

**Village of Walden  
Board of Trustees  
Public Meeting on Landlord Registry Law  
July 31, 2014**

Trustee Hoffman called the meeting of the Village of Walden Board of Trustees to order at 6:30 pm.

On roll call the following were:

Present:

Trustees	Edmond Leonard Gerald Mishk Sean Hoffman Willie Carley
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Not Present:

Mayor Deputy Mayor	Brian Maher Sue Rumbold Bernard Bowen
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Also Present:

Lauren Bliss, Deputy Village Clerk

Trustee Hoffman welcomed everyone to the meeting and explained the reason for the meeting tonight. No action will be taken on this topic tonight, we will open the floor for comments.

**Local Law #5 of 2014 – Landlord Registry Law**

Ken Valk, 2360 Albany Post Road, landlord for 24-26 Center Street, commented that he feels that the only thing the Board cares about is when they have problems so they create a new law. He understands that you have problems with certain landlords, but you are punishing all landlords because of the problem ones. He feels there are enough laws on the books to handle things and we don't need a new law.

Trustee Hoffman clarified that this is a current law being amended, not a new law.

Ken stated that he doesn't feel there is a need to renew every year as the Village knows when the deed changes hands. You are going to penalize us if we don't renew it but you know if there is a new owner and there is no need for that. If you gave him a tax rebate he has to verify that he has qualified for that but you are not giving him anything and he's going to be penalized if he doesn't do it.

Trustee Hoffman said the last version of the law has the penalty struck.

Ken stated he must not have a current copy.

Trustee Mishk stated that we have in the current law to register and very few people do it.

Ken replied that he wouldn't register either. He does not feel it's his business unless there's a problem or he's building it or renovating it. If it goes past 4 units I understand it's a different code. But if it's not, he feels it is not your business.

Trustee Mishk replied it is our business. We need contact information so we can contact you in case of an emergency. Perfect example was this Wednesday, he was with the Village Manager when the fire alarm went off because there was a gas leak at Lustig's building, and they needed to get in touch with the landlord or they were going to kick the door in. That is just one tiny example of why we need it.

Ken commented that most of the landlords in town you know, the ones you don't is only a few. It is public knowledge of who owns the property you don't need this law. 80% of the properties are owned by local people and everyone knows who they are and how to get a hold of them.

Trustee Carley stated that we have had this problem consistently over and over since he's been on the Board it has always been an issue when we need to get in touch with landlords when the building needs to be condemned or corrected. You are right there are a lot of people who we do know how to contact the landlords as they are in the Village, but there are many more who are not here. This is what we are trying to communicate, the individuals who are here doing their job are being effected by large number who are not doing their job.

Trustee Hoffman stated that there are approximately 900 rental units in the Village. There are a lot of people who we don't know, who live out of state, a surprising number from Rockland County. Have had to hire process servers at the tax payer's expense.

Trustee Carley asked if he was a part of the landlord committee who was part of the drafting of this and putting it together.

Ken replied that he was part of the last meeting but not a part of anything to do with drafting the law.

Trustee Carley asked how many landlords were at that meeting.

Ken replied about 35.

Trustee Carley state that is only approximately 10% of the Village, not even.

Calvin Miller, 19 East Main Street, stated this is the first meeting he has heard of.

Ken commented that not many people read the legal notices every week. He only knew because someone called him.

Trustee Hoffman clarified the history of the meetings. We had a meeting on May 15<sup>th</sup>, and the Mayor and the Village Manager took the comments from that meeting and did some additional outreach as they said they would and redrafted the law that is up for discussion tonight.

Calvin said that the Health Department can come in at any time and he feels that tenants are capable of calling them and letting them know of an issue. He suggested having Placards in the hallway of the building like in New York City that have the contact person's name and method of contact listed on them.

Trustee Mishk stated that we wanted to include that in the first draft and everyone was against it.

Trustee Hoffman stated that we did have that thought but the problem with that is how do we enforce that. There was a lot of resentment against that and I can understand that, but how do you enforce that if someone doesn't want to do that.

Calvin replied that low income areas don't like raising rents as it then gets passed onto the tenants.

Trustee Hoffman agreed and stated that the option for inexpensive decals was discussed back in May and there was a strong push back, so we have eliminated that at their request

Calvin stated that he wanted to be notified of future meetings because he doesn't get the paper.

Trustee Mishk stated that the Village Board meetings are usually the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays and our next meeting is on August 12<sup>th</sup>. We are not rushing to do this. The reason this proposal was made, is because there were problems with an absentee landlords, after we hired a processor he has walked away. The building inspector came to us for help. He was hoping that John was here today because he would be updating us as to what our special prosecutor said what laws we could use and couldn't use that are already on the books. We were presented with a building with 4 apartments, 1 had no electricity, and tenants were placed there by social services and were afraid to complain because they would have any other place to live. The Building Inspector came to us to condemn the building but we felt we didn't have the right to, so we sent letters, hired a processor, and contacted the mortgage company. The end result was that the land lord walked away and now it is an eye sore to the Village. They dumped all the personal property of the tenants on the front lawn and at the expense of the Village it had to be cleaned up.

Ken replied you didn't have to hire a process server. You served the owner twice you said. If you had his address, you would have served him and had the same result.

Trustee Hoffman stated that we've had cases where people gave us false addresses.

Trustee Mishk stated that it took time to locate him.

Ken & Calvin- that can happen here

Trustee Leonard added that the heart of it is that in order to get condemnation of the property we have to go to the County, we can't do it locally as they are not permitted. We get into heavy legal money when we go that way. We were hoping a special prosecutor could be used like the State Police uses to issue tickets which has worked well to help reduce the cost and get them into court to enforce the law.

Ken asked if we can do that with the current law.

Trustee Leonard replied we can but it can easily get into costs in excess of \$8,000 just in legal fees. If we could do it locally it wouldn't be as expensive but we can't.

Ken asked if you can add it to the property.

Trustee Mishk replied only if we win the judgment.

Trustee Leonard added that the cost just to get to court you are talking a lot of legal which is one of the issues here. One point he wanted to make is that when the original inspection law was put into effect, he believes in 2008, one thing he didn't want included was owner occupied property to be included and he still sticks with that. They shouldn't be a part of this law nor should single family. Building Inspector informs us that there is no way to control single family rental. We have one building Inspector and a lot of properties so we need to focus in on people who are problematic.

Calvin commented that in order to do that you need to get into all properties and affect everything.

Trustee Leonard stated that was the previous law that has already been in effect, it's a 2 year cycle. With the numbers of rental units that we have and we need to focus on people who are problematic. Most of those people are not in this room unfortunately.

Ken asked if most of the problem is with the higher number density, in other words most laws break it at 4. He only has one two family home.

Trustee Mishk stated that what happens with two family properties is that they are sneaking in a third and fourth party that we are not aware of.

Ken stated that when you find out you address that I understand it is hard to find out about that, but this particular law isn't going to change that.

Trustee Mishk stated that what this law simply will address right now is that if every rental is registered, and we know about it and have inspected it. We would then, hopefully discover these issues.

Calvin stated that he has never received anything to register the apartments. He bought the home from someone else so he is not on the registry and he needs to know about it to register it, he didn't know it existed.

Trustee Hoffman replied that he agrees with Ed that most of the problems are not owner occupied properties. Most of the problem properties come from typically out of town landlords and are difficult to get a hold of and frankly don't care.

Ken stated that if you register once you shouldn't have to register again unless owner changes.

Calvin agreed and added or if a manager/ contact information changes

Trustee Hoffman stated this law in this form is difficult to review. We need some sort of proactive way to know of those type of changes.

Calvin suggested getting rid of the expense as it all gets passed on to the tenants.

Trustee Hoffman commented that we are not trying to cause any more expenses or work for Village employees. We don't want to sell a list of names and addresses or give out your contact information to anyone. We do have an existing law, the fact that you aren't on the list and don't even know about it, says a lot to me.

Calvin said he felt it should somehow be attached to when that deed changes hands.

Trustee Mishk that is another purpose of this registry. We can't have one person responsible to know that the property has changed hands.

Calvin replied that he feels it should be at no expense and no invasion of privacy on his tenants. Those are his main issues.

Trustee Hoffman stated the law is not looking for any information on the tenants.

Trustee Mishk commented that in the initial draft of the law there was a question about the privacy issues and we changed that.

Trustee Leonard commented that we also dropped the size and dimensions of the apartments as that was unnecessary and we have also reduced the fees from \$100 to \$25 and if nothing has changed you don't need to register again. There have been some changes from the May town hall meeting which was a good exchange and a great meeting.

Trustee Hoffman suggested giving his name and contact information to Lauren so she can pass it onto the Mayor so he can contact him on upcoming meetings and issues.

Calvin commented that there has to be a better way to give notices about the meetings as he doesn't go on the computer much.

Trustee Mishk added that it was on the website.

Ken suggested you put them on tax the bills.

Trustee Hoffman said that we are past the due date to do that but can do that on water bills as we can control those invoices.

Ken replied that he doesn't receive the water bills, the tenants get them.

Trustee Carley suggested structure preplanned structured meeting dates in advance. He believes in communication and that everyone should be notified. He believes in closing that loop but he is busy and he's certain that you are busy also so you have to not forget about things like that and doing your part.

Ken stated he believed that email would be the best way.

Trustee Mishk suggested that the land lords get together to start their own association. There was a conversation at the last meeting about doing that.

Trustee Hoffman stated that would be up to the landlords to do but he hasn't heard anything about an association yet.

Deputy Clerk Bliss stated that the Mayor indicated that there would be another Town Hall meeting set up for this Local Law.

**Motion to Adjourn**

Trustee Hoffman motioned to adjourn. Seconded by Trustee Leonard. All ayes. Meeting adjourned.