

# RSA Reporter

WE HOUSE NEW YORK

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## Diverse Building Owners Are Part of Productive Solutions. We Always Have Been.

How things are presented and framed determines how those things are considered. This is especially true in public advocacy and government affairs work. Think about this – everybody believes they’re right and others are wrong, so simply being “right” is just one part of advocacy. Language matters.

Tenant activists and their legislative allies, some of them avowed Socialists, insist that tenant protection policies must always include Good Cause Eviction and that Good Cause Eviction is the only acceptable form of tenant protection. Their narrative is that one is the same as the other and insist that tenant protections cannot exist without Good Cause Eviction.

That’s their language and they never stop saying it. But repeating something doesn’t make it so.

You know that Good Cause Eviction is an intentionally mislabeled reckless policy that would devastate the affordable housing economy, deny building ownership opportunities to New Americans and communities of color and would limit the construction of new housing while it also freezes necessary rental activity. Good Cause Eviction is more politics than policy. It would have cascading bad effects on local economies and increase homelessness.

The truth is outside the bubble of misleading language.

Diverse building owners from throughout New York support tenant protection policies that do not have the widespread destructive side effects of Good Cause Eviction. We are supporting measures that address affordability and housing security. We are - you are - part of the solution to problems that are both immediate and long term.

For New York to prosper, a balanced approach is essential to minimize instability for both tenants and building owners. New York already offers some of the most tenant-friendly policies in the nation yet faces a significant shortfall in housing supply.

RSA and its industry partners support:

- **Funding the Housing Access Voucher Program:**

Low-income households or those currently homeless need a State funded program to assist them in affording housing. Existing programs have gaps in coverage and eligibility standards that cause many families to miss out on this opportunity.

**Proposal:** Fund the Housing Access Voucher Program which would stabilize a household’s housing circumstances, ensuring vital assistance for households in pressing need.

- **Implementing Statewide Right to Housing Counsel**

Tenants have greatly benefitted from the 2017 introduction of the Right to Counsel in New York City. As a result, during FY 2023, more than 90 percent of cases in housing court did not result in an eviction, and instead resulted in fair settlements – an outcome better for both owners and tenants.

**Proposal:** Expand the Right to Counsel statewide to further reduce evictions. This could be modeled after existing 18B panels, where both tenants and property owners in need of representation are connected to a much larger pool of qualified and competent counsel than is currently available.

- **Implementing Mediation/Diversion Programs to Ease the Stress on Housing Court**

Housing Court is still not fully functional and is tremendously backlogged, harming tenants as much as owners since Housing Court is where problems are solved.

**Proposal:** The creation of a mediation program could

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expedite resolution of certain nonpayment cases, easing the strain on already limited resources. An income-qualified renter would have the option to opt into mediation and settle on payment, with social service agencies or state or local agency resources providing assistance and support when needed. This would shorten case timelines from the current 8–13-month backlog in Housing Court, during which back rent balances accrue to unmanageable amounts.

- **Increasing Judicial Resources to Clear Housing Court Backlogs in NYC**

The Right to Counsel policy has successfully benefited tenants, but the backlog of Housing Court cases remains a pressing issue, affecting both tenants and property owners.

*Proposal:* To expedite collaborative case resolutions and settlements – which is how the overwhelming majority of cases are resolved - the State should allocate funds for hiring additional judges, court attorneys and clerks and provide appropriate facilities. This will not only clear existing backlogs but also create a more efficient system for future cases.

- **Reopening NYC Human Resource Administration Offices in Housing Court**

Prior to the COVID-19 emergency, NYC HRA staffed offices in Courthouses where they would accept applications for emergency assistance.

*Proposal:* Remove obstacles to accessing emergency assistance by bringing the social services and housing support programs back into Courts, directly to the people in the most need by accepting and approving applications on the spot.

- **Address Rent Gouging**

In the context of respecting fundamental property rights and the many economic obligations that come with building ownership, there are specific and limited circumstances where rent increases should be regulated.

*Proposal:* In cases of declared housing emergencies, rent increases on renewal leases should be capped at a rate that still maintains the economic life of buildings by modifying the existing statutory framework that addresses price gouging in other emergencies.

Through these practical, doable (but still ambitious) proposals, New York can facilitate responsible housing development while strengthening already existing robust tenant protections.

As always, we are responsible partners in supporting common sense proposals that would have an immediate positive impact without the economy and market wrecking side effects of policies that others insist are the only possible solution. That's not spin. That's the truth. ■



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