

COMMUNITY DEVELOPMENT & HOUSING COMMITTEE MEETING

Tuesday, July 23rd, at 6:30 PM.

- 1.Update from Housing Initiatives
- 2.Discussion with Baxter Developers
- 3.Memorializing Resolution to Governor to fund NYS HCR Mid-Hudson TPU - Alderwoman Hirsch
- 4.Discussion of 421-pp - B. Starodaj

Tinti, Elisa

From: Hirsch, Michele
Sent: Friday, June 28, 2024 12:22 AM
To: Shaut, Andrea
Cc: Tinti, Elisa
Subject: A Resolution in Support of a New York HCR Mid-Hudson Tenant Protection Unit
Attachments: A MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF KINGSTON.docx

Dear President Shaut,

Please accept this communication for a Memorializing Resolution calling on Governor Hochul and the New York State Legislature to fund a New York State Homes and Community Renewal (HCR) Mid-Hudson Tenant Protection Unit (TPU) in order to expand HCR's capacity to enforce the Emergency Tenant Protection Act here in the City of Kingston.

Michele Hirsch
Alderwoman, Ward 9
City of Kingston Common Council
(845) 746-3013

**A MEMORIALIZING RESOLUTION OF THE COMMON COUNCIL OF KINGSTON,
NEW YORK CALLING FOR THE EXPANSION OF THE NEW YORK STATE HOMES
AND COMMUNITY RENEWAL (HCR) TO CREATE A TENANT PROTECTION UNIT
(TPU) IN THE HUDSON VALLEY.**

WHEREAS, On July 28, 2022, the Common Council of the City of Kingston declared a Housing Emergency. That declaration was based on a careful study of municipal housing conditions and allowed the City of Kingston to opt into the Emergency Tenant Protection Act (ETPA) to stabilize rents in buildings constructed before 1974 that have six or more units. In addition to regulating rent increases, ETPA is meant to ensure that the residents in covered buildings receive essential services and protection from eviction, except on specified grounds; and

WHEREAS, the City of Kingston Rent Guidelines Board (KRGB) was appointed to annually review relevant data, hear testimony from tenants, and set rent adjustments in ETPA regulated units; and

WHEREAS, after hearing the testimony of dozens of tenants and experts, and reviewing objective data, the KRGB voted for a negative 15% rent adjustment for one- and two-year leases in November of 2022 to address unaffordability in these ETPA unit; and

WHEREAS, in June 2023, the KRGB voted for a 0% rent adjustment for one- and two-year leases, again after hearing the testimony of dozens of tenants and experts and reviewing objective data. This 0% rent adjustment was intended to apply to the November 2022 negative 15% adjustment set by the Board; and

WHEREAS, in June 2024, the KRGB voted for a second 0% rent adjustment for one- and two-year leases; and

WHEREAS, the Third Department of New York's Appellate Division ruled to uphold the negative 15% adjustment set by the Board in November 2022; and

WHEREAS, the KRGB has heard testimony from dozens of tenants describing landlord noncompliance with the Third Department's ruling and failure to comply with the November 2022 or June 2023 rent adjustments set by the KRGB. In some cases, rents have illegally been raised; and

WHEREAS, recent reports have found "massive noncompliance" with the law from landlords of ETPA eligible units in Kingston, specifically that only eight out of sixty-four landlords of ETPA-covered units have even registered with the state; and

WHEREAS, the New York State Homes and Community Renewal (HCR) is responsible for administration of New York State's rent regulations and the protection of rent regulated tenants; and

WHEREAS, ETPA tenants have testified that they have filed RA-81, RA-89, RA-22.1, RA-90, and Fair Market Rent Appeals forms to attempt to remedy issues surrounding needed repairs, rent overcharges, and other issues. No substantial action has been taken by the New York State Homes and Community Renewal (HCR); and

WHEREAS, the New York State Homes and Community Renewal Tenant Protection Unit's (TPU) purpose is to preserve affordable housing by detecting and curtailing patterns and practices of landlord fraud and harassment through audits, investigations, and impactful legal actions. The TPU also encourages compliance by informing tenants and owners of their rights and responsibilities under the rent regulation laws; and

WHEREAS, the New York State Homes and Community Renewal does not have an office in the Mid-Hudson Valley, nor does it have an office of the Tenant Protection Unit in the region; and

WHEREAS, tenants have testified that the New York State Homes and Community Renewal has not adequately remedied these situations or enforced compliance with the rent adjustments set by the KRGB in November 2022 and June 2023; and

WHEREAS, the City of Kingston Common Council has taken repeated action to address the housing crisis, including passing Good Cause Eviction laws in 2022 and 2024, passing Rent Stabilization in 2022 but that these local laws require vigorous and sustained enforcement from the New York State to effectively protect tenants and preserve housing stability and affordability; and

THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK AS FOLLOWS:

The Common Council of the City of Kingston calls on the New York State Homes and Community Renewal (HCR) to open a Tenant Protection Unit (TPU) in the Mid-Hudson Valley, in order to enforce the provisions of the Emergency Tenant Protection Act (ETPA) and other rent regulations, and the rent adjustments set by the Kingston Rent Guidelines Board.

BE IT FURTHER RESOLVED:

The Common Council of the City of Kingston further calls on the State Legislature and Governor Kathy Hochull to fully fund a Mid-Hudson Valley Tenant Protection Unit (TPU) and to allocate full funding including money for attorneys, case workers, and support staff, to expand and maintain funding as more Mid-Hudson Valley Municipalities opt into the Emergency Tenant Protection Act and additional tenants are protected, and to maintain funding over time to ensure a Mid-Hudson Valley Tenant Protection Unit (TPU) office can be fully operational moving forward indefinitely.

BE IT FURTHER RESOLVED:

That the City Clerk is directed to send a copy of this resolution to New York State Governor Kathy Hochul, New York State Senator Michelle Hinchey and New York State Assemblymember Sarahana Shrestha.

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Tinti, Elisa

From: Starodaj, Bartek
Sent: Wednesday, June 26, 2024 9:54 AM
To: Shaut, Andrea
Cc: Tinti, Elisa; Noble, Steve; Baker, Daniel; Mickens, Teryl
Subject: Communication to Council: 421-PP

Dear President Shaut,

Please accept this communication to the Common Council to discuss **421-pp**, a property tax exemption program for newly constructed fully income restricted rental multiple dwellings.

I will forward relevant materials at least 48 hours prior to the Committee meeting.

Thank you,
Bartek

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Bartek Starodaj

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