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# NYCBA HOUSING NEWSLETTER

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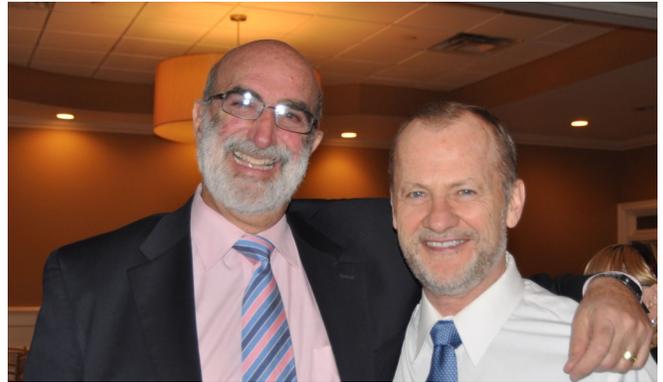
MARCH 2015

Please send any news or article you wish to publicize to [Anna Florek-Scarfutti](#) or [Melissa Banks](#).

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## [Honorable Jerald Klein](#)

This month, the Housing Court endured a terrible loss. Judge Jerald Klein passed away Sunday, March 15th of complications from a bone marrow transplant after battling leukemia for about a year. He was only 66 years old. "Jerry" served as a housing court judge in Manhattan and the Bronx for 32 years and had a reputation for being fair and wise. Respected by both tenants and landlords, and loved by Court employees, Judge Klein had a friendly, upbeat personality and a zest for life. We will miss you – rest in peace! (*pictured left with Judge John Stanley in 2011.*)



## [March 12 CLE Recap](#)

On March 12, 2014 the Housing Court Committee hosted a CLE entitled "Housing Subsidies Update 2015." A panel chaired by the Honorable Maria Milin comprised: Lucy Newman, Esq. from the Legal Aid Society discussing the Section 8 subsidy; Ronald S. Languedoc, Esq., an associate attorney from Himmelstein, McConnell, Gribben, Donoghue & Joseph describing the 421a Tax Exemption and the 80/20 Housing Program; and Richard A. Glickstein, Esq., Special Advisor to the HRA Homelessness Prevention Administration outlining the FEPS and LINC programs. The event was well-attended and very lively.

## [April 22 CLE Notice](#)

The Housing and Civil Court committees are inviting everyone to a second CLE that will take place on April 22, 2015. Entitled "[Rules of Engagement: Ethical Considerations in Dealings with Unrepresented Litigants and Civility in the Courtroom.](#)" The program will focus on ethical obligations and concerns that arise when one or both of the litigants are unrepresented, as well as discuss the Court's responsibility in setting civility standards. Panelists will also explore the delicate balance the Court must strike between maintaining a respect for the rules of law and procedure, while ensuring that the unrepresented have access to justice. The speakers include: Honorable Philip Straniere, Civil Court Judge, Acting Supreme Court Judge and Supervising Judge of Richmond County; Honorable Marc Finkelstein, Housing Court Judge; Honorable Bruce Scheckowitz, Housing Court Judge; Rochelle Klempner, Chief Counsel of NYS Courts Access to Justice Program; Brian Haberly of Belkin Burden Wenig & Goldman, LLP; Sateesh Nori, Attorney-in-Charge of Civil Practice (Queens Neighborhood Office) of The Legal Aid Society; and Della Dekay, GAL and an Assistant Professor, Department of Human Services and Counseling at St. John's University.

## [NYCHA Admits to Wasteful Spending](#)

According to the NY Daily News, NYCHA officials have admitted that years of wasteful spending practices have resulted in stockpiles of hundreds of thousands of dollars of supplies in City-area warehouses. A NYCHA insider reported to the Daily News that wasteful spending practices stemmed from the agency's desire to spend down U.S. Department of Housing and Urban Development funds to mask the appearance of the agency "sitting on" federal funds.

New York City Comptroller Scott Stringer has served NYCHA with subpoenas about the sales of over-stocked supplies, and Ritchie Torres, Chairman of the City Council's Public Housing Committee, has announced that hearings will be held on the practice.

In 2012, NYCHA determined it had \$27.7 million worth of maintenance and other inventory, of which \$18.1 million has been targeted for sale.

## [Rents Outpace Inflation](#)

The New York Times reported US Census Bureau Housing and Vacancy statistics for 2011 to 2014. According to the report, inflation-adjusted median rents increased 3.4 percent, to \$1,200/month over this period; with utilities, that increase clocks in at 4.3 percent, to \$1,325/month. While rents have spiked, incomes have remained primarily stagnant, with median household incomes rising only 1.1 percent from 2010 to 2013.

## [More News on Castellan](#)

Even after Governor Cuomo imposed a state monitor, notes the NY Daily News, Castellan Real Estate Partners continues to evict tenants at an extraordinary rate. Many tenants claim that they are being brought into court when they are "less than a month late" on rent. Castellan's Chief Operating Officer Rick Serrapica states that they do not start nonpayment cases unless a tenant is in arrears two months, but acknowledges that "occasionally human error occurs."

Three of Castellan's twelve Manhattan apartment buildings have more than 107 HPD violations between them, including vermin, leaking pipes, and problems with the gas lines. The Castellan-paid state monitor from NYS Homes and Community Renewal (formerly DHCR) states that over the past year they have been meeting with tenant groups and have not received any new complaints of intimidation or immigrant tenants being asked for unnecessary personal information.

## [Record Number of Homeless Children](#)

According to the Coalition for the Homeless' annual "State of the Homeless" report, in 2014, one (1) in 43 NYC children spent at least one night in a homeless shelter. Broken down demographically, this factors to 1 in 17 African American children, and 1 in 34 Latino children. Ultimately, this equates to approximately 42,000 children spending at least one night per year in a shelter. The report surmises that Mayor de Blasio's affordable housing push and rental assistance may help mitigate the issue; since December the city has seen 300 fewer homeless families.

## [Sunnyside Up](#)

In contrast to the modern towers of Long Island City, old-fashioned Sunnyside offers low-rise prewar buildings and mom-and-pop businesses. In addition, this neighborhood has a broader mix these days than the original Irish and Italian residents. A 2013 Department of City Planning report, "The Newest New Yorkers," said foreign-born residents of the area encompassing Sunnyside, Hunters Point and West Maspeth included Ecuadorean, Colombian, Chinese, Korean, Bangladeshi and Mexican immigrants.

More change may be coming to Sunnyside. Mayor Bill de Blasio announced during his State of the City address last month a plan to build more than 11,000 units of affordable housing at Sunnyside Yards, the rail depot adjacent to the neighborhood.

## [De Blasio Incentivizing Landlords to Rent to Homeless](#)

In the effort to increase affordable housing in New York City this week, Mayor Bill de Blasio sent a 45 second robocall to potential landlords asking them to assist with the city's homeless problem. On top of guaranteed city-paid rent, the mayor is offering an \$1000 incentive to landlords who offer leases to homeless New Yorkers. This followed the release of a Department of Investigation report which found that the city's shelter system is plagued by "dangerous conditions, roach infested residences, and fire violations."

Advocates for the homeless assert that the policies of former Mayor Michael Bloomberg contributed to the current crisis. The former mayor eliminated many programs designed to help families leave the shelter system. According to the U.S. Conference of Mayors' Task-force on Hunger and Homeless, the number of homeless families in other cities increased by 3% in the past year, compared to a 14% jump in New York City. In addition their efforts to increase permanent housing for the homeless, the de Blasio administration is also working to rectify the shelter conditions.

## [Lost in Translation — or Without](#)

NYC Controller Scott Stringer penned an open letter to the court system claiming the NYC Housing Court fails to adequately serve non-English speaking New Yorkers. Stringers' office surveyed each of the five boroughs' housing courts and indicated they found that some tenants may need to wait hours for an interpreter. He further posits that this wait pushes people to enter into unfavorable settlements or to postpone the case. In the letter he recommends that the court hire more interpreters, in addition to making more language resources available at the courthouse rather than just in courtrooms.

## [Housing Subsidies Update 2015 \(CLE\)](#)

