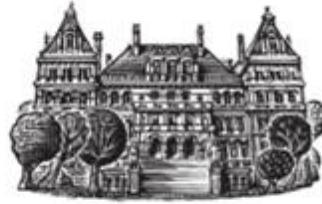


Liz Krueger

New York State Senate | 28th District



May, 2015

Message from Liz...

Before I turn to a discussion of rent law renewal, I wanted to express my belief that Dean Skelos must step down as Temporary President of the Senate. Senator Skelos faces serious charges that he misused his office and supported or opposed specific legislation in order to gain personal benefits for him and his son. While Senator Skelos is entitled to a presumption of innocence in court, allowing him to remain in his current leadership position places the public interest at risk. I have long stated that regardless of party, any legislative leader facing charges related to their duties should step down from that leadership post. Sheldon Silver stepped down under similar circumstances, and Dean Skelos should do the same. Since as of this writing he continues to resist calls to step down, I have been working with my Senate Democratic colleagues to force a vote on his removal, and will continue to work with any and all Senators interested in replacing Senator Skelos in his leadership position.

And now on to policy...With this latest indictment coming down in Albany, the resulting chaos is likely to further limit opportunities for legislative action on the many important issues we face. I expect the Senate will only be interested in dealing with issues they cannot avoid because laws are expiring. Among those issues, renewal of the rent regulation laws is particularly critical, and is certainly at the top of my priority list. And the fact that we will be dealing with this critical issue is Exhibit A in why Senator Skelos should not be presiding over the Senate at this time. One of the main charges against him is that he received favorable treatment by real estate interests for supporting specific policies related to rent regulation and other housing programs.

It is vital that New York State's rent regulation laws be renewed and significantly strengthened before they expire on June 15th. The rent regulation system is by far our largest and most important affordable housing program. It enables more than two million people, the vast majority of whom are moderate- or low-income, to live in safe and affordable housing. Rent regulation helps to counteract the destabilizing effects of the acute housing shortages in New York City, where the vacancy rate for rental housing is less than three percent, and is essential to our efforts to keep hardworking residents in New York and to ensure the maintenance of healthy and stable communities. If we truly want to maintain the economic vitality and diversity of our State, we must do all we can to ensure an effective rent protection system.

But simply extending the laws in their current form is inadequate. As a result of the so-called "reforms" enacted over the last two decades, rent regulations have been severely weakened to make

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it easier for landlords to remove housing from regulation and increase rents. The loopholes created in the system have led to the loss of hundreds of thousands of rent regulated, affordable apartments in New York City and the surrounding counties. These loopholes, particularly vacancy decontrol, provide significant economic incentives for landlords to pay highly-speculative prices for rent regulated properties, harass tenants, and fraudulently increase rents. Unless the regulations governing rent and eviction protections are not just extended but strengthened this year, hundreds of thousands of additional affordable units are likely to be lost during the next decade.

I am pleased that Governor Cuomo has publicly committed his support for rent regulation, and the Assembly will be an ally as well in the fight to strengthen these laws. But the Senate Republican majority has a long record of opposing rent regulation while supporting policies like the 421-a tax break, essentially a give-away to big developers. Unfortunately the 421-a policy persists because of the sort of corrupt deals and kickback schemes we've seen laid out in recent scandals involving legislative leaders.

It is likely that rent law renewal will get tied to other issues as part of the negotiating process. I fear that what will emerge is something we refer to in Albany as "the big ugly," where a bill with many unrelated issues comes out in the final day of session. If that happens, things we need to do, such as renewing the rent laws, are likely to get tied to things we shouldn't do, such as renewing the 421-a tax break program for developers.

I am working closely with the Mayor, my colleagues in Albany and the tenant advocacy community to build the strongest case for protecting and expanding rent protections. If you are interested in getting involved with efforts to renew and strengthen the laws, you can contact Delsenia Glover at the Alliance for Tenant Power (212-608-4320 ext. 308 or dglover@tandn.org) or the Metropolitan Council on Housing (212-979-6238). There will also be a tenant rally on May 14th in Foley Square at 5PM – details are below in the Community Spotlight. I urge anyone interested in preserving and strengthening rent protections to attend.

POLICY SPOTLIGHT

Closing the LLC Loophole

Among the many charges of corruption outlined in the Federal Complaint against Senate Majority Leader Dean Skelos is the allegation that he "has directed CW-1 [cooperating witness-1] to make hundreds of thousands of dollars in campaign contributions through various limited liability companies, or 'LLCs' controlled by Developer-1." It's no coincidence that at the end of last month, my Senate colleague Dan Squadron forced a vote in the Elections Committee on his legislation (S.60) to close what is known as the LLC loophole, which feeds this kind of corruption by allowing the same individual to make unlimited political contributions by routing them through many separate LLCs. The complaint against Skelos clearly demonstrates how important this legislation is.

In New York elections, LLCs are currently not treated as corporations, but as people, with the ability to donate up to \$60,800 to a statewide candidate per election cycle. LLC ownership is not disclosed under the current system, making it nearly impossible to track down contributions to the source of their funding. Thus, an individual can contribute unlimited sums to the political system through

multiple LLCs without transparency or accountability. Of all the money raised by state-level candidates and party committees in New York, 14% is given by LLCs, three times the amount given by small-level individual donors. Between 2005 and 2013, LLCs contributed over \$40 million to New York State candidates, parties and political action committees.

In April, the Board of Elections' voted to keep the LLC loophole open. The board had a chance to close the loophole -- advocated by two of the Commissioners -- by rescinding their 1996 opinion treating LLCs as individuals and instead ruling that LLCs should be treated as corporations or partnerships, and by clarifying that a person may not use multiple LLCs to evade contribution limits. The measure failed. The two Democratic Commissioners voted to close the loophole, but the two Republicans voted to keep it open – insisting it should be handled in the Legislature, even though it was the board's 1996 decision that created it in the first place.

The good news is that the Senate Elections committee did agree to move Senator Squadron's bill, with all the Democrats voting yes and the Republicans voting "aye without recommendation," a procedural move that counts as a yes vote in terms of moving the legislation. The bad news is that rather than moving to the Senate Calendar for consideration by the full Senate, S.60 was referred to the Corporations Committee. There is no way to force a vote on the bill in that committee, leading suspicious minds to wonder if this was just a way for the Republican members of the Elections Committee to kill the bill without actually voting against it.

We can only hope that recent developments will increase pressure on the Republican majority to bring legislation closing the LLC loophole before the full Senate for an up-or-down vote.

COMMUNITY SPOTLIGHT

Rally to Save One Million Homes on May 14:

The Alliance for Tenant Power and Real Rent Reform Campaign are hosting a rally on Thursday May 14th at 5 PM to fight for renewing and strengthening New York's rent regulation laws. The rally will take place in Foley Square (corner of Centre and Worth Streets) and will be followed by a march across the Brooklyn Bridge. For more information contact Darren at 212-608-4320 ext 316 or Darren@tandn.org.

Update on Efforts to Fight the Proposed Marine Transfer Station (MTS):

On May 5 the Senate Environmental Conservation Committee voted down my legislation (S.2556) that would ban the construction of any solid waste marine transfer station within 800 feet of public housing. This legislation would apply to the proposed East 91st Street site, as well as any other site near NYCHA developments. It is well established that economically under-served neighborhoods have higher asthma rates. For example, according to the City Department of Health, East Harlem has the highest rate of child hospitalization for asthma and other respiratory ailments in all of New York City. Many well-documented studies link air pollution to asthma attacks and other respiratory problems. Traffic, particularly truck traffic, is a major contributing factor to this type of pollution. The additional truck traffic generated by these facilities also poses a serious risk of pedestrian injuries to the many children and seniors who reside in public housing. In an effort to move this legislation I had filed a motion for committee consideration which requires the chair of the environmental conservation committee to schedule a vote on the bill. Although this bill has been defeated, I will continue to push

to educate my colleagues about the dangers posed by the East 91st St. site and others like it, and pursue every option to mitigate the problems this facility may cause.

Upcoming Tenant Workshops:

Tenants and Neighbors is hosting several tenant workshops in April and May:

ORGANIZING A TENANT ASSOCIATION WORKSHOP: Monday, May 11, 2015

from 5:45-7:45pm. Join Subsidized Housing Lead Organizer Jen Berkley for a workshop about tips and guidelines for starting and maintaining a powerful tenants association. RSVP to Jen at JBerkley@tandn.org or 212-608-4320 ext. 311.

All workshops take place at the Tenants & Neighbors office at 236 W 27th St. 4th Floor.

RGB TESTIMONY WORKSHOP: Monday May 18 from 5:45-7:45pm. Interested in testifying at RGB Public Hearings? Come prepared and powerful! Join us for a workshop on how to build a powerful testimony and let your voice be heard! RSVP to Darren at Darren@tandn.org or 212-608-4320 ext. 316.

Lenox Hill Neighborhood House is also hosting the following tenant events in May:

Landlord Buy-Out Offers: A Legal Roundtable Discussion

Friday, May 8, 2015 at 1:00 pm at the Senior Center @ St. Peter's Church, Lexington & East 54th Street.

Tuesday, May 12, 2015 at 4:15 p.m. at the Center @ Lenox Hill Neighborhood House, 331 East 70th Street.

Navigating Housing Court

Monday, May 11, 2015 from 11:00 am to 12 noon at the Senior Center @ St. Peter's Church, Lexington & East 54th Street.

Thursday, May 14, 2015 from 10:00 am to 11:00 am at the Center @ Lenox Hill Neighborhood House, 331 East 70th Street.

Free Eye Screenings on May 13th:

Manhattan Eye, Ear and Throat Hospital is offering free General Eye Chart & Intraocular Pressure Tests. One in eight Americans has a common eye condition such as glaucoma, cataracts or age-related macular degeneration. More than ever, it's important to take care of your eyes and get the vision care you need. The free testing will take place on Wednesday, May 13 from 10 AM to 2 PM at 210 East 64th Street, New York, NY 10065 Great Hall (1st Floor). To schedule an appointment, call (212) 702 – 7676.

Free Document Shredding and E-Waste Collection Event:

Come join the NYPD's Crime Prevention Section to shred your documents containing your personal / sensitive information. This is a FREE service. You can also register your electronic devices with the NYPD's Operation ID Program.

In front of NY Sports Club, 151 East 86th Street, New York, New York 10028 on Sunday, May 17, 2015 10:00 am - 1:00 pm

Bring old computers, laptops, printers, LED/LCD screens (not tube screen), keyboards, mice, cables, cell phones, tablets. All working devices received will include FREE data destruction services. Businesses are limited to 2 bankers boxes – Commercial accounts please call 718-575-5466.

The NYC Dept. of Sanitation is also holding a two-day document shredding event in multiple locations throughout the city, including St. Nicholas Park on Saturday, May 16th, and Union Square South Plaza on Sunday, May 17th. For more information call 311 or visit nyc.gov/shredfest.

It's My Park Day at Glick Park:

Join Kips Bay Neighborhood Alliance on Saturday May 16th from 9 am to Noon to beautify and celebrate our waterfront with a gathering at Glick Park (37th Street & East River). They will be planting flowers, painting benches, playing games & more.

This is a family affair, so kids & families are welcome. Gloves, rakes, paint, brushes and refreshments will be provided, so just bring yourself and a friend or two, and dress for getting a little dirty. Please RSVP at kbna.info@gmail.com so they bring enough supplies.

Poses Park Summer Season:

Starting on Friday, May 1st, Hunter College will provide free and open access to Poses Park, located on the south side of East 68th Street between Lexington and Third Avenues. The park will be open to the public from 10:00 a.m. to 7:00 p.m each weekend, including Fridays, through the end of October. The park features benches, a bike rack and "Mother Italy," a bronze sculpture by Giuseppe Massari. The park was named for Jack I Poses, the former Chairman of the City University Construction Fund, and was built after his death in 1982 with a \$25,000 donation from his wife, Lillian, a 1927 alumna of Hunter who died in 1994.

Auto-enrollment for Certain Dual Eligible Medicaid/Medicare Enrollees:

Seniors and people with disabilities who are "dual eligibles" -- who have both Medicare and Medicaid - and who receive Medicaid *managed long term care* (MLTC) services and live in New York City have big changes coming. Enrollment in a new type of health insurance program, **Fully Integrated Duals Advantage** (FIDA) plans, became *automatic* starting on April 1, 2015 for many MLTC members. Those automatically assigned to a FIDA plan are those MLTC members who have not "opted out" or chosen to voluntarily enroll in FIDA.

What is FIDA? With FIDA, enrollees can get all of their Medicare and Medicaid benefits from one health insurance plan, among other benefits. However, FIDA impacts current Medicare services like choice of doctors and prescription drugs, so it's important to determine if FIDA is right for you or your loved one. People have the right to disenroll from FIDA and go back to Original Medicare or Medicare Advantage, with MLTC, at any time.

NYLAG Caregiver Fact Sheet on FIDA is available for download at <http://www.wnyc.com/health/afile/166/522/>. The fact sheet is also available in Spanish (<http://www.wnyc.com/health/afile/202/527/>), Russian (<http://www.wnyc.com/health/afile/202/529/>), and Chinese (<http://www.wnyc.com/health/afile/202/531/>).

Does this Affect Me? MLTC members received notices explaining FIDA and the right to opt out since late December 2014. The notices inform them which FIDA plan they will be assigned to if they don't choose and enroll in a plan or *affirmatively opt out* of FIDA. Those who opt out will remain in their MLTC plans for Medicaid home care and other Medicaid services, and keep their separate Medicare coverage - either Original Medicare plus a Part D plan OR a Medicare Advantage plan. Those in FIDA will have ONE PLAN for all Medicare and Medicaid coverage.

Will everyone who has not opted out of FIDA be assigned to a FIDA plan on APRIL

1st? NO. The first 7100 people will be enrolled in FIDA on April 1st. In each following month, another 7000 - 8000 people will be auto-assigned to FIDA plans. The schedule is based on birthday for people receiving SSI, and the date Medicaid authorization expires for everyone else.

How to Learn More About FIDA:

1. Call NY Medicaid Choice, the State's FIDA and MLTC enrollment broker for more information, or to opt out: 1-855-600-3432. NYS official FIDA brochures are posted here: <http://nymedicaidchoice.com/program-materials>.

2. The Independent Consumer Advocacy Network (ICAN) has a network of non-profit organizations helping people choose whether or not to enroll in FIDA and also help with MLTC problems. NYLAG Evelyn Frank Legal Resources Program is part of the ICAN network: 212-613-7310, or eflrp@nylag.org. Community Services Society is ICAN's central headquarters: 1-844-614-8800, or ican@cssny.org.

To File Complaints About MLTC OR FIDA:

NYS Dept. of Health MLTC and FIDA Complaint Line: 1-866-712-7197 or mltctac@health.ny.gov

CFEEC COMPLAINTS (if fail to schedule assessment in 7 days, etc.):
CF.Evaluation.Center@health.ny.gov

Send a copy of your complaint to the ICAN Ombudsman Program: ican_complaints@cssny.org

Thanks to NYLAG for information on FIDA.

FoodHelp.nyc website provides access to food programs:

As part of a new campaign to increase enrollment in the Supplemental Nutrition Assistance Program (SNAP, formerly Food Stamps), New York City created a state-of-the-art website, FoodHelp.nyc, which includes videos featuring real SNAP clients sharing stories of how the program helped them, links to the newly-redesigned ACCESS NYC site where people can apply, and an interactive map with the locations of food pantries, community kitchens and SNAP application locations. Visit FoodHelp.nyc if you or someone you know is in need of emergency food assistance or want to apply for SNAP.

During 2014, there were an average of about 1.76 million New York City residents receiving SNAP benefits, including more than 650,000 children, and they purchased a total of more than \$3 billion in food. The federal government estimates that \$1 of food stamp spending generates \$1.80 in economic activity, which means SNAP brought about \$5.4 billion to the City economy, much of it to small businesses around the City. The official SNAP participation rate is 77 percent in New York City. That suggests that there are about 550,000 residents who may be eligible but are not receiving the benefit.

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 212-218-0503 x 3.

- **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.
- **Medicaid: Is it for you?** Learn about financial eligibility rules and what services Medicaid covers, including care at home: Thursday, April 9, 2015 from 10:00 am to 11:00 am at the Center @ Lenox Hill Neighborhood House, and Monday, April 13, 2015 from 11:00 am to 12 noon at the Senior Center @ St. Peter's Church.

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. The funding is provided by the Housing Preservation Initiative of the New York City Council. Each evening, at least one staff attorney will meet with individuals who are seeking specific legal advice.

For questions, contact the Urban Justice Center at (646) 459-3017 or the Office of Council Member Rosenthal at (212) 873-0282. Sign-up sheet starting at 6pm each evening.

June 3, 2015: Succession Rights, Preferential Rights and Non-Primary Residence

Affordable Housing Opportunities in Manhattan:

160 Madison Avenue is now accepting applications for 64 affordable studio, 1- and 2-bedroom apartments under construction at 40 Riverside Boulevard in the Lincoln Square neighborhood in Manhattan. Rents for these apartments range from \$565 to \$900 depending on unit size. To be eligible, applicants must have incomes between \$20,743 and \$43,150, depending on unit and family size. Preference will be given to Community Board 5 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 <http://housingpartnership.com/40riversideboulevard/>.

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: One Sixty Madison, c/o Common

Ground, PO Box 3620937 New York, NY 10129.

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 June 1, 2015. *Applicants who submit more than one application will 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:

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