

Assemblyman
JEFFRION L. AUBRY
 Reports to the People

**35TH A.D. • QUEENS COUNTY
 SPEAKER PRO TEMPORE**



END OF SESSION 2015 NEWSLETTER

Dear Neighbor,

I am pleased to provide you with a brief overview of the end of session final agreement which involves issues on housing policy, education, and criminal justice.

In spite of a turbulent legislative session, the Assembly Majority refused to compromise its principles and did not agree to a package that did not provide critical rent protections for the millions of New Yorkers who depend on these laws. The Assembly successfully fought to extend and strengthen rent laws for another four years. The agreement increases the vacancy deregulation threshold from \$2,500 to \$2,700; with 675 units in our district paying \$2,000 and up in rent, this agreement should serve as relief and peace of mind. Moreover, the agreement increases the penalty for landlords who harass tenants or violate a Division of Housing and Community Renewal (DHCR) order; and limits the amount of rent that landlords can charge tenants in order to receive reimbursement for necessary improvements or installations.

The Governor and Legislature also responded to the growing concern over the state's new standardized tests, which were made more difficult two years ago, causing passing rates to plummet. It's absolutely essential that we make every effort to give New York's children a high-quality education. We've heard the concerns of parents and teachers, and we're working every day to improve our education system so all children have the opportunity to succeed. The end of session agreement takes steps to reform educational policies and address the concerns of parents and teachers, including extending mayoral control of New York City's schools for one year.

This session the legislature addressed various criminal justice issues plaguing minority communities. In the wake of the Eric Garner case and the large number of protests that were sparked across the nation as a result of the grand jury decision, there have been calls for various reforms, namely the Assembly's call for an independent prosecutor or for the Attorney General to prosecute cases involving alleged police misconduct. The Governor has answered this call by issuing an executive order to appoint Attorney General Eric Schneiderman as a special prosecutor in cases where an unarmed person dies at the hands of a law enforcement officer. While there is still much more work to be done, this is an important first step on the road to fairness and transparency in the justice system.

This end of session agreement reflects the Assembly's commitment to the people of New York. We have once again proven the strength of the democratic process and we look to next year to further improve the conditions of our communities, cities, and state. It continues to be my pleasure to represent you, the people of the 35th Assembly District.

Sincerely,

Jeffrion L. Aubry
 Member of Assembly
 35th A.D., Queens County



**LEGISLATURE IMPROVES
 RENT REGULATIONS TO
 PROTECT NEW YORKERS**

**Protecting Tenants,
 Keeping Rents Affordable**

The Assembly successfully fought to extend and strengthen rent laws for another four years, but there is much more work to do. I'm committed to protecting tenants and keeping housing affordable so working families can keep their homes.

Too many residents in our district are struggling to afford housing for their families as rents continue to skyrocket. Currently in our district, 66.4% of our residents are in renter-occupied units. A significant number of residents, approximately 44.6 % pay rent in excess of \$1,250; and of that number 3% pay \$2,000 or more in rent. With these numbers in mind, our top priority in brokering this agreement was to help the hardworking families who make New York great. After lengthy negotiations, I am pleased to report that the legislation passed by the Assembly and signed by the Governor will extend existing rent laws for four years, strengthen protections for tenants, and increase affordable housing units. These measures help to prevent families from being priced out of their homes.

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Protecting Tenants, Keeping Rents Affordable (Continued from page 1)

The agreement also protects tenants by:

- Limiting the amount landlords can increase rents when a tenant with a preferential rent vacates an apartment. Such increase will depend on how long the previous tenants stayed.
- Increasing and indexing the high rent threshold to the applicable rent guidelines board (rent guidelines boards apply different rents to different geographic areas). This will make it more difficult for units to be removed from rent regulation because it will allow for the high rent watermark to float based on the rent guidelines board increases.
- Increasing vacancy decontrol limits from \$2,500 to \$2,700 and annual increases thereafter will be indexed to the Rent Guidelines Board.
- Increasing civil harassment penalties. The agreement increases the penalty for landlords who harass tenants or violate a Division of Housing and Community Renewal (DHCR) order; these provisions increase monetary penalties imposed on landlords who harass tenants by approximately \$1,000, to \$3,000 for each offense and up to \$11,000 for each offense where the owner harassed a tenant to obtain a vacancy.
- Extending the Major Capital Improvement amortization period from 84 months to 108 for buildings over 35 units and 84 months to 96 for buildings under 35 units. The agreement limits the amount of rent that landlords can charge tenants in order to receive reimbursement for necessary improvements or installations.
- Limiting the vacancy bonus provided to landlords on tenants who receive preferential rent as a way to stop the “churn” on these units.

Expanding Access to Affordable Housing

Working and middle-class families are the backbone of New York City, and it's critical that we make sure they can continue to live, work, and raise their children here. Strengthening rent laws and providing incentives for developers who invest in affordable housing and new businesses will help secure a bright future for our city.

The 421-a Property Tax Exemption Program encourages the new construction of affordable housing in New York City. The program will be extended for four years, under the condition that a prevailing wage requirement for construction workers be negotiated within six months. If no understanding between developers and laborers can be reached within the six-month period, the program will be suspended until an agreement is reached.

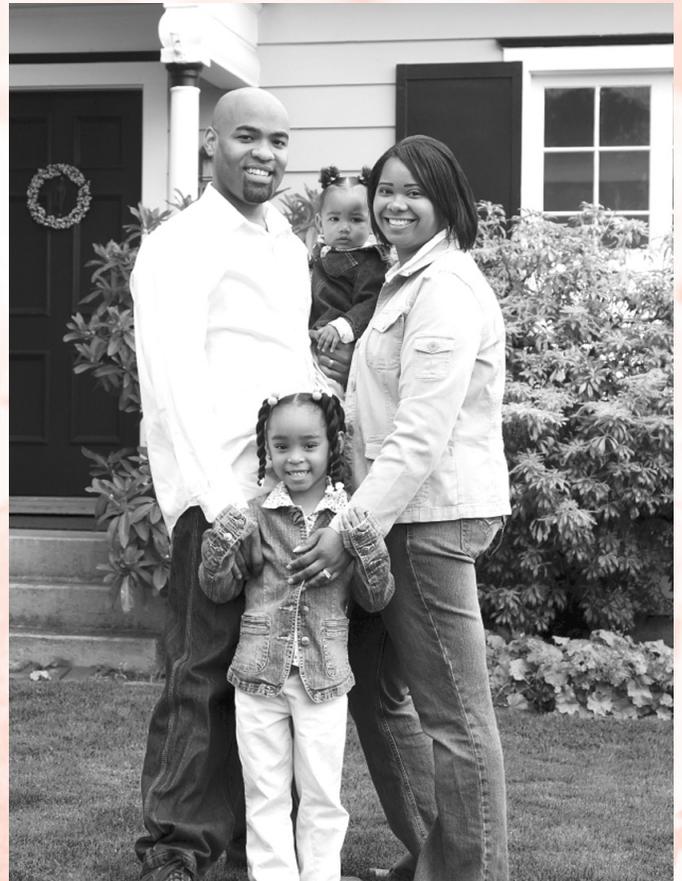
Additionally, on-site affordability will be required for all buildings constructed under the 421-a program and more incentives options will be offered to developers to broaden their ability to provide affordable housing. Tax breaks for condos and co-ops will also continue for four years, as well as the J-51 Tax Abatement Program, which gives landlords an incentive to renovate and make improvements to their buildings.

In addition, the Loft Law, which protects New York residents who live in buildings formerly zoned for commercial use, will be extended for four years. This extension will allow smaller units to be covered under the law, prohibit coverage on units with outstanding hazards, reduce rent increases for making a unit comply with building and fire code, and allow review of buildings that may contain incompatible uses. The legislation also expands the application period for registration of new residential units for an additional two years.

Freezing Rent Brings Relief For Tenants

The decision by the Rent Guidelines Board to freeze rents for one-year leases for one year is great news for tenants across New York City. Preserving access to affordable housing through rent regulation is critical for middle- and low-income families. Local Borough families are struggling to make ends meet, and taking action to keep rents at their current level is the right thing to do, because no one should have to choose between paying their rent and feeding or clothing their family.

Extending the Property Tax Cap and Cutting Taxes for Homeowners



The end of session agreement extends the property tax cap for an additional four years. Building on the success of the property tax cap, the agreement includes a new Property Tax Credit that will provide more than \$3.1 billion over four years in direct relief to struggling New York taxpayers. The program is progressively structured so that taxpayers with lower incomes receive a higher benefit.

In the first year, 2016, the program will be coupled with the existing Property Tax Freeze credit to provide a total average credit of \$350. Beginning in 2017, the program will provide property tax relief based on a percentage of a homeowner's STAR benefit, with lower incomes receiving a larger percentage. All homeowners with incomes below \$275,000 who live in school districts that comply with the property tax cap will be eligible to receive the credit. This means that most, if not all, of the residents in our district would qualify for this credit since over 98% of our residents have incomes below \$275,000.

For New York City residents, the agreement extends by four years the \$85 million, progressively structured “Circuit Breaker” tax relief program. Qualifying homeowners and renters with incomes below \$200,000 are eligible to receive a refundable tax credit against the personal income tax when their property taxes or rent exceeds a certain percentage of their income. With 97.2% of the residents in our district making less than \$200,000, nearly the entire district stands to benefit from this program. This program would directly benefit NY, which has disproportionately high property taxes. This \$1.3 billion rebate program will go a long way towards giving New Yorkers real relief.

INVESTING IN EDUCATION

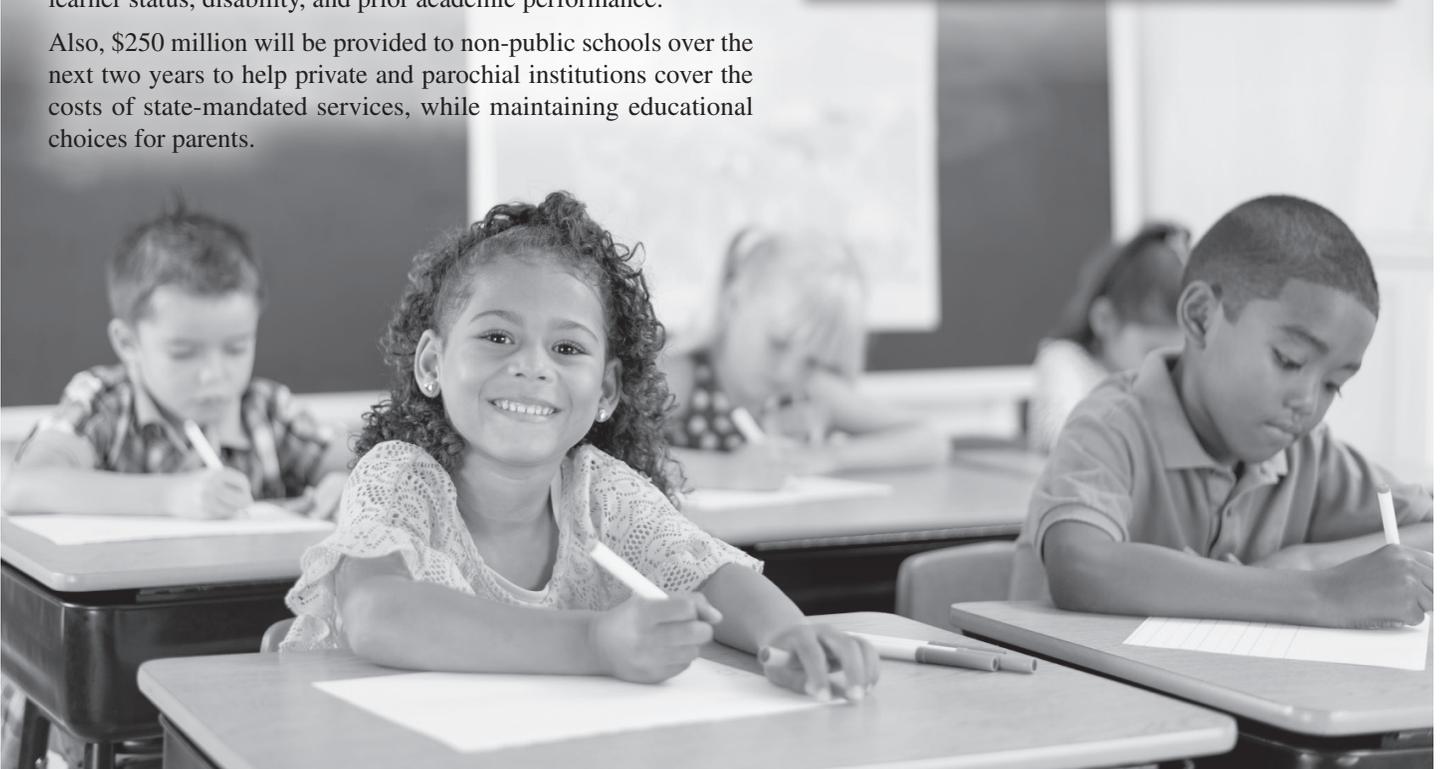
It is absolutely essential that we make every effort to give our children a high-quality education. We've heard the concerns of parents and teachers, and we're working every day to improve our education system, so all children have the opportunity to succeed. The end of session agreement takes steps to reform educational policies and address the concerns of parents and teachers, including extending mayoral control of New York City's schools for one year.

Past standardized test questions will now be available for review and teachers will no longer be prohibited from discussing tests after they have been publicly released, giving teachers the ability to better prepare students for future exams. In addition, the State Education Department will be required to review certain standardized test questions to ensure they are fair and grade-level appropriate. Teacher evaluations will also need to take into account several factors that can affect student performance, including poverty, English language learner status, disability, and prior academic performance.

Also, \$250 million will be provided to non-public schools over the next two years to help private and parochial institutions cover the costs of state-mandated services, while maintaining educational choices for parents.

Charter Schools

Parents deserve choices when it comes to the education their children receive. All schools—public, private, and charter schools—play a role in expanding educational choices for our families. We need to do all we can to make sure these schools have the support they need to help our children get an outstanding education. This is why the end of session agreement adjusts the cap on charter schools, allowing both the State Education Department and State University of New York to issue 130 charters outside New York City and a total of 50 in New York City.

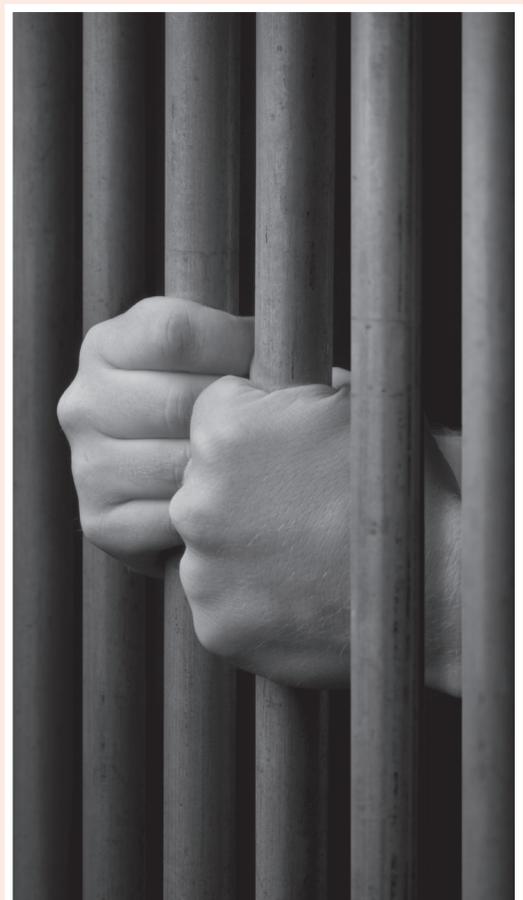


CRIMINAL JUSTICE MEASURES SIGNED INTO LAW

Appointment of Attorney General as Special Prosecutor

The decisions by grand juries not to indict officers in the Michael Brown shooting in Ferguson, Mo. and the Eric Garner case have taken a toll on the public's trust in our state's justice system and this trust must be restored. The Governor's executive order to appoint Attorney General Eric Schneiderman as a special prosecutor in cases where an unarmed person dies at the hands of a law enforcement officer is a vital first step in rebuilding trust in the criminal justice system. It's clear that we need a comprehensive, thorough review of the entire process, and needed reforms must be enacted into law during the next legislative session.

Until then, we must remove any possible conflict of interest and make sure there is an independent review of these horribly tragic incidents. Part of rebuilding trust in the criminal justice system is ensuring that any family that has to deal with a loved one being killed by law enforcement is confident that the case will be fairly investigated. While we work toward a permanent state law that appoints an impartial special prosecutor in these situations, the action announced by the Governor is a necessary first step in ensuring that everyone is treated equally under the law.

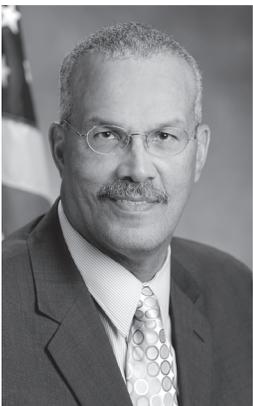


“Enough is Enough” Campaign to Combat Sexual Assault on College Campuses

Sexual assault on college campuses is an alarming problem that cannot be tolerated. Colleges and universities should be safe places to learn and grow, not insulated bubbles where serious crimes are buried and treated like simple campus disciplinary issues. Governor Cuomo signed into law his “Enough is Enough” legislation to combat sexual assault on college and university campuses statewide. The new law requires all colleges to adopt a set of comprehensive procedures and guidelines, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement to ensure the safety of all students attending colleges in New York State.

Specifically, the new law requires private colleges in New York State to adopt or implement:

- A uniform definition of affirmative consent, defining consent as a knowing, voluntary, and mutual decision among all participants to engage in sexual activity;
- An amnesty policy, to ensure that students reporting incidents of sexual assault or other sexual violence are granted immunity for certain campus policy violations, such as drug and alcohol use;
- A Students’ Bill of Rights, which campuses will be required to distribute to all students in order to specifically inform sexual violence victims of their legal rights and how they may access appropriate resources. The Bill of Rights clearly states that students are given the right to know they can report sexual assaults to outside law enforcement, including the State Police;
- Comprehensive training requirements for administrators, staff, and students, including at new student orientations; and
- Reporting requirements for campuses to annually submit aggregate data on reported incidents of sexual violence and their adjudication and handling to the State Education Department.



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Fall 2015

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- Legislature Improves Rent Regulations to Protect New Yorkers
- Investing in Education
- Criminal Justice Measures Signed Into Law

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