

August 29, 2019

NYC Council Member Ben Kallos
District Office
244 East 93rd Street
New York, NY 10128

Dear Council Member Kallos:

The HDFC Coalition would like to express our sincere thanks to you and your staff for taking the time to meet with our representatives and legal counsel at your district office earlier this week. The subject of our meeting was the recently enacted Local Law 64 of 2018, also known as the "Housing Portal" law, which requires certain types of housing to be listed, rented or sold on a City-controlled website, starting in 2020.

The HDFC Coalition shared with you our resolute conviction that although LL 64 is certainly appropriate for helping to ensure that new rent stabilized units are properly registered by professional real estate developers receiving 421-a tax benefits, the inclusion of HDFC cooperatives within the scope of the law under any circumstance was neither appropriate nor helpful, and is in fact harmful to approximately 90,000 New Yorkers living in HDFC co-ops. All HDFC cooperatives need to be removed from the scope of LL 64, regardless of whether they have any type of regulatory agreement or tax relief, now or in the future.

As stated in our position paper on LL 64 dated August 5, 2019, fining low-, moderate- and middle-income New Yorkers up to \$2,000 per month for failing to use a website they never asked for is clearly unwarranted. Many HDFC shareholders are senior citizens on fixed incomes without computer access or knowledge, may be disabled, and may not be fluent in English. And the responsibility to use the Housing Portal cannot be delegated to other parties due to conflict of interest issues and the likelihood of fraud, elder abuse, exposure to lawsuits, etc. As you may recall, the NYC Department of Housing Preservation and Development (HPD) *opposed* the enactment of LL 64 for just such reasons.

At the meeting, we also discussed how LL 64 could be amended. Proposed language to amend LL 64 to fully separate NYS Private Housing and Finance Law (PHFL) housing cooperatives from the scope of the law is attached.

The HDFC Coalition respectfully requests that the City Council amend LL 64 **prior to** HPD issuing draft regulations for the law. If LL 64 can be amended before rulemaking and then implementation by HPD, this will help to prevent what would certainly be confusion, chaos, distress and, frankly, outrage on the part of HDFC shareholders. Resolving these issues quickly and thoroughly is certainly in the interest of all parties concerned.

Again, thank you for taking the time to meet with us to review our concerns. We look forward to hearing back from you at your next earliest convenience, as to how we can expeditiously achieve these goals together, and in conjunction with other elected officials and representatives of government.

Sincerely,

The HDFC Coalition, Policy Committee

Tina DiFelicianantonio

Peter S. Green

John McBride

Michael Palma Mir

April G. Tyler

Attachments: HDFC Coalition Position Paper
 Proposed language to amend LL64

cc: Genan F. Zilkha, Esq., NYC Legislative Counsel
 Meagan Chen, NYC Legislative Counsel