

# Liz Krueger



New York State Senate | 28th District

December 2016

## Message from Liz...

*First they came for the Socialists,  
and I did not speak out —  
Because I was not a Socialist.*

*Then they came for the Trade Unionists,  
and I did not speak out —  
Because I was not a Trade Unionist.*

*Then they came for the Jews,  
and I did not speak out —  
Because I was not a Jew.*

*Then they came for me —  
and there was no one left to speak for me.*

-- By Martin Niemöller (1892–1984), a prominent Protestant pastor who emerged as an outspoken public foe of Adolf Hitler and spent the last seven years of Nazi rule in concentration camps.

Last month’s post-election message got a lot of responses, both positive and negative, with most of the more negative responses suggesting I was not giving the president-elect a chance. I certainly understand the desire to hope for the best, and I hope that President Trump does rethink some of the policies that he espoused as a candidate. But to the extent that he does implement policies that threaten New Yorkers – or other Americans for that matter – I believe those of us in state government have an obligation to speak out and challenge those policies through our own state institutions. I will be glad to work with this administration on issues where we can find common ground, but I will be vocal in my opposition to attacks on women, immigrants, Muslims, people with disabilities, members of the LGBT community, and anyone else whose basic rights and humanity are curtailed through federal policies or statements by federal officials, whose “off the cuff” remarks can do enormous damage.

I also believe the new president has an obligation to speak out against bias incidents and hate speech, which both data and anecdote suggest are on the rise. In the two weeks following the election, NYPD reported a 400 percent increase in reported bias incidents in New York. On an anecdotal level, there have been disturbing reports of anti-immigrant, anti-Muslim, and anti-Semitic incidents in my district and elsewhere in the city in the days following the election. The post-election incidents continue a disturbing trend of increasing bias incidents across the country, which according to the FBI jumped dramatically in 2015 driven by an increase in anti-Muslim attacks. My friend and

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colleague from Manhattan, Senator Brad Hoylman, has been targeted by hateful people with horrible anti-Semitic threats... and he hasn't even converted yet.

Words matter, and I believe that Donald Trump's rhetoric during this campaign – and the rhetoric of key advisors like Stephen Bannon – have contributed to a climate where expressing hate through words, actions and violence is being normalized. It is the responsibility of all of us – and especially of President-elect Trump – to speak out forcefully against this rising tide of active hate.

I am pleased that in New York so many are responding to this challenge. Both Mayor de Blasio and Governor Cuomo have spoken out and devoted resources to fighting bias-related attacks. The Governor created a new hotline for reporting bias incidents at 1-888-392-3644. Other resources for reporting bias incidents are listed at <https://www.nysenate.gov/newsroom/articles/liz-krueger/resources-victims-or-witnesses-hate-crimes>.

In addition to challenging bias-related incidents based on immigration status, race, religion or sexual orientation, it is also critical that we continue to speak out against sexual assault and harassment. Although these issues were raised in painful ways throughout the campaign, they seem to have brought mainstream attention to a conversation both women and men have been trying to have for a long time. While out campaigning, I had numerous women approach me with their own stories of experiencing sexual assault and harassment. They felt either compelled or inspired by the many women who had come forward about Donald Trump's attacks on them following the release of his heinous remarks about his own history of assault.

We cannot let that conversation end. I believe that the campaign has served to highlight that this is a long overdue and critical discussion we need to be having as a nation. We need to be asking why this kind of behavior is still so common and normalized in the 21st Century and what this reveals about the pervasive nature of sexism. We need to be ensuring that those who have been attacked have access to the support and resources they need to move forward with their lives, and know that if they come forward, they will be heard and respected. And unfortunately we clearly still need to state what should be obvious – unwanted sexual contact, whether by a stranger, a friend, a family member, a co-worker, a boss, or a political candidate – is never acceptable.

The reality is that because this behavior is so normalized in our society, women who are harassed or assaulted often minimize the wrong that has been done to them. In the wake of the many women coming forward and describing their experiences, there was a great piece in the Feministing blog by Reina Gattuso about how the author, a self-described “professional feminist,” had minimized her own experiences with sexual violence as “no big deal.” I encourage you to read her piece in full here: <http://feministing.com/2016/10/19/we-need-to-believe-ourselves-because-donald-trump-sure-as-hell-wont/>.

Of course, confronting a culture that permits sexual violence is the responsibility of everyone, and while the bravery of those who have come forward with their stories is an important step, we all must confront those who glorify or dismiss harassment and abuse of women. That's one reason why I have chosen to talk about sexual violence in this message – this issue gained a new focus because of the outrageous revelations during the campaign, and I believe we all need to make sure this conversation continues.

This is not only an issue that affects women. Men who have faced sexual violence struggle with many of the same issues of self-blame and lack of support. There are resources out there for both

men and women struggling with the impacts of sexual violence – here are a few links to those resources:

NOW-NYC Rape and Sexual Assault Resources

<http://nownyc.org/service-fund/get-help/rape-sexual-assault/>

New York City Alliance Against Sexual Assault – Hotline 212-514-7233

<http://www.svfreennyc.org/>

Mt. Sinai Sexual Assault and Violence Intervention Program - 212-423-2140

<http://www.mountsinai.org/patient-care/service-areas/community-medicine/areas-of-care/sexual-assault-and-violence-intervention-program-savi>

## **POLICY SPOTLIGHT**

### *National Popular Vote*

For the second time in the last five elections, the winner of the Electoral College vote will not be the winner of the popular vote. In this election over two million more people voted for Hillary Clinton than Donald Trump, in large part because Clinton won some big states like New York and California by huge margins, while losing a number of smaller states by very small margins. I have long been a supporter of efforts to ensure our presidential elections represent the will of all of the voters, and there has been a national effort to get states to commit their electoral votes to the candidate who wins the popular vote.

The Electoral College is a vestige of a time when elites were concerned about limiting the power of the majority, and was only one of many ways in which the franchise was limited. Limitations on voting based on wealth, gender, and skin color fell away as our conception of the meaning of democracy became more inclusive, and it is past time to remove the function of the Electoral College as yet another barrier to the expression of the will of the people.

New York adopted legislation in 2014 that I cosponsored to commit our electors to the popular vote winner once states representing a majority of electors have passed similar legislation. This legislation was made permanent last year.

Currently 10 states and the District of Columbia have passed legislation for the National Popular Vote plan, accounting for 165 electoral votes. States with 105 more electoral votes are needed in order to activate the compact.

Changing our anti-democratic presidential election process is a heavy lift, but I do believe it is a critical reform for restoring faith in our increasingly fragile democracy. The National Popular Vote compact is a way to change the process without the even more difficult step of amending the Constitution.

## *421-a Tax Break for Developers*

Last month, Governor Cuomo announced that an agreement had been reached on an extension of the 421-a property tax abatement program. This program, which expired in mid-2015, currently costs the city over 1.2 billion dollars in lost tax revenue every year. While reactivating this extremely expensive tax break program for developers would require legislative action, there have been reports that the legislature could be called back in December to do just that. I have argued for years that directly investing the revenue lost through 421-a in affordable housing programs would be much more cost effective than this tax break program which effectively subsidizes massive amounts of luxury housing.

This deal was the outcome of a highly questionable decision by the Governor and legislative leaders in 2015 to allow real estate developers and the building trades unions to negotiate many of the terms of 421-a renewal. While legislative language has not been released, the final terms of the agreement appear to call for an hourly wage of \$60 for workers on buildings in Manhattan with 300 rental units or more south of 96th Street and an hourly wage of \$45 an hour for buildings along the Brooklyn and Queens waterfronts.

These buildings would receive a 100% tax exemption for 35 years in exchange for keeping income limits for renters in place for 40 years for affordable units. The announcement of this deal did not include any information released on the percentage of units that would have to be affordable, but if the legislation implementing this agreement follows the model set in 2015, the buildings would have to have 25-30% of their units “affordable.” However, because the 2015 legislation gave developers options on the affordability levels required to qualify for the tax abatement, the rents on many of the “affordable” units are likely to be set far too high for the incomes of most local residents.

The Governor and the Mayor argue that the continuation of the 421-a tax abatement is necessary to incentivize developers to build affordable rental housing, but the cost of this program in lost tax revenue makes this an incredibly inefficient way to finance affordable housing. A recent analysis by the Alliance for Tenant Power estimates that if the 421-a agreement recently announced by the Governor is implemented, the cost to New York City will rise from the current \$1.2 billion to \$2.4 billion annually without a remotely comparable increase in the amount of affordable housing created.

There are better ways to spend this money that don't involve massive tax giveaways to developers to construct even more luxury housing. Direct investment in affordable housing construction and preservation would be much more cost effective. We cannot afford to throw away precious tax revenue that could pay for such programs, and I will be fighting efforts to push this bad deal through the legislature.

## COMMUNITY SPOTLIGHT

### **Senator Krueger's Roundtable for Boomers & Seniors – Thursday December 15th:**

This 5-part program provides an opportunity for neighbors to come together to explore life issues that are relevant across the age span. At each session you will hear from and engage with professionals who are knowledgeable on topics that are of concern to the growing population of older adults in New York City.

This year our topic is “Controversies in Aging.” Sessions will be held on:

- Social Security: Retirement Insurance or Social Safety Net?
- Aid in Dying in New York: Debating Proposed Legislation
- The Court System and Older Adults
- Medicare – Why Isn't Vision, Hearing and Dental Covered?
- Public Policy & the Gray Lobby – Making Government Work

The program meets one morning per month in November, December, March, April, and May.

**Sessions are from 8:30am to 10:30am at Lenox Hill Neighborhood House, 331 East 70th St.**

**Session 2 – Thursday, December 15th:** Aid in Dying in New York: Debating Proposed Legislation.

This session will feature pro- and con- arguments regarding Aid in Dying Legislation from Corrine Carey of Compassion and Choices and Gregg Baratan of the Center for Disability Rights of New York State. Please RSVP by contacting my office at 212-490-9535, or via email at [liz@lizkrueger.com](mailto:liz@lizkrueger.com).

### **Call to Action Forum December 8th:**

I am cosponsoring a forum hosted by Councilmember Dan Garodnick entitled “A Call to Action: Advancing New York Values from Your House to the White House” which will take place on Thursday, December 8th at 6:30 p.m. at the High School for Art and Design, 245 East 56th Street at Second Avenue. At the event there will be a panel discussing the work a variety of civil rights organizations are doing in this current climate and how individuals in our community can get involved. After the event, there will be a resource fair where many more organizations will be invited to table and share information about their work and how our constituents can take action to fight for their values, starting on the local level. I encourage you to attend this important event.

### **NY Renews Town Hall for Climate Justice December 8th:**

NY Renews is an unprecedented statewide coalition fighting for climate policies grounded in equity and justice for communities and working people. They are hosting a Town Hall to draw the intersections between climate change, social/racial/economic inequality, and the disproportionate environmental burdens placed on frontline communities. The event will also outline action items for moving aggressively to transition to 100% renewable energy in New York; create good, clean-energy jobs to strengthen our economy; and ensure that environmental justice and disadvantaged communities are provided with the resources and investments to help them transition and thrive in the new energy economy.

The Town Hall will take place on Thursday, December 8th, from 6:30pm to 8pm at the Friends Meeting House, 15 Rutherford Place in Manhattan. RSVPs are encouraged at

<https://actionnetwork.org/events/nyc-town-hall>.

### **Supporting Contextual Height Limits in the East 50s:**

Last month the East River Fifties Alliance (ERFA) submitted an application to the NYC Department of City Planning for a zoning change for the area east of First Avenue between 52nd and 59th Streets that would preserve the low- and mid-rise character of the neighborhood and encourage the development of affordable housing. I joined Councilmembers Ben Kallos and Dan Garodnick and Borough President Gale Brewer as co-applicants.

The area included in the proposed rezoning is one of the only residential communities remaining in New York City where mid-blocks have no height controls for buildings. At least one developer has already announced a plan to construct a 1,000-foot supertall luxury tower in the community, and other sites in the neighborhood are similarly susceptible to out-of-scale development. ERFA's rezoning application would create a contextual district that would prevent supertall towers through height limits, affordable housing incentives, and design controls for wide buildings.

I am proud to join ERFA and my fellow elected officials on this critically important rezoning application. This rezoning proposal is one of the few instances where a nonprofit, community-based organization has proposed a zoning text amendment. In almost all cases, formal rezoning applications are only submitted by government or private real estate developers. After months of preparation, the ERFA application now awaits the Department of City Planning's review and certification to be accepted as an official filing. Once it is certified, the application will then need to proceed through the city's formal land use review process which includes consideration by the local Community Board, Borough President, Department of City Planning, and City Council.

### **Riders Alliance Wants Your "Woes on the Bus":**

Riders Alliance is seeking stories to show the MTA, DOT and elected representatives why New York City buses urgently need attention. Dire statistics about unreliable buses are one thing, but only your personal experience can show why it matters. You can share your stories and get involved in their campaign to improve bus service at [ridersny.org/buswoes](http://ridersny.org/buswoes). For more information on Riders Alliance, contact them at (212) 590 9427 or [info@ridersny.org](mailto:info@ridersny.org).

### **Apply to Join the New American Youth Leadership Corps:**

The New York Immigration Coalition is currently accepting applications for its New American Youth Leadership Corps. The New American Youth Leadership Corps aims to develop the next generation of youth leaders in the immigrant rights movement. The program will support high school students who are immigrants or children/grandchildren of immigrants in their pathways to success, and in developing skills and knowledge in support of their communities. Youth will be trained to share information with peers and families through workshops on crucial topics to immigrants including naturalization and financial education. They will also play a key role in planning and leading a youth conference to support and empower their peers.

The application is available at <http://www.thenyic.org/blog/NAYLCapp>. The deadline is January 4, 2017. For more info, please contact Adriana Lovera, Education & Youth Leadership Manager at [alovera@nyic.org](mailto:alovera@nyic.org).

### **Citizens Committee for NYC Neighborhood Grants Program:**

Have a great idea for a community improvement project? Apply for a Neighborhood Grant from the Citizens Committee for New York City. Grants of up to \$3,000 are available to resident-led groups to work on community and school improvement projects addressing issues that they identify as important to them.



The next grant deadline is January 23, 2017. For a grant application and for more info, contact Imani at 212-822-956 or [ibrown@citizensnyc.org](mailto:ibrown@citizensnyc.org).

Applications can be completed online or downloaded from <http://www.citizensnyc.org/grants/neighborhood-grants>

### **Time to Sign Up for Health Care for 2017:**

#### *Marketplace Plans*

New York's Healthcare Marketplace, NY State of Health, is a way for individuals, families, and small businesses to find quality health insurance. It can help if you don't have coverage now or if you have insurance, but want to look at other options, under certain conditions. (Note: the Marketplace is not for people who have Medicare).

**Need Financial Help?** Financial aid to buy insurance is available for individuals who earn up to \$47,520 a year, or \$97,200 a year for a family of 4.

**New Options are Available!** You may qualify for an even more affordable option. The **Essential Plan** is a new plan for New Yorkers and it covers essential health benefits. Preventive care such as routine doctor exams and screenings are free. There is no deductible. Eligible consumers will pay either a \$20 monthly premium or nothing, depending on income. Some plans include additional benefits such as adult dental and vision coverage for an additional premium. Individuals can make up to \$23,760 a year, or \$48,600 a year for a family of 4.

**To be eligible for Medicaid**, Individuals can make up to \$15,800 a year, or \$32,319 a year for a family of 4.

**How Do I Apply?** You may apply online at <https://nystateofhealth.ny.gov>, by mail, or by calling the Marketplace at [1-855-355-5777](tel:1-855-355-5777).

**Need Free Help Applying?** Lenox Hill Neighborhood House has a certified application counselor who can help you understand your options and enroll in a plan. Call to make an appointment: [212-218-0432](tel:212-218-0432) (331 E. 70th Street).

For a complete list of counselors who can meet with you, contact the Marketplace or go to: <http://info.nystateofhealth.ny.gov/IPANavigatorSiteLocations>.

**When Do I Apply?** Apply by December 15, 2016 for coverage effective January 1, 2017. Open enrollment for 2017 ends on **January 31, 2017**. After that time, you may only apply if you experience a qualifying event, such as loss of your current coverage, pregnancy, job loss, marriage or divorce, or other event.

Note: **You may apply for Medicaid or the Essential Plan at any time.**

#### *Remember:*

- **Free and low-cost options are available**, including Medicaid and financial aid.
- All plans provide essential care, including doctor visits, emergency care, and prescription drugs.
- You cannot be denied coverage for a pre-existing condition.
- For returning consumers, you must renew your coverage between November 15, 2016 and December 15, 2016 for coverage to begin on January 1, 2017.

## **Medicare Part D & Medicare Advantage Plan - Open Enrollment Is Here!**

The Medicare Advantage Plan and Part D prescription drug plan open enrollment period **ends December 7, 2016**. The Legal Advocacy Department at Lenox Hill Neighborhood House is scheduling individual counseling appointments to help you choose or change your Medicare Advantage or Part D plan. For more information or to sign up for an appointment, please call Cristina Mendez at [212-218-0449](tel:212-218-0449). Appointments will be held at Lenox Hill Neighborhood House, 331 E. 70th Street.

### **Additional Medicare Resources:**

New York City Department for the Aging's Health Insurance Information, Counseling, & Assistance Program (HIICAP) helps answer questions on Medicare, Medicaid, managed care, EPIC, and other health insurance options and issues. HIICAP counselors can also meet with you to discuss different Medicare plan options. Contact HIICAP at [212-341-3978](tel:212-341-3978).

Medicare Rights Center is a non-profit agency providing information, advocacy, and assistance on Medicare enrollment and issues. [1-800-333-4114](tel:1-800-333-4114) or [www.medicarerights.org](http://www.medicarerights.org)

The Official U.S. Government Site for Medicare: [www.medicare.gov](http://www.medicare.gov) or call [1-800-633-4227](tel:1-800-633-4227) (1-800-MEDICARE).

### **Legal Advocacy Clinics At Lenox Hill Neighborhood House:**

The Lenox Hill Neighborhood House Legal Advocacy Center Offers assistance on a number of different issues. Here is a list of their ongoing programs and clinics:

- SNAP (formerly Food Stamps) Clinics: Wednesdays from 10am to 1pm at Lenox Hill Neighborhood House, 331 East 70th Street. First come, first served. Bring proof of identity, income information, utility bill, proof of housing costs, information on any dependents and if you are 60 or over or on SSI/SSD, information on medical costs. For more information, call [212-218-0431](tel:212-218-0431).
- SCRIE Clinics: call [212-218-0503 ext. 6](tel:212-218-0503) for assistance in applying or recertifying for the Senior Citizens Rent Increase Exemption (SCRIE) program. The SCRIE clinic is open to tenants city-wide. Please note that due to the volume of calls, it sometimes takes up to two weeks for staff to respond to messages.
- Eviction Prevention: Walk-in clinic, every 2nd and 4th Monday of the month, from 10am to 1pm at 331 East 70th Street, for tenants who live, work, or go to school on Manhattan's East Side above 59th Street and on Roosevelt Island.
- End-of-Life Planning/Advance Directives: volunteer attorneys may be able to assist you with one-on-one counseling and individualized drafting of Advance Directives including Health Care Proxies, Living Wills, Powers of Attorney, and simple, low-asset Wills. If you are interested in being screened for a possible appointment, call the intake hotline at [212-218-0503 ext 4](tel:212-218-0503).
- Health Care Access/Medicare/Medicaid: call [212-218-0503 ext 3](tel:212-218-0503). Find out about Medicare Savings Programs, Medicaid home care, Medicare Part D, Medicaid Spend-down, EPIC and if you are eligible for Medicaid.
- Health Insurance Enrollment: call [212-218-0432](tel:212-218-0432). Assistance with finding and enrolling in an affordable health insurance plan.

### **And, just across the Park on the Westside: Monthly Housing Clinics and Workshops:**

Council Member Helen Rosenthal, Goddard Riverside's SRO Law Project, and the Urban Justice Center co-sponsor monthly housing clinics and workshops at the Goddard Riverside Community Center, 593 Columbus Avenue (between 88th and 89th Streets). On the first Wednesday of each



month, from 6pm – 8pm, the clinic offers a presentation on a variety of topics, followed by a question and answer session. Each evening, at least one staff attorney will meet with individuals who are seeking specific legal advice.

For questions, contact the Office of Council Member Rosenthal at (212) 873-0282 ext. 206 or Helen@helenrosenthal.com. Sign-up sheet starting at 6pm each evening.

December 7, 2016: Housing Court 101

January 4, 2017: Types of Affordable Housing including Vouchers, Roommates, Subletting

February 1, 2017: “Bad Actor” activity including Harassment, Illegal Hotels & Buyouts

March 1, 2017: Residency Requirements for Rent Regulated Apartments

April 5, 2017: DHCR Overview, including MCIs and IAls

May 3, 2017: DHCR Rent Overcharges and Illegal Deregulation

June 7, 2017: Succession Rights

### **Metrocard Bus and Van Schedule:**

The MTA offers MetroCard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards. Buses and vans will be in my district on the following dates and locations:

December 13, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus

December 13, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus

December 13, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus

December 21, 9 - 10:30 am, 79 Street & 3 Avenue – Bus

December 21, 11 am - 1 pm, 79 Street & York Avenue – Bus

December 21, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus

December 22, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van

December 22, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van

December 27, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus

December 27, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus

December 27, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus

January 4, 9 - 10:30 am, 79 Street & 3 Avenue – Bus

January 4, 11 am - 1 pm, 79 Street & York Avenue – Bus

January 4, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus

January 5, 7 – 9 am, 90 Street and York Avenue - Van

January 5, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van

January 5, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van

January 6, 9 - 10 am, 57 Street and 1 Avenue – Van

January 6, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van

January 6, 12:30 - 2:30 pm, 68 Street and 1 Avenue – Van

The full mobile MetroCard schedule is available at <http://mta.info/metrocard/mms.htm>. Please note that MetroCard buses and vans do not take credit cards.

### **Heat Season Rules:**

The City Housing Maintenance Code and State Multiple Dwelling Law require building owners to provide heat and hot water to all tenants. Building owners are required to provide hot water 365 days a year at a constant minimum temperature of 120 degrees Fahrenheit.

Between October 1st and May 31st, a period designated as “Heat Season,” building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6AM and 10PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit.
- Between the hours of 10PM and 6AM, if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

Tenants who are cold in their apartments should first attempt to notify the building owner, managing agent or superintendent. If heat is not restored, the tenant should call the City’s Citizen Service Center at 311. For the hearing-impaired, the TTY number is (212) 504-4115. The Center is open 24 hours a day, seven days a week. Complaints can also be submitted online at <http://www1.nyc.gov/nyc-resources/service/1813/heat-or-hot-water-complaint>.