

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of

DIANE MACK as Vice President of SCHOMBURG
RESIDENTS' COUNCIL, INC., JOYCE SHORT as
President of ROOSEVELT LANDINGS TENANTS'
ASSOCIATION, BRIDGETTE SCOTT as President of
MILES and PARKER TENANTS' ASSOCIATION,

Petitioners,

-against-

Index No.: 161411/2025

NEW YORK STATE PUBLIC SERVICE
COMMISSION, L+M DEVELOPMENT PARTNERS
LLC, C+C APARTMENT MANAGEMENT LLC,
HERITAGE HOLDINGS LLC, RIVER CROSSING
OWNER LLC, ROOSEVELT LANDINGS OWNER
LLC, MILES AND PARKER OWNER LLC,

Respondents,

For a Judgment Pursuant to Article 78, and for
Ancillary Declaratory and Injunctive Relief under
Articles 30 and 63 of the Civil Practice Law and Rules.

Affirmation of Petitioner Joyce Short

Joyce Short states the following under penalty of perjury pursuant to CPLR 2106:

I. I am a petitioner in this proceeding and the President of the Roosevelt Landings
Tenants' Association. I submit this supplemental affirmation in support of our Article 78
Petition filed on August 26, 2025, and in opposition to the cross-Order to Show Cause of the
Landlord and the cross-motion of the Public Service Commission (PSC) to change venue to
Alany County or dismiss.

2. I submit this affirmation in support of Petitioners' request that the Court refer this matter to a court-appointed mediator through the Court's Alternative Dispute Resolution (ADR) program.

3. Private mediation is financially out of reach for our tenants. Private mediators typically charge at least \$1,000 per hour with a minimum three-hour commitment, and a full day of mediation can cost \$8,000 or more. Most of our residents are low-income or fixed-income tenants, many of whom rely on Section 8 vouchers or Social Security benefits, and simply cannot afford private mediation.

4. I therefore respectfully request a referral to a court-appointed mediator at no cost to the parties would allow the parties to participate in mediation without imposing additional financial hardship on vulnerable tenants. I am willing to participate in good-faith mediation through the Court's ADR program and respectfully request that the Court consider such a referral.

5. I also submit this affirmation to clarify a point that may not have been fully appreciated during oral argument.

No Rate Cap Was Set and No Back-Out of Electricity from Rent Was Mandated

6. The PSC's 2025 Order contains no rent back-out and no rent cap. The rent cap is needed to ensure that L&M does not unfairly raise the rent without any guardrails limiting them. Without backing out the rent, L&M charges twice for electricity. First, they continue to charge tenants the rent they are currently paying, with only a meager roll-back that fails to cover the cost of electricity, and tenants must additionally pay for an electricity bill which is added onto their rent. The losses for each tenant will cost thousands of dollars each year. Over 60% of our tenants are subsidized due to limited incomes. Adding to this problem, L&M

purchases electricity at the applicable SC-8 tariff of \$0.12- \$0.18 per month while charging tenants \$0.35 per month.

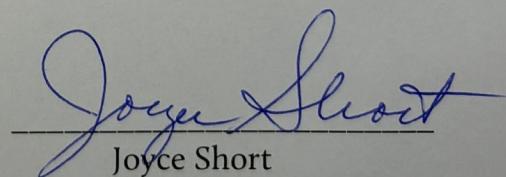
7. Based on these figures and in conjunction with our recently received shadow bills, many of our tenants will be billed between \$500 and \$1,000+ per month with no corresponding rent reduction.

8. I understand that no new evidence may be introduced at this stage, and this affirmation is not intended to introduce new facts. It is intended to emphasize what is already in the record: that the PSC's order has enabled unregulated, duplicative, and unsustainable charges on vulnerable tenants, and the shadow bills our tenants have recently received underscore the points we have raised about the danger to tenants in the current plan.

9. I believe that court-appointed mediation could provide a constructive way to resolve these issues before they cause irreparable harm to hundreds of households in our community.

I affirm under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

Dated: October 16, 2025



Joyce Short