

Dear Council Member,

Please be good enough to consider the following, **ARC's** response to Council Member Brad Lander's assertions found in his April 2018 report entitled, "*Desegregating NYC – Twelve Steps Toward a More Inclusive City*".

Note:

Mr. Lander's statements appear below quoted exactly from his report.

1. "Testing programs do not work for co-op sales, since testers do not have credit reports and equity in their bank accounts".
 - a. Response: Not sure of the role that the "testers" play with reference to co-ops, but it should be recalled that applicants to purchase supply co-op boards with their financial records and that is precisely what enables them to make informed judgments in support of their lawful fiduciary responsibilities to protect their shareholders and their corporations.
2. "The application process to purchase a co-op is notoriously onerous and opaque, with little transparency".
 - a. Response: Anyone who is interested in the process can always ask for a blank application to review its contents and the procedures required to complete it. Managing agents, Board presidents and real estate agents all are available to provide additional guidance, as is the State Attorney General's office.
 - b. Response: The application process, like the minutes of Board meetings and so many other business transactions duly protected under law, is confidential and the highly personal discussions and decisions that ensue should remain carefully safeguarded by each building's Board.
3. "While many co-ops are diverse and free of discrimination, allegations of discrimination in co-ops abound, but are difficult to prove".
 - a. Response: "Abound"??? It is improper for anyone, least of all an elected official entrusted with the public's reliance and faith to make such a specious statement without citing proper data and incidents (if any exist). Doing so paints all co-op boards, individual directors and the shareholders who elect and entrust them to fairly represent their interests with an improper and unfair cloud of suspicion.

- b. As always, the **Association of Riverdale Cooperatives & Condominiums** condemns any Board found guilty of discrimination and encourages its prosecution under existing law. While everyone understands the “few bad apples” possibility, co-op Boards should only be lauded for their deliberate and consistent demonstration of exemplary social consciousness in assuring an inclusive residential environment that is fair and open to all applicants.

- 4. “Given the staggering black/white wealth gap—much greater even than the gap in income—in a nation where most people’s primary asset is their home, it is particularly important to combat discrimination and segregation in NYC’s co-op marketplace”.
 - a. Response: Granted. We agree fully. But the solution to this pervasive issue should not in any way be placed on the shoulders of co-op boards.

- 5. “To do so, the Council should pass Intro’s 1458-2017 (Council Member Lander) and 1467-2017 (Council Member Jumaane Williams) which would require co-op boards to provide a reason for the rejection of an applicant and insure that applicants receive timely approvals and denials”.
 - a. Response: Aha! The reason for this baseless set of statements now surfaces to be nothing more than a self-serving effort to garner votes in Council to support motions that represent but a tiny number of intractable voters in Mr. Lander’s district.
 - b. Response: Additionally, providing a statement of reasons for the rejection of any application to purchase would do little besides immediately open a new and totally unnecessary market place for contentious litigation at it’s very first syllable.

6. "Fair housing and civil rights experts agree that this simple requirement would make it more difficult to hide outright discrimination".

- a. Response: Not so, at all. (Again, just who are those alleged experts?? And why does a Council member make such broad, unfounded and simply false statements?) Last year, the deputy commissioner of the Human Rights Commission specifically testified in Council AGAINST these bills, stating that the number of co-op applicants who file discrimination complaints with HRC is **negligible**.

ARC fully supports a fully inclusive society, in all areas of life. Council Member Lander's Intro's and the arguments in his new publication cited above that he has presented in regard to co-ops would in no way improve the city's housing and would only impinge upon duly elected boards of directors, lessen their effectiveness and inhibit them from fulfilling their lawful responsibilities, while inviting an endless stream of lawsuits.

The **Association of Riverdale Cooperatives & Condominiums**, in behalf of all of its more than 130 co-op and condominium buildings and the residents in their nearly 20,000 units of housing ***strongly opposes Intro's 1458-2017 and 1467-2017***. We fully appreciate the value of your representation and urge that you recognize the flaws in Councilman Lander's report and most importantly, continue your support of the hugely successful co-operative lifestyle and oppose these Intro's in Council.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Steve".

Stephen J. Budihas, President