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New York State Senate | 28th District



January 2016

Message from Liz...

As the New Year begins, we have another opportunity to make progress on an economic agenda that can make a real difference in the lives of New Yorkers. In this period of economic recovery there is increasing recognition of the need to make sure the benefits of that recovery reach everyone, especially those with the most economic need. As the Governor and the legislature return to Albany, I believe there are three major policy initiatives we should be taking to achieve that goal: implementing a \$15 minimum wage for all workers; establishing paid family leave; and raising the shelter allowance and fuel allowance for public assistance recipients.

I have discussed the **minimum wage** increase in previous bulletins. This item on my agenda certainly has the most momentum, with support from the Governor and the recent announcement by Mayor de Blasio that the city would increase wages for city employees and contractors to \$15. But to make this an across-the-board increase, the legislature must act. I fully expect Governor Cuomo will include such an increase in his executive budget, and will work with him to ensure that it remains in the final budget we pass in April.

Paid family leave legislation has passed the Assembly for over 10 years, but has consistently been held up by the Republican majority in the Senate. I hope Governor Cuomo will also include strong paid family leave language in his budget as a way of overcoming Senate opposition to standalone legislation. Currently only 12% of private sector workers are able to take time away from work in the event of a family emergency, the arrival of a new child or other caregiving responsibilities, including assistance to elderly and disabled family members.

This is a particularly important issue for working women, as 71% of women now balance full-time employment with primary caretaker responsibilities for either parents or children. Without paid family leave, too many women are forced to leave their jobs to care for new children or ill family members; others return to work too soon after having a baby, long before it is healthy or prudent to do so.

States like California, Rhode Island, and New Jersey have had successful paid family leave policies for years, and more states are exploring similar legislation. It is past time for New York to act.

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There are many factors contributing to the rise in homelessness in New York City, but soaring housing costs are one major contributor, and assistance to low income individuals and families has not kept pace to address these costs. The **shelter allowance** for public assistance recipients was last increased in 2003, and since then has remained at \$215 for single adults and \$400 for a family of three here in NYC. This low level of assistance has resulted in thousands of people losing their homes due to an inability to pay rent, and also makes it extremely difficult for homeless individuals and families to find housing that will enable them to escape homelessness.

A recent report by the Empire Justice Center documents the history of the growing gap between the shelter allowance and rents across New York State, and also discusses similar issues with the fuel allowance, which helps with fuel costs for public assistance recipients. The report is available here: <http://www.empirejustice.org/assets/pdf/publications/reports/turn-up-the-heat/turn-up-the-heat-report.pdf>.

The Empire Justice Center report proposes pegging the shelter allowance at 50 percent of the regional Fair Market Rent (FMR) as determined by the federal Department of Housing and Urban Development (HUD). When the shelter allowance was established in New York in the 1970s, it was roughly equivalent to the FMR, but over the years the difference between the two has grown exponentially. In my previous life as an advocate, I participated in a successful lawsuit challenging the adequacy of the shelter allowance, but the slight increase in the allowance that resulted from that case has been dwarfed by the stratospheric rise in NYC housing costs.

The current FMR in the New York Metropolitan area is \$1,293 for a studio and \$1,357 for a one-bedroom, so implementing the Empire Justice Center recommendation would require raising the shelter allowance to \$646.50 for singles and \$678.50 for a family of three. While this would be a significant increase, by including funding for such an increase in his executive budget, Governor Cuomo could put real resources behind his stated commitment to addressing the homelessness crisis. He should also follow the Empire Justice Center's recommendation to include an increase in the fuel allowance in his budget. This would primarily benefit upstate New Yorkers, where fuel costs make up a more significant portion of their overall housing costs.

The Governor has already indicated he supports more tax cuts for businesses, but a growing economy should lift all boats, and it's critical that we take advantage of this moment of relative economic stability to adjust labor and social service policies in ways that benefit those with serious economic needs. Including a minimum wage increase, paid family leave and increases to the shelter and fuel allowances in the state budget would be an important step in that direction.

Preet Bharara on Albany's failure to make need changes:

"Blaming the prosecutors is not leadership," Bharara said. "Kicking the can is not leadership. Accepting lies and half-truths is not leadership. Making excuses is not leadership. Whining is not leadership."

-1/6/2016, Kentucky presentation on the situation in NYS government

THANK YOU MR. BHARARA!!

POLICY SPOTLIGHT

Insurance Access for Pregnant Women

Late last month Governor Cuomo signed S.5972/A.6780, which will make pregnancy a qualifying event triggering a special enrollment period for the state health insurance exchange, allowing pregnant women to enroll in a health plan at any time. The bill was co-sponsored by Senators Seward, Hannon, and myself in the Senate, and by Assembly Member Simotas in the Assembly.

Eligible New Yorkers can enroll in health plans through the New York State of Health Marketplace only during a designated open enrollment period, unless they experience a qualifying event triggering a special enrollment period. Qualifying events include marriage, divorce, gaining citizenship, and giving birth, among others. Formerly, although giving birth was a qualifying event, becoming pregnant was not. S.5972/A.6780 fixed this oversight, allowing women who become pregnant to apply for individual insurance plans on or off the marketplace at any time.

In March, New York City Comptroller Scott Stringer released a report examining this issue, highlighting the health benefits of prenatal care for pregnant women and newborns and the potential for prenatal care to lead to long-term cost savings for the state's healthcare system. Babies born to mothers who received no prenatal care are three times more likely to be born at low birth weight, and five times more likely to die, than those whose mothers received prenatal care. Diseases that pose health risks to pregnant women can be mitigated by maternity care, including preeclampsia, placental abruption, diabetes, heart conditions, and Graves' disease. Further, a study in the Journal of the American Board of Family Medicine found that prenatal care for teen mothers would save between \$2,369 and \$3,242 per pregnancy. Without insurance, the cost to a prospective parent of prenatal care and delivery, even for an uncomplicated birth, can average \$20,000.

Several other states, including California, Washington, and the District of Columbia have already expanded the list of qualifying events beyond those laid out in the federal Affordable Care Act. The signing of S.5972/A.6780 makes New York the first state in the nation to create a special enrollment period for pregnancy.

Every woman should have access to adequate healthcare during pregnancy, and that's why I pushed hard for this common-sense legislation. I thank the Governor for signing this bill into law, and congratulate Senators Seward and Hannon, Assembly Member Simotas, Comptroller Stringer, who first brought this issue to my attention, and groups around the state who wanted to make sure that New York could be the first in the nation to recognize that when a woman becomes pregnant, we should make sure she can get insurance immediately. Special thanks to March of Dimes and the American Congress of Obstetricians and Gynecologists for their leadership. This new law will help ensure healthier mothers, stronger babies, and added security for New York's hard-working families.

COMMUNITY SPOTLIGHT

Community Education Council District 2 Discussion of Academic Tracking:

On Tuesday, January 12, 2016 at 6:30 p.m., Community Education Council, District 2 will be hosting a forum on academic tracking at PS 59 (233 E 56th Street), featuring education expert Carol Burris. Dr. Burris became Executive Director of the Network for Public Education Foundation in August 2015, after serving as principal of South Side High School in the Rockville Centre School District in NY since 2000. Her publications include *Detracking for Excellence and Equity* (2008) and *On the Same Track: How Schools Can Join the 21st Century Struggle against Re-segregation* (2014). She regularly expresses her concerns about the misuse and unintended consequences of high-stakes testing on the Washington Post, The Answer Sheet blog.

The forum will be followed by CECD2's January Calendar and Working Business meetings. Agendas will be circulated before the meeting. Babysitting and light refreshments will be provided. For more information please contact Linda Lumpkin at 212-356-3915 or www.cecd2.net.

Kindergarten Application Deadline is January 15th:

The deadline to apply for Kindergarten is January 15th. All students born in 2011 who currently live in New York City are eligible to attend Kindergarten in September 2016. All families, including those of students with disabilities and current Pre-K students, must submit an application in order to receive a Kindergarten placement. Please know that admission is not first-come, first-served. All applications received by the January 15 deadline are treated the same, according to schools' admissions priorities.

Families are able to apply in one of three ways:

- Online at www.nyc.gov/schools/kindergarten. The online application is available in ten languages (English, Spanish, Chinese, Russian, Arabic, Korean, Haitian Creole, Bengali, Urdu and French)
- Over the phone, by calling 718-935-2400. Families can access translation services over the phone in over 200 languages
- In person at one of the DOE's Family Welcome Centers. The family welcome center for District 2 Schools is located at 333 Seventh Avenue, Room 121, New York, NY 10001

Families looking for more information about the application process should review the Kindergarten Directory which is available online at <http://schools.nyc.gov/ChoicesEnrollment/Elementary/Resources/default.htm>, and translated into nine languages. Additionally, for the first time, hard copies of translated directories are available for all families who need one. Families looking for translated hard copies can find them at our Family Welcome Centers listed below, or at local Pre-K programs that are part of the City's Pre-K for All Program.

The Radical Age Movement Forum on Ageism in Medicine:

On Wednesday, January 20, 2016, The Radical Age Movement & Senior Planet are co-hosting a presentation by Ronald Adelman M.D., Medical Director, Irving Wright Center of Aging and Co-Chief of the Division of Geriatric Medicine and Gerontology at New York-Presbyterian Hospital on the topic of Ageism in Medicine. The event will take place from 6:30 p.m.– 8:00 p.m. at Senior Planet Exploration Center 127 West 25th Street (bet. 6th & 7th). RSVP to confrontingageism@gmail.com. Suggested donation \$5.

Citizen Preparedness Corps Training Program:

On Tuesday, January 26th, I am co-sponsoring a Citizen Preparedness Corps Training Program organized by the Office of Governor Cuomo. The program is a two hour training sessions for residents to have the tools and resources to prepare for any type of disaster, respond accordingly and recover as quickly as possible to pre-disaster conditions. Each family participating will receive a free Citizen Preparedness Corps Response Starter Kit. The event will take place from 7:00 to 9:00 p.m. at Memorial Sloan Kettering, 430 East 67th Street. To participate, you must register in advance at www.prepare.ny.gov.

Citizens Committee for NYC Neighborhood Grants Program:

Have a great idea for a community improvement project? The Citizens Committee for NYC awards grants of up to \$3,000 to grassroots groups working on community-building projects. Recent awards have enabled neighbors to come together to make healthy food available in their communities, transform empty lots into community gardens, organize tenants to advocate for better housing conditions, and start school recycling drives. The application deadline is January 25, 2016. To apply or for more information, visit <http://www.citizensnyc.org/grants/neighborhood-grants>.

Department of Finance Information Sessions on Assessments:

Every January, the New York City Department of Finance (DOF) mails New York City property owners a Notice of Property Value (NOPV). This important notice has information about their property's market and assessed values. DOF determines property values every year, according to NY State law. The values on these notices will be used to calculate property taxes for the 2016/2017 Tax Year that starts in July.

In February DOF will be holding information sessions where property owners can meet one-on-one with DOF property assessors and the New York City Tax Commission to ask questions about their property's market and assessed values, learn how to get property descriptions changed, and learn about valuable property tax exemptions.

For a list of dates and locations, visit <http://www1.nyc.gov/site/finance/about/finance-calendar.page> and look for the Notice of Property Value Public Workshops. Please note that dates, times and locations may change. Check back closer to the dates of the sessions to confirm details.

NY Needs Physicians to Train to become Medical Marijuana Certified:

Physicians who wish to participate in the New York State Medical Marijuana Program must complete an online education course, and meet various other criteria. Here is basic information on requirements.

Practitioners seeking to issue certifications for their patients to receive medical marijuana products must meet the following criteria:

- Be qualified to treat patients with one or more of the serious conditions set forth in subdivision seven of section thirty-three hundred sixty of the public health law or as added by the Commissioner. The law currently identifies the following severe, debilitating or life threatening conditions: cancer, HIV infection or AIDS, amyotrophic lateral sclerosis (ALS), Parkinson's disease, multiple sclerosis, spinal cord injury with spasticity, epilepsy, inflammatory bowel disease, neuropathy, and Huntington's disease. Patients must also have one of the following associated or complicating conditions: cachexia or wasting syndrome, severe or chronic pain, severe nausea, seizures, or severe or persistent muscle spasms;
- Be licensed, in good standing as a physician and practicing medicine, as defined in article one hundred thirty one of the Education Law, in New York State;
- Have completed a four-hour course approved by the Commissioner; and
- Have registered with the New York State Department of Health (NYSDOH).

The four-hour NYSDOH approved course is now available online. The online course is provided by TheAnswerPage, an established online medical education site, and includes the following topics: the pharmacology of marijuana; contraindications; side effects; adverse reactions; overdose prevention; drug interactions; dosing; routes of administration; risks and benefits; warnings and precautions; and abuse and dependence. The course will cost \$249 to take. Successful completion of the course will provide 4.5 hours of CME credits. The course may be accessed through the following link: <http://www.theanswerpage.com/new-york-state-practitioner-education-medical-use-marijuana..>

Following successful completion of the course practitioners may register with the NYSDOH Medical Marijuana Program. To begin the registration process, practitioners must e-mail the course completion certificate (in PDF format) to NYSDOH at mmp@health.ny.gov along with the practitioner's state license number and Health Commerce System (HCS) User ID. Upon validation of the information provided, NYSDOH will send an e-mail confirmation to the practitioner containing a link that will authorize the practitioner to register .

Testimony from Maximum Base Rent (MBR) Hearing:

Last month I submitted testimony at the Maximum Base Rent (MBR) hearing to determine next year's rent increase for rent controlled tenants. My testimony is available at https://www.nysenate.gov/sites/default/files/articles/attachments/sen._krueger_mbr_testimony_2015.pdf

Unfortunately, rent increases for controlled tenants are determined by an extremely outdated system that frequently results in increases as high as 7.5% each year. While such consistently large increases would be difficult for any tenants, they are particularly onerous for rent controlled tenants who have an average age of 80 and a median income of \$29,000. As I indicated in my testimony, it is within the power of the Division of Housing and Community Renewal to take administrative steps to limit the burdens on rent controlled tenants.

Ultimately, however, the rent control laws must be modernized to address the current realities tenants face. I strongly support legislation that would subject rent controlled tenants to the same increases as rent-stabilized tenants, end fuel surcharges, and eliminate the current MBR/MCR system that results in such high increases.

Yet another Phone Scam:

Constituents have been reporting a new phone scam, where someone calls repeatedly claiming to be from the Department of the Treasury, and saying that the call recipient owes money to the U.S.

Government. *The call is a scam* – no federal agency will ever contact you by phone regarding monies owed. If you receive such a call, you can email OIGCounsel@oig.treas.gov to report it. The Department of the Treasury is anxious to hear from people who have received these calls.

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 SS/SSD, information on medical costs. For more information, call 212-218-0431.
- **SCRIE Clinics:** call 212-218-0503 ext. 6 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 third 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.
- **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.
- **Health Care Access/Medicare/Medicaid:** call 212-218-0503 ext 3. Find out about Medicare Savings Programs, Medicaid home care, Medicare Part D, Medicaid Spend-down, EPIC and if you are eligible for Medicaid.

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.

February 3, 2016: Harassment & City-Wide Housing Related Campaigns

March 2, 2016: DHCR Overview, including MCIs and IAs, Preferential Rent, Reduction in Services

April 6, 2016: Housing Court 101

May 4, 2016: SCRIE and DRIE

June 1, 2016: Succession Rights

Housing Court Assistance for Low Income Families:

Housing Conservation Coordinators is now offering Manhattan-wide eligibility for legal representation for families with children under 18 who have a housing court case and receive public assistance in the household (Food Stamps (SNAP) or cash assistance).

If you qualify, visit their office at 777 10th Avenue (B/t 52nd and /53rd Streets). Hours are Mondays 4 pm - 6:30pm and Thursdays 10am - 12:30pm.

Please bring all relevant documents including legal papers, leases, rent bills, receipts. You will also need proof of TOTAL household income and your Con Edison bill. If you receive Public Assistance (Food Stamps (SNAP), or cash assistance; or if you have a pending or sanctioned case) please bring current documentation of benefit status. For more information, call 212-541-5996.

Affordable Housing Opportunities in Manhattan:

2524-2526 Adam Clayton Powell Blvd is now accepting applications for 18 affordable 2-bedroom apartments newly renovated at 2524-2526 Adam Clayton Powell Blvd in the Harlem neighborhood in Manhattan. Rents for these apartments range from \$837 to \$2000 depending on income. To be eligible, applicants must have incomes between \$30,138 and \$112,190, depending on family size. Preference will be given to Community Board 10 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/213.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at www.nyc.gov/housingconnect and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: Lemor Realty Corporation, 167 West 145th Street, New York, NY 10039.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by January 15, 2016. *Applicants who submit more than one application may be disqualified.*

1770 Madison LLC is now accepting applications for 7 affordable studio and 1-bedroom apartments newly constructed at 1770 Madison Avenue in the East Harlem neighborhood in Manhattan. Rents for these apartments range from \$822 to \$886 depending on unit size. To be eligible, applicants must have incomes between \$28,183 and \$41,460, depending on unit and family size. Preference will be given to Community Board 11 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/208.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at www.nyc.gov/housingconnect and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: 1770 Madison Avenue LLC, P.O. Box 1166, New York, NY 10039.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by January 26, 2016. *Applicants who submit more than one application may be disqualified.*

92nd and 3rd Associates LLC is now accepting applications for 47 affordable 1- and 2-bedroom apartments newly constructed at 205 East 92nd Street in the Yorkville neighborhood in Manhattan.

Rents for these apartments range from \$607 to \$930 depending on income and unit size. To be eligible, applicants must have incomes between \$22,218 and \$43,150, depending on unit and family size. Preference will be given to Community Board 8 residents for 50% of units, mobility-impaired persons for 5% of units, visual- and/or hearing-impaired persons for 2% of units, and City of New York municipal employees for 5% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/208.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at www.nyc.gov/housingconnect and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to: 92nd & 3rd Associates LLC, 1357 Broadway, Box 438, New York, NY 10018.

Completed applications must be submitted online or returned by regular mail only to the post office box that will be listed on the application. Applications must be submitted online or postmarked by February 1, 2016. *Applicants who submit more than one application may be disqualified.*

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:

January 12, 10:30 am, 92 Street & Lexington Avenue – Bus
January 12, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
January 12, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
January 20, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
January 20, 11 am - 1 pm, 79 Street & York Avenue – Bus
January 20, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
January 21, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
January 21, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
January 26, 10:30 am, 92 Street & Lexington Avenue – Bus
January 26, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
January 26, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
February 3, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
February 3, 11 am - 1 pm, 79 Street & York Avenue – Bus
February 3, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
February 4, 7 – 9 am, 90 Street and York Avenue - Van
February 4, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
February 4, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
February 5, 9 - 10 am, 57 Street and 1 Avenue – Van
February 5, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
February 5, 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>.

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