



**Mayor's Office of Criminal Justice, Office of Special Enforcement
New York City Council
Committee on Housing and Buildings
June 13, 2017**

Good morning, Chair Williams and members of the Committee on Housing and Buildings. My name is Christian Klossner and I am the Executive Director of the Office of Special Enforcement (OSE), which is overseen by the Mayor's Office of Criminal Justice. Thank you for the opportunity to testify today. Patrick Wehle, Assistant Commissioner for External Affairs at the New York City Department of Buildings, is with me to answer questions.

My office's mandate, originating from a Mayoral Executive Order in 2006, is to focus on addressing issues affecting public safety, community livability, and property values that can lead to the growth of serious crimes.

The City is focused on improving affordability and access to permanent housing. Protecting and building a new generation of affordable housing stock are both key priorities of this administration. With regard to the topic of this hearing - transient lodging, specifically Bed and Breakfasts - the City must evaluate any legislative proposal of this nature within the broader context of all transient lodging.

"Transient lodging" is an umbrella layperson's term that is commonly used to refer to buildings that provide temporary housing for fewer than 30 days at a time, which includes Bed and Breakfasts. However, legally speaking, there is not a city definition of what constitutes a Bed and Breakfast. Instead the laws that govern transient housing exist as a complex web of State and Local Laws that together ensure - not just a robust housing stock - but also public safety protections. Therefore piecemeal legislation that attempts to regulate or deregulate transient lodging is highly problematic given the complexity of the governing legal landscape.

Intro. 1589 proposes codifying an increase in the number of transient boarder occupancy in one and two family homes from two boarders to four boarders. Unfortunately, this bill is both too narrow and too broad. There are numerous legal and regulatory issues surrounding Bed and Breakfasts, and this bill alone will not address these many issues. Additionally, this bill will legalize activity that is not exclusive to Bed and Breakfasts. While the bill aims to carve-out Bed and Breakfasts from OSE enforcement, the proposal itself will result in an increase in transient populations

citywide. An increase in transient populations inherently creates: 1) an increase in negative quality of life behavior due to increased traffic in areas zoned and designed for permanent residential living, 2) an increase cost of housing or rental prices, 3) a decrease in available housing stock, and 4) adverse impacts to homeless individuals seeking permanent housing.

Nonetheless, we are committed to working with the City Council on addressing all forms of transient lodging as this issue remains important and complex.

Thank you for the opportunity to testify. I am available to answer any questions the Committee may have.