



Assemblymember
Robert C. Carroll
 Assembly District 44

June 14, 2019

Greetings --

Today in Albany we passed the Housing Stability and Tenant Protection Act Of 2019, a package of housing reforms that give New Yorkers the strongest tenant protections in the history of our State.

For too long, power has been tilted in favor of landlords and these measures finally restore equity and extend protections to tenants across New York. A big thank you to all of the tenant advocacy groups and activists who have been fighting for years to make this day a reality.

[Here are my remarks from the floor on the bill:](#)



The Housing Stability and Tenant Protection Act Of 2019, [A.8281](#), includes the following:

Extends the Rent Regulation Laws and Makes them Permanent:

- Makes the rent regulation system permanent, so they will not sunset at any time in the future without an act of the Legislature to repeal or terminate them.
- Rent regulation laws have been scheduled to expire every four to eight years for decades.

Repeals High Rent Vacancy Deregulation & High Income Deregulation:

- Repeals the provisions that allow the removal of units from rent stabilization when the rent crosses a statutory high-rent threshold and the unit becomes vacant or the tenant's income is \$200,000 or higher in the preceding two years.
- Previous provisions led to the deregulation of more than 300,000 units since they were first passed in 1994.

Reforms Owner Use Exception to Rent Regulation:

- Limits the use of the "owner use" provision to a single unit, requires that the owner or their immediate family use the unit as their primary residence, and protects long-term tenants from eviction under this exception by reducing the current length of tenancy required to be protected from eviction to 15 years.

Keeps Stabilized Apartments Rented by Nonprofits in the Rent Stabilization System:

- Limits the temporary non-profit exception to rent stabilization by requiring units to remain rent-stabilized if they are provided to individuals who are or were homeless or are at risk of homelessness.
- Provides individuals permanently or temporarily housed by nonprofits status as tenants while ensuring that units used for these purposes remain rent stabilized.

Repeals the Vacancy Bonus & Longevity Bonus:

- Repeals the "vacancy bonus" provision that allows a property owner to raise rents as much as 20 percent each time a unit becomes vacant.
- Repeals the "longevity bonus" provision that allows rents to be raised by additional amounts based

- on the duration of the previous tenancy.
- Prohibits local Rent Guidelines Boards from reinstating vacancy bonus on their own.

Prohibits Rent Guidelines Board from Setting Class-Specific Renewal Increases:

- Prohibits Rent Guidelines Boards from setting additional increases based on the current rental cost of a unit or the amount of time since the owner was authorized to take additional rent increases, such as a vacancy bonus.

Makes Preferential Rents the Base Rent for Lease Renewal Increases:

- Prohibits owners who have offered tenants a "preferential rent" below the legal regulated rent from raising the rent to the full legal rent upon renewal.
- Once the tenant vacates, the owner can charge any rent up to the full legal regulated rent, so long as the tenant did not vacate due to the owner's failure to maintain the unit in habitable condition.
- Owners with rent-setting regulatory agreements with federal or state agencies will still be permitted to use preferential rents based on their particular agreements.

Provides Relief from Large Rent Increases for Rent-Controlled Tenants:

- Sets Maximum Collectible Rent increases at the average of the five most recent Rent Guidelines Board annual rent increases for one-year renewals.
- This bill also prohibits fuel pass-along charges.

Extends Rent Overcharge Four-Year Look-Back Period to Six Years:

- Extends the four-year look-back period to six or more years as reasonably necessary to determine a reliable base rent, extends the period for which an owner can be liable for rent overcharge claims from two to six years, and would no longer allow owners to avoid treble damages if they voluntarily return the amount of the rent overcharge prior to a decision being made by a court or Housing and Community Renewal (HCR).
- Allows tenants to assert their overcharge claims in court or at HCR and states that while an owner may discard records after six years, they do so at their own risk.

Reforms Rent Increases for Major Capital Improvements (MCIs):

- Lowers the rent increase cap from six percent to two percent in New York City and from 15 percent to two percent in other counties.
- Provides the same protections of the two percent cap going forward on MCI rent increases attributable to MCIs that became effective within the prior seven years.
- Lowers increases further by lengthening the MCI formula's amortization period.
- Eliminates MCI increases after 30 years instead of allowing them to remain in effect permanently.
- Significantly tightens the rules governing what spending may qualify for MCI increases and tightens enforcement of those rules by requiring that 25 percent of MCIs be inspected and audited.

Reforms Rent Increases for Individual Apartment Improvements (IAIs):

- Caps the amount of IAI spending at \$15,000 over a 15-year period and allows owners to make up to three IAIs during that time.
- Makes IAI increases temporary for 30 years rather than permanent and requires owners to clear any hazardous violations in the apartment before collecting an increase.

Requires Annual Report From HCR On Rent Administration and Tenant Protection:

- Requires HCR to submit an annual report on the programs and activities undertaken by the Office of Rent Administration and the Tenant Protection Unit regarding implementation, administration and enforcement of the rent regulation system.
- The report will also include data points regarding the number of rent stabilized units within each county, application and approvals for major capital improvements, units with preferential rents, rents charged, and overcharge complaints.

Reforms Co-Op/Condo Conversions :

- Strengthens and makes permanent the system that protects tenants in buildings that owners seek to convert into co-ops or condos.
- Eliminates the option of "eviction plans" and institutes reforms for non-eviction plans.
- Requires 51 percent of tenants in residents to agree to purchase apartments before the conversion can be effective. (Currently 15 percent of apartments must be sold and the purchasers may be outside investors.)
- For market-rate senior citizens and disabled tenants during conversion, evictions are permitted only for good cause, where an unconscionable rent increase does not constitute good cause.

Establishes Rent Stabilization as an Option for Localities Statewide:

- Removes the geographical restrictions on the applicability of the rent stabilization laws, allowing any municipality that otherwise meets the statutory requirements (e.g., less than five percent

vacancy in the housing stock to be regulated) to opt into rent stabilization.

Establishes Stronger Housing Security and Tenant Protections Statewide:

- Creates transformational protections for all residential tenants throughout the state.
- Bans the use of so-called "tenant blacklists" which protects tenants who enforce their rights.
- Limits security deposits to one month's rent and provides required procedures to ensure the landlord promptly returns the security deposit.
- Includes a wide variety of protections for tenants during the eviction process, including strengthening protections against retaliatory evictions.
- Creates the crime of unlawful eviction, where a landlord illegally locks out or uses force to evict a tenant, as a Class A Misdemeanor and also punishable by a civil penalty of between \$1,000 and \$10,000 per violation.
- Requires landlords to provide notice to tenants if they intend to increase the rent more than five percent or do not intend to renew the tenants' lease.
- Provides tenants more time in eviction proceedings to get a lawyer, fix violations of the lease, or pay rent owed.
- Expands the ability of the court to stay an eviction for up to one year if the tenant cannot find a similar suitable dwelling in the same neighborhood after due and reasonable efforts or the eviction would cause extreme hardship.

Implements Mobile & Manufactured Home (MMH) Tenant Protections:

- Limits rent increases to three percent unless the increase is justifiable, in which case the park owner may increase rent up to six percent. Should the park owner need an increase higher than six percent, the owner must apply for a hardship allowance from HCR.
- Establishes new Rent-to-Own protections that would protect MMH tenants attempting to purchase a home from a MMH park owner or operator.
- Adds a Homeowner's Bill of Rights rider for all leases.
- Strengthens protections against evictions from parks, including for seasonal residents.
- Creates new protections for MMH owners if a park owner or operator decides to change the use of the park by prohibiting a park owner from starting an eviction case against a MMH for two years and provide a stipend up to \$15,000 when they are evicted due to the change of use.

Assembly passes Driver's License Access and Privacy Act "Green Light Bill"

Also this week, the Assembly passed the Driver's License Access and Privacy Act, also known as the Green Light Bill, to create safer roads for all New Yorkers, boost the state's economy and protect hardworking New Yorkers and their families ([A.3675-B](#)). Until 2001, this fundamental privilege was extended to all New Yorkers, regardless of immigration status.

If passed in the Senate and signed by the Governor, New York would join twelve states, Puerto Rico and the District of Columbia to enact legislation that would allow undocumented immigrants to obtain a driver's license, many of which have reported fewer accidents and traffic fatalities. A 2017 Stanford University study found that California's law expanding access to drivers' licenses led to a drop in hit-and-run accidents between seven and 10 percent, or approximately 4,000 fewer hit-and-run accidents, and saving not-at-fault drivers \$3.5 million in out-of-pocket expenses for car repairs.

This legislation, which I am proud to have co-sponsored would make everyday tasks such as getting to work, shopping for groceries or picking up kids from school vastly easier for an estimated 265,000 people in New York, including 64,000 north of New York City. The policy change would generate an estimated \$57 million in combined government revenues that would recur annually, as well as a \$26 million one-time boost in revenues as more people get licenses.

Assembly and Senate Pass Important Public Health Legislation

Yesterday the Assembly and Senate passed ([A.2371-A](#)) which will repeal all non-medical exemptions from vaccination requirements.

The current measles outbreak in the United States is the worst in decades, and New York State accounts for the majority of cases. There have been 588 confirmed measles cases in New York City since September and 266 cases in Rockland County. Other areas that have been impacted include Greene, Orange, Suffolk, Sullivan and Westchester counties. According to the New York State Department of Health, measles can cause severe complications and lead to hospitalization and death, and the best way to prevent this highly contagious disease is by getting two doses of the measles-mumps-rubella (MMR) vaccine. The disease is especially life-threatening for those who cannot be vaccinated such as infants and the elderly.

Existing New York State law requires all children attending school receive immunizations for poliomyelitis, mumps, measles, diphtheria, pertussis, rubella, tetanus, hepatitis B and varicella; however, a child can be exempt when a physician certifies that it could be detrimental to their health, or for certain nonmedical reasons. This legislation would change this law by ending all nonmedical exemptions from vaccination requirements for children.

I received hundreds of emails and phone calls and met with dozens of constituents who asked me to vote against this bill. I listened to everyone and thought long and hard about this issue. While I do believe that

every person has the right to exercise their own religious freedoms, I ultimately decided that a line must be drawn when the lives of New Yorkers' are in danger. I'm committed to protecting our kids and those whose health is already at risk. Vaccinations protect public health, so I voted yes.

B35 Bus Improvements on Church Avenue

Buses are critical to New York City's mass transit infrastructure and it's essential that they move as safely and efficiently as possible. I was glad to join NYC Department of Transportation, the MTA, and transit advocates earlier this week to advocate for a better B35. The B35 is one the most well-travelled bus lines in my district and also one of the slowest. I am committed to working with NYC DOT and the community to make sure that the Better Buses Action Plan successfully decreases congestion and increases safety and efficiency along Church Avenue. To review the Better Buses Action Plan, click [here](#).



Upcoming Community Calendar:

Newkirk Avenue Summer Kick-Off

Newkirk Avenue between Coney Island Avenue and East 16 Street

Saturday, June 15 from 1pm to 6pm

Newkirk Avenue will be closed to traffic so come out to play! School is almost out! Come out and enjoy Flatbush! Bring the kids and family and enjoy free rides, outdoor dining, yoga, face painting and of course...dancing!

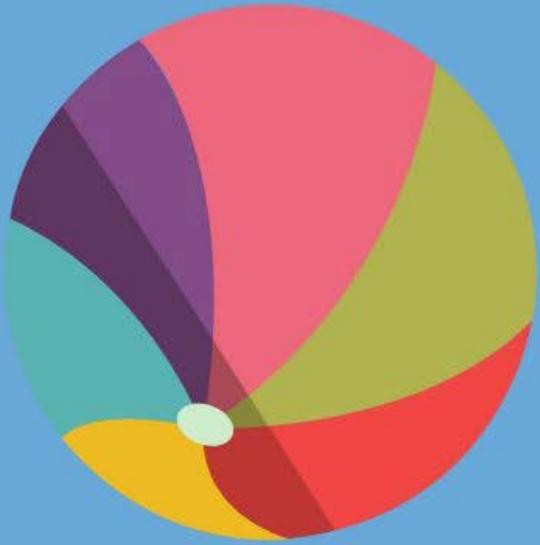
Presented with support from FDC & NYC Weekend Walks.

present

Newkirk Ave Summer Kickoff

JUNE 15, 2019, 1PM - 6PM

rain or shine



FDC YOUTH BLOCK PARTY
P.S.217 PARENT ASSOCIATION
NEWKIRK MERCHANT
ASSOCIATION
SILENT DISCO

Newkirk Ave. will be closed to car
traffic from Coney Island Avenue
to East 16th St.

*BROOKLYN LIBRARY BOOKMOBILE *STREET GAMES* OUTDOOR DINING*
*SHOPPING SPECIALS * LIVE MUSIC * MIDWOOD POPUP MUSEUM* OUTDOOR
DINING* PIZZA EATING CONTEST*ARTS & CRAFTS* STORY TIME*
KID'S OUTDOOR SCIENCE & READING ROOM* BOOK SWAP *
COMMUNITY YOGA* DJ DANCING* FACE PAINTING*

#myNEWKIRK

FDCONLINE.ORG

#myFDC



Seventh Heaven

7th Avenue from Lincoln Place to 13th Street

Sunday, June 16

Noon - 6pm

Join local merchants for Live Music, Food, Rides, Art, Crafts, Antiques, Classic Cars and More!

CAMBA Community Advisory Board for the Park Slope Women's Shelter

Park Slope Armory

1402 8th Avenue

Tuesday, June 18

6:30pm

Please RSVP to Annie Mendez 718-369-7226 at ext 90236 if you plan to attend. Usually meets the third Tuesday of the month.

Community Board 7 Monthly Meeting

CB 7 Office

4201 4th Avenue, entrance on 43rd Street

Wednesday, June 19

6:30pm

Open to community members. The [CB 7](#) monthly meeting is typically scheduled on the third Wednesday of the month at the CB 7 office but location moves around occasionally.

70nd Precinct Sector D NCO meeting

Tennis Court Block Association

25-35 Tennis Court

Wednesday, June 19

7:00PM to 8:00PM

[Neighborhood Coordination Officers](#), or NCOs, are your local problem solvers. They spend all their working hours within the confines of their assigned sectors, actively engaging with local community members and residents. They get to know the neighborhood, its people, and its problems extremely well. PO Callender and PO Sesay, the NCOs for Sector D, will provide a neighborhood update and respond to questions and concerns from residents.

66th Precinct Community Council

CB 12 Office

5910 13th Avenue

Thursday, June 20

7:30pm

Open to community members. The 66th [Precinct Community Council](#) meetings typically take place on the third Thursday of each month at 7:30pm at CB 12's office.

See you around the neighborhood,

Bobby

Assemblymember Robert Carroll

416 7th Avenue

Brooklyn, NY 11215

(718) 788-7221

LOB 557

Albany NY 12248

(518) 455 5377

Carrollr@nyassembly.gov