



COMMUNITY DEVELOPMENT PROJECT

Testimony of Paula Segal to the 2018 City Charter Revision Commission

July 25, 2018

Commissioners,

My name is Paula Segal; I am a senior staff attorney in the Equitable Neighborhoods practice of the Community Development Project (CDP), a non-profit legal services organization that works with grassroots and community-based groups in New York City to dismantle racial, economic and social oppression. My practice, Equitable Neighborhoods, works with directly impacted communities to respond to City planning processes and private developers, helping to make sure that people of color, immigrants, and other low-income residents who have built our city are not pushed out in the name of “progress.”

We and our partners have been glad to see the attention that the land use process and related elements of our city government controlled by the Charter have gotten from this Commission and its staff and glad that an Issue Forum on land use was part of the Commission’s calendar this summer. As the Staff Report rightfully notes, these issues require thorough review and a major public conversation about the future of the City’s built environment.

It is reasonable that for this Commission to accept the Staff recommendation to defer further consideration of land use to future Commissions.

But, there are five concrete items that impact land use decisions that are imminent and fall outside the ULURP process that this Commission should nonetheless consider adding to the November ballot:

1. Require the City to track and enforce all **deed restrictions and remainder interests** it holds for the public benefit. The City does not have staff to enforce such restrictions now; the Department of Citywide Administrative Services does have staff to respond to requests from property owners to lift these restrictions. Given that the “permanence” of permanently affordable housing this administration is financing to tackle our homelessness and affordability crises is premised on the effectiveness of remainder interests that the City plans to hold on private properties that contain “permanently affordable” units, a tracking and enforcement mechanism – and staff to use it – is crucial missing piece of infrastructure.
2. Add a provision to the City Charter **prohibiting the City from selling any liens on properties owned by charity organizations** that have had property tax exemptions within the last five years, are in the process of appealing an exemption denial or those that have filed applications that the Department is in the process of reviewing. Such a

provision is key to ensuring community institutions (gardens, churches, mosques, community centers) are not lost due to administrative hurdles created by the Department of Finance and/or the Department of Environmental Protection.

3. Prohibit lien sales on privately owned **vacant buildings and lots with arrears** which only work to facilitate their transfer to speculative new owners. Instead, the agencies can implement a rapid timeline for transferring these properties to non-profit developers and community land trusts, leveraging the existing Third Party Transfer program and other existing mechanisms.
4. Create a **financial disincentive for warehousing** residential and commercial units by creating a vacant property registry with a progressive registration fee.
5. Change Section 197-c (a) of the Charter to **add public housing authority land** to those dispositions subject to public review under ULURP so that residents get a meaningful say in how public land in NYCHA's inventory is used.

For further information, contact:

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