stock in New York City.  
11 This disinvestment plan is not something we can  
12 easily unwind out of or repair the damage from the  
13 medium-term time frame. We cannot easily replace or  
14 replicate the housing stock due to many  
15 neighborhood's rejections of affordable housing  
16 density and the high cost to build new housing  
17 versus the limited subsidies the city has to  
18 provide for below-market-rate housing.

19 At the end of my -- well, I  
20 already did this. I've already put forth our  
21 motion for recommending the data be considered in  
22 using this decision. And I'm going to point to the  
23 commensurate rent adjustments calculations that  
24 were presented to the board on April 22nd.

25 Why this matters to owners is

1  
2 because this is one of the RGB's only research  
3 areas focused on the actual time period we are  
4 voting on in contrast to the data-sets that can be  
5 one to over two years prior to when the renewal  
6 leases are taking in place. I think this is worth  
7 noting because accounting for the significant  
8 changes in the rent laws of 2019, which have not  
9 yet impacted the data we've seen and caused by the  
10 hope -- by the COVID health emergency, which again,  
11 we are not yet seeing that data.

12                   To quote from the board report on  
13 April 22nd, "Throughout history, the rent  
14 guidelines board has used a formula known as the  
15 commensurate rent adjustments to help determine  
16 annual rent guidelines for rent-stabilized  
17 apartments. In essence, the commensurate combines  
18 various data concerning operating costs, revenues,  
19 and inflation into a single measure to determine  
20 how rents would have to change for non-operating  
21 income for rent-stabilized apartments to remain  
22 constant.

23                   For the different types of  
24 commensurate adjustments are primarily meant to  
25 provide a foundation for discussion concerning

1

2 perspective guidelines. In the most basic terms,  
3 this formula is like balancing a sea-saw so it  
4 doesn't tip too far in one direction versus the  
5 other."

6 As a Board member, I give weight  
7 to these data-sets because since the late 1980s,  
8 which is the period of time the current board is  
9 provided history for the commensurates that were  
10 actually presented to prior boards, nearly 80  
11 percent of the time in prior administrations,  
12 boards' determination of one-year increases has  
13 been within a half a percentage point of these five  
14 commensurates.

15 Given that some, roughly 8 and 10  
16 prior boards have used this to make a final vote, I  
17 continue to advocate that this should be more  
18 discussed within this board to reinforce my belief  
19 that this data-set has been important to dozens  
20 upon dozens of public members who debated these  
21 topics in hard times like the 1990s recession,  
22 after the September 11th attacks, and during the  
23 Great Recessions over a decade ago.

24 While I do believe that  
25 commensurate, have in the past been a foundation

1

2 for structuring the range that has been voted on  
3 and enacted, that foundation, based on neutral  
4 facts and calculations, has been largely eliminated  
5 from other proposals that will be presented  
6 tonight. This current board, however, has  
7 consistently disregarded the data-set because it  
8 didn't support defensible pathway zero percent rent  
9 increases.

10

The impacts to owners over the  
11 past 15 months have been historically  
12 unprecedented. High vacancy, century  
13 record-breaking collection losses, and higher  
14 operating costs, all in the context of an economy  
15 with growing inflation that is already cited by the  
16 Federal Reserve to be further increasing over the  
17 coming months. These are not economic mysteries,  
18 these are warning signs that housing needs  
19 increases above inflation levels just to tread on  
20 water.

21

I cannot stress enough above  
22 inflation. To better define my note. Inflation in  
23 more typical economic periods sits around two  
24 percent. Our current inflation is trending  
25 generously above two percent. To further

1

2 crystallize what we are -- what we are voting on at  
3 the apartment level, I would like to make the  
4 following comments.

5                   The average rent-stabilized unit,  
6 excluding core Manhattan, per this board's data,  
7 sits at \$1,295 per month. This average apartment  
8 is not a small studio, but somewhere between a one  
9 and two-bedroom apartment throughout the five  
10 boroughs of Manhattan, again for \$1295 per month.

11                   That apartment, though unlikely  
12 to be voted on, on the range that I'm proposing, is  
13 likely to receive a \$10.79 through a \$21.58 monthly  
14 increase based on a proposal of a one or two  
15 percent increase. That's \$129 to \$259 over the  
16 entire lease term. And given that this is based on  
17 the average unit cost, half the population will pay  
18 less than this, implying that \$9 or less per month  
19 for hundreds of thousands of units. We aren't  
20 mincing words here over hundreds of dollars per  
21 month, or even thousands of dollars per year. We  
22 are likely at the final vote, to be debating  
23 monthly increments of \$10 or \$20.

24                   That's the conclusion to my  
25 statement.

1

2

CHAIRMAN REISS: Thank you,

3

Scott.

4

Is there other -- other comment on

5

the discussion of the motion?

6

(No response.)

7

CHAIRMAN REISS: Okay. Hearing

8

none. I'll call the question. But -- oh, sorry,

9

my printer screwed up the name, so hold on. Just

10

give me a second. Okay.

11

So Christina DeRose, how do you

12

vote?

13

MS. DEROSE: No.

14

CHAIRMAN REISS: Robert Ehrlich,

15

how do you vote?

16

MR. EHRLICH: Yes.

17

CHAIRMAN REISS: Sheila Garcia,

18

how do you vote?

19

MS. GARCIA: No.

20

CHAIRMAN REISS: Christian

21

Gonzalez-Rivera, how do you vote?

22

MR. GONZALEZ-RIVERA: No.

23

CHAIRMAN REISS: Leah Goodridge,

24

how do you vote?

25

MS. GOODRIDGE: No.



1

2

CHAIRMAN REISS: Cecilia Joza,

3

how do you vote?

4

MS. JOZA: No.

5

CHAIRMAN REISS: Alex Schwartz,

6

how do you vote?

7

MR. SCHWARTZ: No.

8

CHAIRMAN REISS: Scott Walsh, how

9

do you vote?

10

MR. WALSH: Yes.

11

CHAIRMAN REISS: David Reiss,

12

myself, I vote no. The motion fails on a vote of

13

2-7. No abstentions. Okay. Let's move on to the

14

tenant members, if they have a motion that they

15

would like to make.

16

MS. GARCIA: Thank you, David.

17

I first wanna recognize that this

18

is not a normal year. Right now there is a watch

19

party being held by the Rent Justice Coalition for

20

tenants to watch our hearing virtually together

21

across the city, and there is close to 100 tenants

22

watching there. And I wanted to say thank you for

23

engaging in this process this year, and thank you

24

for your continual engagement as we go through this

25

process, in the next coming month -- upcoming

1

2 months.

3

4 I also wanna say hello to the  
5 folks who are watching on YouTube. There's about  
6 98 of them, close to 100 as well, and I wanna think  
7 them for also engaging in this process. This is  
8 not an easy hearing to find out about. If you  
9 don't know that you're rent-stabilized, if you  
10 don't know what that means. So thank you for  
11 engaging this year.

12

13 I wanna really -- I really wanna  
14 start the -- my motion by talking about why I'm  
15 making a motion and then putting forth my proposal  
16 to the board to vote on. So I'm going to do a  
17 little differently, David. I wanna start to -- I  
18 wanna start by just acknowledging where we are as a  
19 country, and where we've been over the last year  
20 and some months now.

21

22 We are in a place where folks  
23 across the country are hurting. Not just hurting  
24 to find jobs, but to feed themselves, to take care  
25 of their families, to get their kids home-schooled,  
26 to get their devices. Those are all expenses that  
27 many people across the country and across the city  
28 didn't have and expect -- didn't expect to have in

1

2 the past year. I wanna recognize that struggle. I  
3 wanna recognize the struggle that folks have been  
4 engaging in for a really long time around this  
5 board, to get us having the conversations we are  
6 having, and to continue to push us to hear the  
7 tenant's perspective on what adjustments should be.

8 I don't know if many of you know  
9 but this is my eighth year on this board. And  
10 before my appointment, I had been to hearings for  
11 the RGB before, and about 50 people were testifying  
12 total in a year. There was less engagement and  
13 less participation because people felt like this  
14 board, did not hear them. I'm going to ask us this  
15 year not to do what we did for, I would say, maybe  
16 30 years before that when folks engaged in this  
17 board where folks did civil disobedience, taking  
18 over the stage to have their voices heard because  
19 they felt so silenced before that. I wanna thank  
20 all the folks who participated in that struggle to  
21 get us to the point where we are having real  
22 conversations about whether rents should be  
23 increased at all.

24 Our mandate as a board is really  
25 to engage community, and that's all of the folks

1  
2 who are impacted by rent stabilization on what our  
3 decisions should be, and then look at the data.  
4 And in years where the data clearly told us that  
5 landlords were doing okay, we still increase rents.  
6 And I'm asking you that this year, when we know  
7 that tenants are not doing okay across the city,  
8 across the state, across the country, that we don't  
9 do the same thing we did for decades before, which  
10 is, ignore that struggle.

11 Many of the folks on the board  
12 have pointed to folk's status stimulus check. I'm  
13 going to paraphrase what literally our current  
14 president and mentioned in one of his addresses.  
15 We are getting people who were drowning out of  
16 water. That's what his stimulus check was intended  
17 to do. For folks in the Bronx, for folks across  
18 the city who were struggling before the academic,  
19 the struggle just continues. It doesn't get  
20 better. It is not lighter because people received  
21 some checks. For folks who were making less than  
22 \$15,000 a year, the stimulus checks just got them  
23 above water.

24 Is -- we're basically saying to  
25 people who are in an ocean of despair, right, think

1  
2 about all of the folks who are -- who have four  
3 kids, three kids, and homeschooling, who had to  
4 figure out what that means. For the folks who  
5 don't speak English and have to teach their kids in  
6 English and support them through that process for a  
7 whole year. For the folks who lost their jobs,  
8 like my mother and many people across the city, who  
9 still haven't been able to get back on their feet.  
10 For all of those folks, I'm asking us to hear  
11 what's happening, not just in New York City but  
12 across the country.

13                   And, you know, there's -- we talk  
14 about data, but some of the data that I would like  
15 to highlight is the data speaking about how  
16 landlords have maintained and why. Even after  
17 years of rent freezes. I heard from my first year,  
18 you know, if you have a rent freeze, the sky will  
19 fall. There's going to be disrepair across the  
20 city. As if a rent-freeze meant that landlords  
21 should violate their duty to provide habit over  
22 housing when they were making record NOI, when we  
23 saw rents continue to increase when we didn't have  
24 an increase. I want us to consider that.

25                   We're mentioning that we maybe

1  
2 don't have all the data we need. In years where  
3 we're making the argument for a rent-freeze, we  
4 heard, Well, you don't know what's going to happen  
5 next year. Well, I'm going to take the same  
6 approach this year. If we do not know whether  
7 landlords are going to be hurting in a year, why  
8 don't we wait until next year and allow the board  
9 to look at the data, not make assumptions, not tell  
10 us the sky will fall if we do something, but to  
11 make assumptions -- to make decisions based on the  
12 data that we have in front of us.

13 I'm going to highlight some of  
14 the data that -- of what's happening across the  
15 city with -- for tenants. We're estimating in our  
16 fight -- well, in our flight to extend moratoriums,  
17 that there is between 1.4 to 600,000 people in New  
18 York State, who have fallen behind on their rent.  
19 Let's -- let's sit with that -- with that a moment.  
20 In New York City alone, we have averaged anywhere  
21 between 50 to 60,000 homeless people a year.  
22 600,000 at a minimum, are the folks who are waiting  
23 to get relief. Even if the program that the state  
24 has announced, there's a billion point -- \$2.1  
25 billion available for this rent relief. We don't

1

2 know exactly how it's going to be. Well, how easy  
3 will be for tenants to apply.

4           The last program was of complete  
5 failure and didn't provide the relief that tenants  
6 needed. I have not met a single tenant yet who  
7 qualified and was able to get relief from that  
8 program. So our assumption that tenants are going  
9 to have all the back rent paid, is an assumption  
10 that we're making premature. We don't know what  
11 the data is. Let's wait until that data comes out,  
12 and let's make that into consideration when we make  
13 our decision next year.

14           On the idea of what will happen.  
15 Well, I'm just going to share a few stories, one of  
16 which we heard about earlier in the invited  
17 testimony. If you remember Amadi (phonetic), a  
18 younger African-American woman, shared with us her  
19 struggle losing her job, finding a job where she  
20 made less, and her struggle paying rent. And we're  
21 talking about a young professional person.

22           Now I'm going to put that next --  
23 her story next to another story. I'm not going to  
24 mention the person's name because they are  
25 undocumented, and they asked for me not to share.

1

2 But, you know, there is a person in the Bronx who  
3 lives blocks away from my office. She has three  
4 small children, lives in a one-bedroom apartment  
5 with her, her three children, and her husband.  
6 They pay about 65 percent of their rent in -- their  
7 income and rent. To them, a \$10 increase, that was  
8 suggested by Scott, is a life-changing decision.  
9 It is deciding whether they buy more food that  
10 month sometimes. It's deciding whether they buy a  
11 new tablet for their kids to do remote learning.  
12 It is a \$10 difference.

13 If folks have noticed, when you go  
14 to the grocery store, especially during the  
15 pandemic, if we wanna think about what the payout  
16 means and what does it mean for tenants, we all saw  
17 prices for food go up. Now we're asking parents  
18 who maybe didn't have to provide breakfast and  
19 lunch, like this person, to provide three meals a  
20 day at home. \$10 makes a difference. And if it  
21 doesn't make a difference for tenants, then it  
22 doesn't make a difference for landlords, so then we  
23 should have a zero percent increase.

24 I think that we often find  
25 ourselves in this idea of who's struggling the



1  
2 most. I just wanna make it perfectly clear.  
3 Ownership of a building, it's not livelihood of a  
4 tenant who is living in an apartment. Most of  
5 these folks don't have a choice of whether they go  
6 to Bed Stuy to live, whether they get exposed  
7 bricks. They're really looking at, does the rent  
8 match what I could pay and still survive. And I  
9 hear a lot, well, that's not all tenants. Let's  
10 use our own data. The medium income for people in  
11 New York City is \$54,000 a year. That's about --  
12 that's like the middle, right? For folks who don't  
13 know what median is, it's the middle of what people  
14 are making if you start all of the income in order.

15 In community board four in the  
16 Bronx, that's \$27,000 a year. The average rent is  
17 \$1,483. As we well know, and I think that this is  
18 not -- this is our own data. A lot of the -- you  
19 know, 50 percent of tenants, and specifically in  
20 the Bronx, are paying 50 percent more of their  
21 income in rent. So when we are talking about \$10, I  
22 know for many of us on this board, that might not  
23 make a difference about whether we change our  
24 habits but for these folks, it makes a difference.

25 So for that reason, and all the

1

2 other reasons I listed, I am going to make this  
3 motion for us to consider not just keeping people  
4 where they're at, but maybe being bolder and doing  
5 more.

6

At this time, I would like to put  
7 forward a motion to propose adjustments for  
8 rent-stabilized apartments and lofts.

9

I move to adopt the language of  
10 the proposed Apartment and Loft Order, number 53,  
11 as read into the record at this meeting, and I move  
12 to adopt the following proposed rental adjustments  
13 for rent-stabilized apartments and lofts.

14

I propose that the range for one  
15 year lease start at negative three and end at zero.

16

For a two-year lease, start at  
17 zero percent and ends at one.

18

For lofts, one year increase be  
19 the same as above, which is negative three to zero  
20 for one-year leases, zero to one percent for  
21 two-year leases.

22

The maximum base rent under my  
23 proposal would be zero.

24

To summarize, in accordance with  
25 the motion, you are voting on the adjustments I

1

2 proposed and the proposed language of this order.

3

CHAIRMAN REISS: Thank you,

4

Sheila.

5

Is there a second for Sheila's

6

motion? I see Leah has raised her hand. So Leah

7

has --

8

MS. GOODRIDGE: I second the

9

emotion wholeheartedly. Thank you.

10

CHAIRMAN REISS: Okay. So just

11

to restate the motion, Sheila's motion is for

12

apartments, one year, negative three percent to

13

zero percent.

14

Two year, zero percent to one

15

percent, and the same for lofts, one year, negative

16

three percent to zero percent, two year, zero

17

percent to one percent with maximum base rent for

18

the special guideline of zero percent.

19

Is there a discussion on the

20

motion?

21

MR. MCLAUGHLIN: David, just --

22

CHAIRMAN REISS: Yeah. Sorry.

23

Go ahead, Andrew.

24

MR. MCLAUGHLIN: -- jump in again

25

just to clarify. It's zero percent above the

1

2 maximum base rent?

3

MS. GARCIA: Correct.

4

5 special guideline, decontrol -- and decontrolled  
6 unit, it's zero percent above the maximum base  
7 rent. Okay.

8

9 Andrew.

CHAIRMAN REISS: Thank you,  
Discussion on Sheila's motion?

10

(No response.)

11

CHAIRMAN REISS: Hearing none, I  
12 call the question and I'll take votes in a -- in  
13 alphabetical order.

14

Christina DeRose, how do you vote?

15

MS. DEROSE: No.

16

17 how do you vote?

CHAIRMAN REISS: Robert Ehrlich,

18

MR. EHRLICH: No.

19

20 how do you vote?

CHAIRMAN REISS: Sheila Garcia,

21

MS. GARCIA: Yes.

22

23 Gonzalez-Rivera, how do you vote?

CHAIRMAN REISS: Christian

24

MR. GONZALEZ: No.

25

CHAIRMAN REISS: Leah Goodridge,

1

2     how do you vote?

3                             MS. GOODRIDGE:    Yes.

4                             CHAIRMAN REISS:    Cecilia Joza,

5     how do you vote?

6                             MS. JOZA:    No.

7                             CHAIRMAN REISS:    Alex Schwartz,

8     how do you vote?

9                             MR. SCHWARTZ:    No.

10                            CHAIRMAN REISS:    Scott Walsh, how

11    do you vote?

12                            MR. WALSH:    No.

13                            CHAIRMAN REISS:    And I David

14    Reiss vote no.   The motion fails 7-2.   No

15    abstentions.    Okay.

16                            I'm just trying to make sure that

17    I'm on top of everything here.   Okay.   So we did

18    owner's motion, we've done tenant's motion.   I'm

19    going to now open the floor for motions from public

20    members.

21                            MR. GONZALEZ-RIVERA:    I would

22    like to propose a motion.

23                            CHAIRMAN REISS:    Yes, Christian.

24    You have the floor.

25                            MR. GONZALEZ-RIVERA:    Okay.    So

1

2 good evening to members of the public. So at this  
3 time, I'd like to put forward a motion for a  
4 proposed rental adjustment for rent-stabilized  
5 apartments and lofts.

6 I move to adopt the language of  
7 the proposed Apartment and Loft Order, number 53 as  
8 read into the record at this meeting, and I move to  
9 adopt the following proposed rental adjustments for  
10 rent-stabilized apartments and lofts.

11 For apartments, one-year lease, a  
12 range of 0 to 2 percent.

13 For two-year leases, a range of 0  
14 to 2 percent -- that's 0 to 2 percent for the first  
15 year of the lease, and 1 to 3 percent for the  
16 second year of the lease, so it is a split lease.

17 For lofts, for the one-year  
18 increased period, a range of 0 to 2 percent.

19 And for the two-year increase  
20 period, again, a split, a range of 0 to 2 percent  
21 for the first year, and 1 to 3 percent for the  
22 second year.

23 For the special guideline, I'll  
24 keep it the same as last year, which is 39 percent  
25 above the maximum base rent. So to summarize, in

1

2 accordance with my motion, your voting on the  
3 adjustments I proposed and the proposed language of  
4 the order.

5 But before we -- before we get to  
6 the vote part, I'd like to actually explain why it  
7 is that I'm putting this motion forward. So I'm  
8 putting this motion forward because I believe that  
9 the board should pass a rent freeze for one-year  
10 leases and for the first year of a two-year lease  
11 to ensure equity between tenants who received  
12 stimulus funds to cover back rent and those who are  
13 not behind on their rent. I mean, it's like, who  
14 would not be getting the back rent and who would  
15 not be getting a freeze, as determined by the  
16 federal stimulus law.

17 So I'm imagining a situation  
18 where you have two neighbors, you know, one lost --  
19 one of them lost their job and wasn't able to make  
20 the rent and fell behind on payments, while the  
21 next-door neighbor was more fortunate and was able  
22 to stay current on the rent.

23 I believe the board should avoid a  
24 situation where the neighbor who fell behind both  
25 gets access to the federal money that they need to

1

2 cover back rent and also gets a rent freeze, but  
3 then the next-door neighbor who was able to pay  
4 rent this entire time, you know, gets hit with a  
5 rent increase.

6 So that just -- I feel like that's  
7 inequitable, and I think the board's decision  
8 should avoid that awkward situation. So with that,  
9 that's all I have to say on that, I mean, so I move  
10 to call for a vote on this proposed motion.

11 CHAIRMAN REISS: Is there a  
12 second for Christian's motion?

13 MS. GARCIA: I'll second it.

14 CHAIRMAN REISS: Sheila and Leah  
15 were close, but I heard Sheila first, so I'm going  
16 to say seconded by Sheila. Okay.

17 So just to restate Christian's  
18 motion, for apartments, a one-year, a range of 0  
19 percent to 2 percent, a two-year -- for the first  
20 year of a two-year lease, a range of 0 to 1  
21 percent, for the second year of a two-year lease, a  
22 range of 1 to 3 percent.

23 The same for lofts, one-year, 0 to  
24 2 percent. Two-year, a range of 0 to 2 percent for  
25 the first year of a two-year lease, a range of 1 to



1

2 3 percent for the second year of a two-year lease,  
3 with a special guideline of 39 percent over maximum  
4 base rent.

5 Okay. Is there --

6 MS. DEROSE: Can I clarify that  
7 number, because I heard for the range for the  
8 two-year, is it 0 to 1 percent or 0 to 2 percent?

9 CHAIRMAN REISS: So Christian, do  
10 you want to restate it in case I got it wrong, or  
11 did I get it right?

12 MR. MCLAUGHLIN: David, I think  
13 you misspoke on the first year of the apartment.  
14 You said 0 to 1 instead of 0 to 2.

15 CHAIRMAN REISS: Right. Okay.  
16 I'm sorry, Christina.

17 MR. MCLAUGHLIN: Yeah.

18 CHAIRMAN REISS: For two-year,  
19 for the first year of a two-year lease, a range of  
20 0 to 2 percent, and then for the second year of a  
21 two-year lease, a range of 1 to 3 percent.  
22 Christian; is that right?

23 MR. GONZALEZ-RIVERA: Yeah.

24 CHAIRMAN REISS: Okay.

25 Christina, are we good?

1

2

MS. DEROSE: Yeah. Yeah. I

3

wrote -- okay.

4

CHAIRMAN REISS: Got it. Thank

5

you. Sorry. Okay. So we had a second. I

6

restated the motion.

7

So is there a discussion on the

8

motion?

9

MR. WALSH: I mean, I guess,

10

David, I just have one comment to the motion. I

11

mean, Christian, it's quite clear there's three

12

people involved in the situation. There's two

13

neighbors, but there's also an owner of that

14

building who has to pay the property taxes, who has

15

to keep the building clean and has to pay the way,

16

no matter whether the tenant pays or doesn't pay.

17

So, you know, in some ways, I

18

appreciate, as a public member, that you've made a

19

motion because in this administration, public

20

members have never made motion, so I commend you on

21

that, but I am not complementary in that there's

22

another whole party to this issue who you pretend

23

doesn't even exist. A real estate owner is not a

24

public service entity.

25

CHAIRMAN REISS: Is that for the

1

2 --

3 MS. GOODRIDGE: We have had  
4 public members make motions before. I believe, in  
5 fact, it's been quite a practice in the last couple  
6 of years. And to your point, we often have these  
7 discussions about subsidies and whether owners  
8 should subsidize tenants. And I just want to  
9 reiterate something that I've said continually on  
10 the board, which is that we're in the middle of a  
11 crisis, and we are merely talking about how much  
12 the renewal rents should be.

13 When we go back and we talk to  
14 tenants and we tell them, for example, great news,  
15 the board has approved a rent-freeze. Do you know  
16 what they say? Well, does that mean that I still  
17 have to pay the rent? I've lost my job. I have  
18 other things that have happened to me in the middle  
19 of a pandemic. What does that mean? And I say,  
20 yes, it was very hard to get, but you get to pay  
21 the rent, but not anything higher than the last  
22 renewal lease amount. And for a lot of people, a  
23 rent freeze is just not enough. It's not enough.

24 We are continually talking about  
25 and having a discussion about whether -- balancing

1

2 the scales, for example, between tenants and  
3 landlords. And unfortunately, on this board, one  
4 of the ways that we have that discussion is we talk  
5 about remedies that have been put in place to  
6 rectify things for tenants.

7 For example, the 2019 HSTPA Rent  
8 Laws, last year's rent freeze, these are things  
9 that, for example, in a global pandemic, what would  
10 have happened if we didn't have that rent-freeze?  
11 That's a remedy for something. It doesn't give  
12 tenants an edge over landlords.

13 If you walk more than five blocks  
14 anywhere in this city, Queens, Manhattan, Brooklyn,  
15 the Bronx, I challenge you to see whether you can  
16 walk those five blocks without seeing a homeless  
17 person. We have been in the midst of a homelessness  
18 crisis for decades. We had a pandemic before the  
19 pandemic, but nobody seems to care about that  
20 because again, we're stuck on rent freezes. Rent  
21 freezes. We want rollbacks. When we go to folks  
22 and we tell them, Guess what? Great news. You  
23 were able to pay your rent, but it won't be this --  
24 but it won't be higher than last year. What does  
25 that mean in the middle of a global pandemic for

1

2 people who have lost their jobs?

3

4 What was mentioned before was the  
5 median income is \$54,000. Do you know what that  
6 boils down to? If that is a biweekly paycheck,  
7 that is 1,488 for each paycheck. Not even \$3,000  
8 for the month.

8

9 And I want to make another  
10 challenge. Along with trying to find or trying to  
11 walk more than five blocks in this city without  
12 encountering a homeless person, let's see if you  
13 can actually find a one-bedroom apartment or  
14 two-bedroom apartment for 1,500. Quite difficult  
15 to do. And if your family, if you're more than one  
16 person, if you're a parent and a child, and you're  
17 making 54,000 and you're trying to find a  
18 two-bedroom apartment, that's incredibly difficult  
19 to do.

19

20 So there's a fourth entity, along  
21 with the tenant, the landlord, the other tenant,  
22 the neighbor, there's the crisis. There's the  
23 crisis. And there's two crises. There's a  
24 homelessness crisis before the pandemic and after  
25 the pandemic. So we're not talking about rent in a  
city such as Dallas or Philadelphia, which is

1  
2 reasonably more affordable than New York City,  
3 we're talking about a city that everyone knows, but  
4 I don't even have to say everyone knows. It's  
5 documented, it's unaffordable, and it's been  
6 unaffordable for a while.

7           The people who we clap for at  
8 7:00 p.m., people who just a year ago that we were  
9 clapping for at 7:00 p.m., the essential workers,  
10 they are the folks that we are fighting for. They  
11 are the folks that are thinking about, Oh my God,  
12 how am I able -- how am I going to be able to pay  
13 the rent? And when we're talking about stimulus  
14 checks, we're talking about rent relief.

15           I've got to tell you as a tenant  
16 attorney, the last rent relief by the State, like  
17 my co-tenant mentioned, very hard to find someone  
18 who is able -- very difficult. A lot of folks were  
19 not able to be captured by that. A lot of folks  
20 were not able to be captured by that.

21           Stimulus checks doesn't cover  
22 everything. It doesn't cover everything. If you  
23 were infected with COVID and you had medical bills,  
24 and you had food to pay, doesn't cover everything.  
25 So there's a fourth entity in that equation; it's a

1  
2 crisis, and there's been a crisis for a long time.  
3 And we've been dancing around it or ignoring it,  
4 and I don't know why. Maybe it's because of the  
5 racial demographics and the people who are  
6 suffering in that crisis. I'm not sure. But I do  
7 know the reality that it's been going on for  
8 decades. And we've been here dancing around and  
9 talking about and comparing profits and money to  
10 survival. So that's in response to the point that  
11 you brought up for our discussion.

12 MS. GARCIA: I would like to  
13 actually share a little bit about why I think this  
14 is a motion to be worth considering. And I think  
15 it's mainly on the fact that if you think about who  
16 signs leases, we know that most people sign  
17 two-year leases, so most folks last year didn't  
18 benefit from the rent freeze we issued. Well,  
19 they're coming up right now. What are we doing for  
20 those folks? I think Christian brought up a pretty  
21 good argument in who gets -- who benefits from the  
22 rent relief program.

23 If you are a tenant who was unable  
24 to pay your rent, you'll have maybe an opportunity  
25 to get relief from the state and apply to a

1

2 program. For folks who struggled through that  
3 pandemic, to make ends meet, this proposal hears  
4 that. And for that reason, I plan to support it.

5 CHAIRMAN REISS: Alex.

6 MR. SCHWARTZ: This will be a  
7 quick comment.

8 I agree with Christian about the  
9 equity issues that he raised, and I support the  
10 idea of the first-year increase or change,  
11 including the rent freeze at the bottom. I don't  
12 understand why the two-year lease would also  
13 include a rent-freeze since people would have the  
14 option of taking a one-year lease with the  
15 rent-freeze if we chose that as the ultimate  
16 decision or not.

17 CHAIRMAN REISS: Any further  
18 discussion on the motion?

19 (No response.)

20 CHAIRMAN REISS: Hearing none,  
21 I'm going to call the question. And I'll take a --  
22 I'll take a roll call vote.

23 Christina DeRose?

24 MS. DEROSE: No.

25 CHAIRMAN REISS: Robert Ehrlich?



1

2

MR. EHRLICH: No.

3

4

CHAIRMAN REISS: I'm sorry. I'm hearing feedback. Is anyone else hearing feedback?

5

No? Okay. Sorry. Sheila Garcia?

6

MS. GARCIA: Yes.

7

CHAIRMAN REISS: Christian

8

Gonzalez-Rivera?

9

MR. GONZALEZ-RIVERA: Yes.

10

CHAIRMAN REISS: Leah Goodridge?

11

MS. GOODRIDGE: Yes.

12

CHAIRMAN REISS: Cecilia Joza?

13

MS. JOZA: No.

14

CHAIRMAN REISS: Alex Schwartz?

15

MR. SCHWARTZ: No.

16

CHAIRMAN REISS: Scott Walsh?

17

MR. WALSH: No.

18

CHAIRMAN REISS: David Reiss?

19

No. The motion fails, 6-3. No abstentions.

20

Okay. Let me just get myself a

21

little organized here. Just bear with me for a

22

second. Okay.

23

At this time, I would like to put

24

forward a motion for proposed rental adjustments

25

for rent-stabilized apartments and lofts. Before I

1

2 do so, I just wanted to remind the members of the  
3 board and the public that these are preliminary  
4 guideline adjustments.

5

I encourage that the public join  
6 in their annual process of public comment. I look  
7 forward to reading and listening to your comments.

8

I move to adopt the language of  
9 the proposed Apartment and Loft Order number 53 as  
10 read into the record at this meeting, and I move to  
11 adopt the following proposed rental adjustments for  
12 rent-stabilized apartments and lofts.

13

Apartments, one-year lease, a  
14 range of 0 to 2 percent;

15

two-year lease, a range of 1 to 3  
16 percent;

17

Lofts, one-year increased period,  
18 a range of 0 to 2 percent;

19

two-year increased period, a range  
20 of 1 to 3 percent;

21

special guideline, 39 percent  
22 above the maximum base rent.

23

To summarize, in accordance with  
24 my motion, you are voting on the adjustments I  
25 proposed and the proposed language of the order.

1

2

Do I hear a second for my motion?

3

MR. SCHWARTZ: Second.

4

5

CHAIRMAN REISS: A second by Alex  
was first of the race so a second by Alex.

6

7

So to restate my motion, it's a  
one-year -- for apartments, a one-year lease, a  
range of 0 to 2 percent;

8

9

two-year lease, a range of 1 to 3  
percent.

10

11

Similarly, for lofts, one-year  
increased period, a range of 0 to 2 percent;

12

13

two-year increased period, a range  
of 1 to 3 percent, special guideline, 39 percent  
above the maximum base rent. Okay.

14

15

Discussion on the motion?

16

(No response.)

17

18

CHAIRMAN REISS: Hearing none, I  
call the question. I will take a roll call vote.

19

Christina DeRose?

20

MS. DEROSE: Yes.

21

CHAIRMAN REISS: Robert Ehrlich?

22

MR. EHRLICH: No.

23

CHAIRMAN REISS: Sheila Garcia?

24

MS. GARCIA: Pass.

1

2

CHAIRMAN REISS: I'm sorry,

3

Sheila, did you say pass?

4

MS. GARCIA: Yes.

5

CHAIRMAN REISS: Okay. Pass.

6

Christian Gonzalez-Rivera?

7

MR. GONZALEZ-RIVERA: Yes.

8

CHAIRMAN REISS: Yes. Leah

9

Goodridge?

10

MS. GOODRIDGE: Pass.

11

CHAIRMAN REISS: Cecilia Joza?

12

MS. JOZA: Yes.

13

CHAIRMAN REISS: Alex Schwartz?

14

MR. SCHWARTZ: Yes.

15

CHAIRMAN REISS: Scott Walsh?

16

MR. WALSH: No.

17

CHAIRMAN REISS: No.

18

David Reiss, yes.

19

And I'm going to return to Sheila

20

Garcia.

21

MS. GARCIA: No.

22

CHAIRMAN REISS: And I'm going to

23

return to Leah Goodridge.

24

MS. GOODRIDGE: No.

25

CHAIRMAN REISS: No. Okay. The

1

2 motion passes by a vote of 5-4. No abstentions.

3 Okay.

4

5 So those are our preliminaries,  
6 and we will continue our conversations over the  
7 coming months.

8

9 As that completes the business of  
10 the board -- actually, Andrew, before I ask anyone  
11 for a final motion, do you have anything to add or  
12 suggest or remind us of?

13

14 MR. MCLAUGHLIN: I'm good.

15

16 Thanks.

17

18 CHAIRMAN REISS: Okay. So I'm  
19 open to any motions to adjourn from any of the  
20 members?

21

22 MR. GONZALEZ-RIVERA: I so move.

23

24 CHAIRMAN REISS: A first --  
25 motion from Christian, and do I have a second?

26

27 MS. JOZA: I second.

28

29 CHAIRMAN REISS: And a second  
30 from Cecilia. This meeting is adjourned. I look  
31 forward to us continuing our work in the coming  
32 weeks. Thank you all for your service.

33

34 MS. JOZA: Thank you.

35

36 MS. GARCIA: Bye, everyone.

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MR. SCHWARTZ: Goodbye.

(Whereupon, the proceedings were  
concluded.)

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STATE OF NEW YORK )  
SS.  
COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand  
(Stenotype) Reporter and Notary Public within and  
for the State of New York, do hereby certify that  
the foregoing pages 1 through 63, taken at the time  
and place aforesaid, is a true and correct  
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have  
hereunto set my name this 5th day of May 2021.

*Marc Russo*

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MARC RUSSO

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