



THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

**BOROUGH PRESIDENT GALE A. BREWER
TESTIMONY TO THE COMMITTEE ON HOUSING AND BUILDINGS
ON INTRO 163 INFORMATION REQUIRED TO BE PROVIDED UPON THE
SIGNING OF A LEASE
JUNE 18, 2014**

Thank you, Chair Williams, for the opportunity to testify before the Committee on Housing and Buildings today. I am here to urge the committee to pass Intro 163-2014. As co-sponsor of the bill with Council Member Mendez, I believe it is extremely important that prospective tenants be thoroughly informed of the condition and history about their units before signing a lease.

This bill calls for the creation of a checklist that landlords and management companies can download and print from HPD's or an enforcing agency's website. The checklist serves as a cover sheet to the rider that tenants are required to receive prior to or at the time of lease signing, pursuant to the New York City administrative code and the Department of Health. The rider must include, at a minimum: 1) lead-based paint notices, 2) window guard notices, and 3) bed bug infestation history notices. The checklist does not add to the workload or cost of preparing lease documents. Rather, it is intended to make the leasing process more transparent, as prospective tenants will know which notices they are entitled to receive at the time of lease signing as well as provide disclosure as to the unit's condition before a contractual agreement is established.

In particular, in 2010 Governor Paterson signed a law requiring the Notice to Tenant: Disclosure of Bed Bug Infestation history. According to DHCR, every landlord in New York City who issues a new tenant a lease, including owners of rental units in two-family houses and in condo and co-op buildings, would be required to fill out the form.

When I was a Councilmember, I introduced a similar bill to Intro 163 of 2014, Intro 872 of 2012. The impetus behind the bill was the final report by the New York Bed Bug Advisory Board, which was established through a bill I introduced, Local Law 14 of 2009. Charged with formulating a citywide strategy to address the bed bug epidemic, the Advisory Board recommended that landlords be enlisted in the campaign for increased public information and education on preventing and addressing bed bug issues. I would welcome an amendment to this bill requiring that landlords provide written bed bug information to tenants upon lease signing and renewal, one page that would be produced and posted on the City's website.

As for the current state of bed bugs in New York City, the good news is, since its peak in 2010, the number of bed bug violations issued by HPD has declined. Statistics released last month by HPD cite 520 bed bug violations in FY2013 in Manhattan's multifamily residential rental buildings, compared to 675 violations in FY2012 and 775 violations in FY2011.

However, a decline in bed bug infestations does not mean we shouldn't push for stronger regulation to reinforce the requirement that landlords provide bed bug history and other important apartment information to prospective renters. In fact, now is the ideal time to strengthen enforcement—as a way to safeguard tenants' quality of life as well as to keep landlords and management companies accountable to address bedbugs and other violations before becoming a problem.

And let's not forget that 520 instances of bed bug infestation in Manhattan last year still constitute a very high number. My office has been working with at least one of these hundreds of buildings. Leslie is the Tenant Association President of her building on West 95th Street. The building has been battling bed bug infestations for over three years, with periodic ebbing of the problem but the bed bugs haven't truly gone away. The latest surge happened this past April, when a ninth-floor unit was infested. This unit is rented by a senior in his 80s and his disabled daughter who only has one hand. Father and daughter have gotten rid of almost all their furniture and are resorting to sleeping on the floor in their living room. For over two months, their unit's bed bug problem has remained unabated. Leslie has confirmed with tenants living on floors eight to ten that bed bugs have spread to several other apartments.

There are a lot of buildings like Leslie's located throughout New York City. While Leslie's landlord does provide a notice that discloses her building's bed bug history in compliance with New York State law, my office has worked with several constituents who told my staff that they did not receive a bedbug notification form upon signing their lease. Implementing a required checklist will demand accountability from landlords and eliminate this inconsistency: using the checklist, prospective renters will know which required notices they are entitled to so they can ask for any missing documents before signing the lease. And with knowledge of a building's bed bug history, prospective renters can then request landlords to offer a bed bug-free apartment—or one that is clear from the vicinity of an infested unit—instead of starting a new lease only to discover that they have to battle bed bugs shortly after move-in.

I am confident that the passage of Intro 163 will increase bed bug control and the accountability for infestation history throughout the City. Overall, landlords and management companies have been compliant with providing lead paint and window guard notices to prospective lessees as required by law, though my office's experience shows that enforcement of bed bug history notification has been less consistent. With the introduction of the housing checklist as part of the minimally required documents to be included in a lease rider, New York City's renters will receive an added layer of disclosure and protection against harmful conditions and unwanted infestations.

Thank you for the opportunity to testify today.