

Testimony of Adrien A. Weibgen of the Urban Justice Center Community Development Project on the Proposed East New York Rezoning

Good morning, City Planning Commissioners. My name is Adrien Weibgen, and I am an attorney at the Urban Justice Center Community Development Project, which is working with the Coalition for Community Advancement to support equitable development in East New York. The proposed rezoning will create a huge risk of displacement, and the preservation strategies the City has proposed are completely inadequate. The City needs additional anti-displacement strategies for both regulated and unregulated tenants, and it should not proceed with the rezoning without these strategies. We urge you to vote NO on the City's East New York Plan, unless the City adopts the proposals in the community's *Alternate Plan* as alterations or mitigations.

East New York has long been a home to many low- and middle-income New Yorkers, including people of color and immigrants. CDP is concerned that the City's plan risks displacing thousands of low-income people, as has happened with many of the City's past rezonings. East New Yorkers do not fear change. They fear that they will not be around to benefit from the changes that are coming.

The City says that rents in Brooklyn are rising and that there is a risk of displacement with or without the rezoning. But the City does not address the fact that the rezoning will *increase* the risk of displacement by inviting huge amounts of new housing, which will drive up rents and land values in the community. By way of comparison, the proposed rezoning would increase the residential population of the area by over 50%, with many people at income levels far above those of current residents. In contrast, if the City did not rezone East New York, the residential population would increase by only 4% and many residents would have incomes similar to today's residents. It does not make sense to say that the risk of displacement is the same with or without the rezoning. The rezoning will add fuel to the fire.

The City claims that preservation of affordable housing is at the heart of its plans for the area, but legal services alone are not enough to break the profit motive that drives landlords to harass rent-stabilized tenants, and HPD subsidies will not

help tenants of unregulated apartments in small homes. The City must adopt additional mitigation strategies to combat the risk of displacement. I will highlight two proposals from the Coalition's *Alternate Plan*.

Anti-Harassment Zoning Text Provision

First, the City should protect rent-stabilized tenants by requiring landlords seeking certain permits from the Department of Buildings to obtain a Certification of No Harassment. Landlords who have harassed tenants should not be able to receive building or alteration permits – *unless* those landlords agree to build new, permanently affordable housing. This requirement was put into the zoning text in the Special Clinton District in Hell's Kitchen, and it works in two ways. First, it *stops* harassment because landlords do not want to have to make parts of their buildings permanently affordable. Second, if landlords harass tenants despite the new rule, they have to *create* new, permanently affordable housing. This anti-harassment provision has worked in Hell's Kitchen, and it would work in East New York, helping low-income people can stay in East New York even as it changes.

Good Neighbor Tax Credit

The second proposal is a Good Neighbor Tax Credit, which will support tenants in small, owner-occupied homes. Many live-in landlords in the community give low-income tenants below-market rents because they are more interested in supporting their neighbors than maximizing their profits. But as land values and property taxes go up, it will become harder for these landlords to maintain low rents. A Good Neighbor Tax Credit could protect unregulated affordable housing by providing a tax break to landlords of 1-4 family homes who offer one-year leases to low-income tenants at below-market rates.

Dramatically upzoning a low-income community with huge amounts of unregulated housing is a dangerous gamble, and the City should not play games with people's lives. If the City cannot or will not do more to ensure that the current residents of East New York will be able to stay and benefit from the changes the rezoning will bring, the City should not proceed with the rezoning at all. Again, we urge the Planning Commission to Vote No on the City's Plan, unless the City adopts the proposals in the community's *Alternate Plan* as alterations or mitigations. Thank you.