

COMMITTEE ON LAND USE

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 19, 2025  
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HELD AT: 250 BROADWAY - 8TH FLOOR - HEARING  
ROOM 3

B E F O R E: Rafael Salamanca, Jr., Chairperson

COUNCIL MEMBERS:

Joann Ariola  
Selvena N. Brooks-Powers  
Crystal Hudson  
Francisco P. Moya  
Pierina Ana Sanchez

OTHER COUNCIL MEMBERS ATTENDING:

Eric Dinowitz  
Sandy Nurse

A P P E A R A N C E S

Lucy Joffe, Deputy Commissioner of Policy and Strategy at New York City Housing Preservation and Development

Kim Darga, Deputy Commissioner for Development at New York City Housing Preservation and Development

Daniel Moran, Assistant Commissioner for New Construction Finance at New York City Housing Preservation and Development

Eustacia Smith, Westside Federation for Senior and Supportive Housing

Chris Walters, Senior Land Use Policy Associate at the Association for Neighborhood and Housing Development

Howard Slatkin, Executive Director of Citizens Housing and Planning Council

Vincent Madera, The Children's Village

Christopher Leon Johnson, self

Brendan Cheney, Director of Policy and Operations at the New York Housing Conference

SERGEANT-AT-ARMS: This is a microphone check for the Committee on Land Use, recorded on November 19, 2025, located in Hearing Room 3 by Nazly Paytuvi.

SERGEANT-AT-ARMS: Good morning, and welcome to today's New York City Council hearing for the Committee on Land Use.

At this time, please silence all electronic devices.

If you would like to testify, you must fill out a witness slip with one of the Sergeant-at-Arms, even if you signed up online.

At this time, once again, please silence all electronic devices.

No one may approach the dais at any time.

Chair, we are ready to begin.

CHAIRPERSON SALAMANCA: [GAVEL] All right. Good morning, and welcome to the Committee on Land Use. I am Council Member Rafael Salamanca. I Chair this Committee. I would like to welcome my esteemed Colleagues who have joined us today. We are joined by Council Member Mealy, Council Member Dinowitz, and Council Member Nurse, and we also have Council Member

Moya, who's joined us virtually. I want to thank my Colleagues who have joined us today.

Today, we are holding a joint hearing on three proposed bills, Intro. Number 1433, a bill sponsored by Council Member Dinowitz to address the lack of two- and three-bedroom affordable units throughout the city and the need to provide affordable housing to families; Intro. 1437, a bill sponsored by Council Member Hudson to ensure aging New Yorkers have access to a range of affordable housing that accommodates households of different sizes; and Intro. 1443, a bill sponsored by Council Member Nurse to ensure extremely low-income and very low-income households have sufficient access to affordable housing. You have heard me ask again and again, the City is producing affordable housing, but who is it for? Will it actually be affordable to families in the borough of the Bronx? This Administration, like others before, has made it clear that the number one priority is to produce the greatest possible number of housing units, but without adequate focus on affordability, most needed for New Yorkers. We saw this in the initial City of Yes proposal that the Council secured deeper

commitments for affordability and more recently in the ballot proposal that have streamlined the land use review process and that will now bypass the concerns of local communities with minimal affordability. Yes, we need to build more affordable housing, but again I ask, housing for who? The Administration's focus on unit count translates to smaller apartments with fewer bedrooms and higher rents. Our communities have been telling us for years that they cannot afford the rent set by the City for affordable apartments. Our constituents have also been telling every single member of this Council that the affordable apartments that are available do not have enough bedrooms. This leaves families with children and also seniors without affordable housing options. The data on the housing production confirms that the City has steadily increased the share of studios at the expense of larger units. So now the Council is proposing to take action because the housing needs of our communities are not being addressed.

The bills we will discuss today focus on three crucial and critical needs. First, everyone knows that the low-income levels set by the federal

government known as the area median income, or AMI, do not reflect the actual incomes of our constituents. The AMI set by HUD are much higher than the actual incomes of New Yorkers. For example, 80 percent AMI for a one person is 90,720 dollars. This is completely out of touch with the income of my constituents in the Bronx who need affordable housing. Even MIH Option One at 60 percent AMI, which is 68,000 dollars, for one person is not realistic. As a result, more of the affordable housing needs to be set at lower AMIs. This can assure that the affordable housing financed by the City will be available to those families who need the most.

Second, everyone knows that families with children are leaving the city because they simply cannot afford to live here. One of the reasons families cannot afford to stay here is that they cannot find a two-bedroom or a three-bedroom apartment at affordable rents. In response to this widely recognized trend, this Administration has actually decreased the number of larger units that it finances. Only 7 percent of recently financed and new affordable units are three bedrooms, yet 24 percent of households in the city have four or more persons.

As a result, this Council is stepping in to propose requiring that the percentage of two- and three-bedroom units produced by the City is more in line with the percentage of families of three or more people.

Third, everyone knows and agrees that the percentage of aging New Yorkers is increasing and that we need more senior housing. The Administration has responded to this need by increasing the number of studios and senior housing projects. The problem is that our seniors have a right to age with dignity. Also, nearly 50 percent of the Asian households have two or more people, yet many of the recent senior housing projects financed by HPD have 70 percent of more units designated as studios. Here, the Council is proposing to cap the number of studios and senior housing that the City produces. This will ensure more one- and two-bedroom apartments are available for our seniors. Study after study shows that the social isolation is leading health issues for aging adults. Let's make sure aging New Yorkers have the homes they deserve.

We will hear today from the Department of Housing Preservation and Development, also known as

HPD, and also from affordable housing developers regarding the need to maximize the number of units in the city that the City produces and the need for flexibility.

I would like to highlight two points. The requirements in these bills would apply over a five-year period and on a citywide basis. This was purposely done to ensure flexibility on a project-by-project basis. Also, simply stating that these bills will result in less housing misses the point. If the housing that the City produces is beyond the reach of those who need it most, then producing more for the same housing does nothing to help our constituents, New Yorkers. We, as a City, need to strike a balance between maximizing the number of affordable units produced and the housing need of New Yorkers. These bills will achieve that balance.

Now, before we begin our testimony, I would like to remind everyone that this meeting is being held in hybrid format and members of the public may review a live stream broadcast of this meeting at the Council's website.

Members of the public who wish to testify may do so either in person or via Zoom. Those wishing



to testify by Zoom must register online at the New York City Council website at [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse) to sign up.

For those of you who are here in person, please be sure to see one of the Sergeant-at-Arms to prepare and submit a speaker card. We will limit public testimony to two minutes per witnesses. If you have any additional testimony or if you have written testimony you would like to submit, we ask that you please email it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov) and please include the phrase Intro. 1433, 1437, or 1433 in the subject line of your email.

Lastly, I would like to remind everyone that this is a government proceeding and decorum must be observed at all times. Members of the public are asked not to speak during the meeting unless you are testifying.

The witness table is reserved for people who are called to testify, and no video recording or photography is allowed from the witness table.

Members of the public may not present audio or video proceedings as testimony, but you may submit transcripts of such recordings to the Sergeant-at-Arms for inclusion in the hearings recorded.

Now before I hand it off to HPD, I want to hand it off to my Colleagues if they wish to make any opening statements.

Yeah. Before that, I just want to recognize we've been joined by Council Member Sanchez and Minority Leader Ariola, and I will hand it off to Council Member Eric Dinowitz.

COUNCIL MEMBER DINOWITZ: Thank you, Chair Salamanca, and I want to thank you and the Members on the Committee for the opportunity to speak today. And Chair, I think you asked a good question is who is the housing for? We're building all this housing and who is it for? And we know that New York City is facing a deep and urgent housing crisis, but too often our conversations center almost exclusively on the number of units produced and it's almost as if HPD is interested in building housing but we in the Council are interested in housing people. And so it's not considered whether these units actually meet the needs of families who call our city home. So my bill, Introduction 1433, aims to close that gap by directly addressing a fundamental mismatch between the city's housing production and the realities of New York families. Right now, the City's own term sheets

incentivize buildings where 70 percent of these so-called affordable units are studios and one-bedroom apartments. To HPD, for housing production that might look good on paper but it doesn't reflect the needs of the people we represent, many of whom are families with children, multi-generational households, and New Yorkers trying to remain rooted in our communities. According to the Fiscal Policy Institute, families with young children are leaving our city faster than any other group, and the Coalition for the Homeless reports that almost 70 percent of people in shelters are members of homeless families. These trends are not coincidental. They stem directly from our failure to ensure that the affordable housing we build is sized for the people who need it. Intro. 1433 would change this. This bill requires that for any project receiving City financial assistance, the minimum percentage of two- and three-bedroom apartments or rental units must correspond to the citywide share of households with three or four members and household with five or more members respectively. This ensures that housing production is better aligned with the actual size and needs of New York families. The bill also limits the concentration of these two- and

three-bedroom units so that no more than 35 percent are located in a single borough, ensuring families across all five boroughs have equitable access to appropriately sized homes. The legislation does not dictate outcomes on a single building. It creates a smarter, balanced framework for the entire pipeline of City-funded housing. It allows HPD to continue producing the volumes of units we need while ensuring future term sheets no longer leave families behind.

I want to thank my Colleagues, advocates, community organizations, and housing experts who've been raising this issue for years, and I want to ask my Colleagues to join me as co-sponsors of this bill. If we truly want New York City to remain a city where families can stay, grow, and thrive, then the homes we build must reflect the lives we say we value.

Thank you again, Chair, for the opportunity to speak today, and I look forward to working with all of you to move this legislation forward.

CHAIRPERSON SALAMANCA: Thank you, Council Member Dinowitz.

Now I would like to recognize Council Member Sandy Nurse.

COUNCIL MEMBER NURSE: Thank you, Chair, and good morning, everyone, and thank you, Council Member Dinowitz, for that bill. Three bedrooms, four bedrooms are a hill to die on for me.

In the four years that I've been a Council Member, I've approved and funded hundreds, if not thousands, of units of affordable housing, and when I've reviewed or have been lucky enough to visit these new developments, I notice that the units share a couple of common characteristics, which is mainly that they are generally very, very small and oftentimes, but not always, extremely expensive for my District. In each of these negotiations, I have used whatever leverage I have to improve affordability, increase unit sizes. These conversations with HPD are not always easy, but in my experience, developers are generally flexible as long as the project can proceed without delay, and of course, even after we approve a project, it can take months or even years for it to move through an HPD pipeline.

According to Open Data, of the 100 percent affordable projects financed by HPD from 2020 to 2024, about half were below 50 percent of area

median income, while the other half were 51 to 165 percent of the area median income. We know not all districts are the same and they have different needs. Districts like mine, where 55 percent of the population is rent burdened, 31 percent is severely rent burdened, and where the median household income is 63,000 dollars, we just need very low and extremely low-income housing. At the same time, other districts with higher incomes, where development costs can be far more expensive, still need to pull their weight and build deeply affordable housing so the rich just don't have these little rich enclaves in the city.

My bill, Intro. 1443, aligns with HPD's progress to date by ensuring City-funded projects have a minimum number of extremely low and very low income homes, but it will also ensure that in the years to come, if and when the promises of City of Yes and the Charter proposals bear fruit, City-funded projects in richer, more exclusionary districts will pull their weight in addressing our city's affordability housing crisis.

But in addition to affordability, we also need larger units that families can grow into and

where multi-generational households can live comfortably. These needs are sometimes, but not exclusively, geographical and cultural. We have heard from developers directly and on job sites who lament the fact that they are incentivized to build smaller units because HPD provides the same level of subsidy for a studio as they do for a three-bedroom. So then if I'm a developer, why would I even try to build three or four bedrooms? Yesterday's daily shelter census showed there were over 17,000 families with children in the shelter, compromising 26,000 adults and 30,000 children, and we need to build for them, in addition to the single adults on the street or in overcrowded homes. We know HPD is doing the best they can. We know you all are doing incredible work, but we just need to do better. We have to build for the people who are staying, who are here, and to keep people here at rates that they can afford. I want my District, who has more, you know, three teenagers, they can't live in a two-bedroom, who have a sick aunt or a family member who needs to live with them to be able to have a chance at affordable units, and right now most of what is in stock is not available to them. I was lucky enough to have five four-bedroom

units from a project, the Grand Ave project that you all worked on. That was great. I mean, it was only five four-bedrooms, but that means in a neighborhood like Cityline where you have multi-generational families, we were really able to give something to the community to get them out of the old housing stock, the old railroads that just don't serve us. So I really am looking forward to this conversation, and hopefully we can reach a good deal. Thank you so much, Chair.

CHAIRPERSON SALAMANCA: Thank you, Council Member Nurse.

We'd like to recognize that we've also been joined virtually by Minority Whip Selvena Brooks-Powers.

And now I'd like to invite Kim Darga, Lucy Joffe, and Daniel Moran appearing on behalf of HPD to witness to the witness table, and I will call on the Community Council to administer their oath, but I also would like to recognize we've been joined by Council Member Hudson.

SUBCOMMITTEE COUNSEL VIDAL: Good morning. Daniel, is Daniel here? Just in case you have to come



up, why don't you come up for now and take the oath, so that you can jump in.

Could you please raise your right hand?

Thank you.

Do you swear to tell the truth and nothing but the truth in your testimony today and in response to Council Member questions?

DEPUTY COMMISSIONER JOFFE: Yes.

DEPUTY COMMISSIONER DARGA: Yes.

ASSISTANT COMMISSIONER MORAN: Yes.

SUBCOMMITTEE COUNSEL VIDAL: Thank you.

DEPUTY COMMISSIONER JOFFE: Good morning, Chair Salamanca and Members of the New York City Council Committee on Land Use. My name is Lucy Joffe, and I am the Deputy Commissioner of Policy and Strategy at HPD, and I am joined by my colleagues Kim Darga, Deputy Commissioner for Development, and Dan Moran, Assistant Commissioner for New Construction Finance. Thank you for the opportunity to testify here today.

In 2020, and then again in 2025, HPD led the creation of Where We Live NYC, the City's Comprehensive Fair Housing Plan. The report unequivocally embraces the proposition that where we

live matters. Since then, HPD has moved towards a more holistic approach to our development work, focusing not just on the number of units we can build and preserve, but on the many important aspects of home. We are setting policy and tracking our progress based on the premise that we should be building homes and structuring programs that meet New Yorkers' diverse needs. Given that we live in an environment of finite resources, this focus sometimes means that we have to make difficult trade-offs about how best to use those resources. While we collectively want to help as many New Yorkers as possible and to tailor our programming to best meet their needs, there are times when we have to make difficult policy decisions between those two. On many of these issues, that can be a difficult trade-off, and multiple approaches can be reasonable. We welcome public debate and believe that we can and should be held accountable to the City Council and the public for those decisions and how we spend public dollars. In 2023, the City and the Council negotiated Local Law 167, which is also known as the Speaker's Fair Housing Framework. The Fair Housing Framework tasks the City with conducting analyses, establishing targets, and reporting

annually on strategies to guide production and promote fair housing. All parties worked hard on this legislation because we appreciated the significance. HPD is fully committed to implementing that framework, and we are well into our work on the 2026 report.

However, legislating unit sizes, unit mix requirements, or affordability requirements would undermine that work by substituting fixed mandates for the nuanced, data-informed planning the Fair Housing Framework requires. We appreciate the Council's commitment to expanding access to safe, stable, and affordable housing for New Yorkers. HPD shares the goals that motivate the legislation under consideration, including the need to advance meaningful affordability, expand housing choice, and create homes for a range of household sizes. At the same time, we must express our deep concerns that the bills before the Committee, Intros 1433, 1437, and 1443, deviate from that approach we established as part of the Fair Housing Framework. They are not based on the in-depth analysis we are conducting, and would impose rigid statutory requirements that will be especially harmful in a moment like this, when our

resources are strained and federal funding for housing remains uncertain. Our testimony today reflects a commitment to data-driven policy and a recognition of the urgency of the housing crisis, while also highlighting the critical need for flexibility, financial viability, and responsiveness to changing housing conditions.

Affordable housing needs to evolve alongside the City and its residents. Site conditions vary dramatically, economic conditions shift, construction costs fluctuate, federal programs, resources, and rental assistance levels can be inconsistent, and demographic and residential patterns and preferences can change. To effectively deliver housing in this dynamic environment, HPD must have the ability to tailor effective solutions at a project, program, and portfolio level. The proposed bills would significantly increase per-unit costs, reduce the total number of homes HPD can finance, and make it harder to achieve overall housing goals and a balanced pipeline while being able to adapt to site and neighborhood-specific needs.

The cumulative effect of the Council's recent legislative requirements on wages, home

ownership, and now affordability levels and unit mix creates competing and often incompatible mandates. HPD cannot meet all of these demands simultaneously without a substantial infusion of new resources or reducing the pace and number of homes we finance. Getting the targets wrong and over- or under-producing for our City's actual needs, and worse, being locked into a rigid target that must be legislatively changed, is especially detrimental to our collective goals when the costs are so high.

On Intro. 1433, HPD has done extensive analysis and believes that our current target for two- and three-bedroom production exceeds the best indicators of demand. While we know there are many households of all sizes in need of affordable housing, according to relevant data from the New York City Housing and Vacancy Survey, there are many more existing homes with two or more bedrooms than there are households with more than two people, especially among lower-income renter households. Similarly, 81 percent of profiles in Housing Connect, one of the most direct expressions of demand for affordable housing, are for one- and two-person households. The City is committed to assessing large units on a

neighborhood level as part of City of Yes for Families to help ensure that all neighborhoods are accessible to larger households. Creating a rigid target that likely overshoots demand in the way this bill contemplates, however, risks missing the mark and being incredibly expensive for the City.

Intro. 1437 would significantly reduce our overall production of housing for older adults without a clear data-driven justification for changing the current approach to unit size distribution in the way this legislation would require.

On Intro. 1443, HPD is deeply committed to prioritizing very and extremely low-income homes. In fact, HPD often exceeds the targets set in this bill. 56 percent of all subsidized homes in Fiscal Year 2025 were ELI and VLI. However, our ability to provide deeply affordable housing is largely dependent on the availability of federal resources, including rental assistance. The flexibility to adjust on a project and portfolio level is important for maximizing our resources and being responsive to New Yorkers, stakeholders, and the Council's input.

We, as a housing and land-use community, collectively share the goals of ensuring that through our housing policy we are meeting the needs of families, broadly defined, that we are ensuring that older New Yorkers can age here safely and stably, and that we are focusing on those most in need, including very and extremely low-income New Yorkers. These bills, however, take a very different approach to the one we have collectively negotiated as part of the Fair Housing Framework. A one-size-fits-all approach is not the solution to our dire need for affordable housing, as these bills propose. As New York City's Housing Development Agency, we must use every tool available to us and root our development strategies in directives that allow us to create the greatest amount of good for the greatest amount of people.

We hope to work with the Council to meet the spirit of this legislation in a way that's grounded in careful analysis, responsive targets, public accountability, and effective guardrails. Thank you.

CHAIRPERSON SALAMANCA: Thank you for that testimony.

So, we're going to begin with our first line of questions, and I'm going to start with some of my questions regarding Intro. 1443. So, OMB's impact statement finds that this proposed bill on AMI levels would not have any impact on HPD's capital expense or zero total impact, so we actually don't understand why HPD is taking this position that this bill would have a negative impact on the production.

DEPUTY COMMISSIONER JOFFE: Yes. Thank you for that question. I think this is one of the bills that we're talking about today that is hardest to quantify in terms of the impact. Today, approximately half of the ELI/VLI units that we finance are assisted in some way through federal resources. We know that the federal, and let me just clarify a point there, that approximately third of the units receive some form of rental assistance. And so one of our biggest concerns is being able to produce, continue to produce, at that level of ELI and VLI housing, which we are absolutely committed to given the federal resource uncertainty. Rental assistance in particular, as I mentioned, is a really important part of our ability to advance that work. Our senior housing, age-restricted developments particularly,



are 100 percent covered by rental assistance. We know that's important given the population that we're trying to serve. On the Section 8 front, we've talked about this at some of the other hearings we've had over the last six to nine months. You know, there's real uncertainty in terms of our availability to continue to provide Section 8 at the level that we have in recent years, and the cost that we're seeing in the Section 8 front has grown. And we, as of late last week, our federal administration announced new notice of funding availability for the Continuum of Care program that potentially will change the availability of that resource for rental assistance for supportive housing in New York City. So, we are absolutely committing to this.

I think the other one thing I would note is that, you know, the legislation as drafted has a specific percentage of extremely low-income units as well as very low-income units, and while in aggregate between the two, we are producing over 50 percent through our subsidized housing programs, the ratio year-to-year can vary. And we think in order to operationalize legislation like this, we would actually have to reduce the flexibility that we offer

today in our programs and be more prescriptive about what every project is required to do. And like I said, I think in particular, I think meeting that ELI target without the federal rental assistance programs is of pretty significant concern. So I think, you know, again, we're really committed to this. We certainly want to continue to do this work. We're going to try to be as creative we can at how we do it, but I think what we're really seeking is flexibility to be able to continue to monitor the housing needs in New York City and have flexibility about how we implement as the resource environment potentially changes.

CHAIRPERSON SALAMANCA: All right. Open Data shows that HPD has increased the number of ELI units to cover 34 percent of new construction units during the most recent five-year period. What types of projects drove this increase, and has there been an increase in supportive and other voucher-based units that count as ELI, or is this due to an increase of deeply affordable non-voucher units at a 30 percent AMI?

DEPUTY COMMISSIONER JOFFE: Yeah. So, it's a combination of, I think, some of the strategies

that you just mentioned. One of our biggest housing priorities today and the work that we do through our subsidized program, so where we're deploying discretionary assistance, capital funds, tax exemptions, is to help households that are in shelter today exit shelter. And so we are, and you can see this in the data, we have been really making sure that we're creating as many units as possible for homeless households exiting shelter as well as supportive housing. The vast majority of those units are made possible because of rental assistance. So, we do that work in basically every new construction project that we finance. And in addition to that, we have very clear targets in our new construction programs that are not dedicated to serving special populations, older adults, or supportive housing, where we have explicit targets for creating at least 50 percent extremely low-income and very low-income housing. Like I said, our ability to do this has really been dependent on the availability of rental assistance over time. And the cost of continuing to do that work in terms of the cost of local commitment of resources would grow pretty dramatically if the

federal rental assistance were not available to the same degree.

CHAIRPERSON SALAMANCA: Commissioner, I have a quick question. The AMI structure that's set up, I know that the AMI structure is HUD, the federal government sets the AMI structure, but we understand that the AMI structure is not adequate with the actual income levels of New Yorkers. What is the City of New York doing to combat this to ensure that AMIs that are being negotiated and approved are actually reflective of communities?

DEPUTY COMMISSIONER JOFFE: That's a great question. So as you stated, we can't necessarily control the formula. We're happy to talk about that formula if it's useful, but what we do is when we're financing housing, we actually look at the housing costs within that market, and we require that everything we finance, the affordable units, are discounted to the local market. So, we know even within that community, those units would be available compared to other alternative housing options. So, in a market where let's say the rents in the community are around 80 percent AMI, we require all of our units to be financed at an affordability level below

that. In addition, you may be familiar with the formula that the housing costs for an individual household is approximately, or less than a third of that household's income. So, when a household is leasing up a unit, it is controlling for the amount of their income that they're investing in housing on an ongoing basis.

CHAIRPERSON SALAMANCA: I just feel that affordable housing units, at least in the Borough of the Bronx, it's the same price as a market rate unit. You know, there's no difference in affordability. And I know my Colleagues Selvena and Dinowitz and Sandy Nurse, we're constantly getting messages from folks saying, you know, this is not really affordable, you know, what we're approving here, and so we'll continue to have that conversation.

DEPUTY COMMISSIONER DARGA: Chair, if I may, one other thing that we're doing, we absolutely, we've had these conversations and hearings, and this is something that we take incredibly seriously. One of the other things that we do is we use rental assistance strategically. So, when we have a unit that might be set at a higher AMI level, one of the ways to ensure that we actually can help lower income

people move in to those units is they're moving in with rental assistance. So, sometimes that's another strategy that we use to try to ensure that we are reaching deeper levels of affordability than sometimes is even reflected in our production numbers.

CHAIRPERSON SALAMANCA: Question. Are these formulas, do they take into consideration inflation, price of eggs, bread, you know, your cost of living going up, and yet, you know, the rent seems so high. Is HPD taking into consideration inflation when they're coming up with these formulas?

DEPUTY COMMISSIONER DARGA: So we don't set, as you acknowledged, so the first answer is yes. We think about this a lot, and we have a number of ways that we try to measure this, account for this. HUD sets what we sometimes call HUD income limits and affect, you know, everyone collectively, we call area median income. It is a formula that they base on a combination of income and other factors in high-cost cities like ours here on rents. It does not account for anything beyond that, but as we think about how New Yorkers are spending their money and the impact of rent burden, that's absolutely something that we

think about, and we talk about, and you can, you probably heard us testify about in terms of using HVS data to consider.

CHAIRPERSON SALAMANCA: All right. I'm going to hand this over to Council Member Nurse since I've been focusing on her bill. Council Member, do you have any questions?

No? All right.

So, my next round of questions has to do with Intro. 1433, the bedroom mix. We can all agree that families are leaving the city and that there is a real problem. They are leaving for a number of reasons. One, the lack of affordable apartments with two- and three-bedroom units is one of them. OMB's impact statement says that increasing the number of two- and three-bedroom units apartments at the levels recommended in the bill would decrease the number of units per project between five and six percent, but have you analyzed the impact on the city if families cannot stay here due to a lack of affordable housing or, for an example, tax losses or labor shortages?

DEPUTY COMMISSIONER DARGA: Thank you for that question. This is also something that we look at very closely and take very seriously. The City did,

for example, with City of Yes for Families, really try to focus on how we think about better meeting the needs for New Yorkers with larger households across all of their needs, including housing. What we did see in the 2023 New York City Housing and Vacancy Survey, which you may have heard us talk about, is we are seeing low-income households having to leave New York City. We're seeing that across household size. We hear about it across household size, so absolutely households with children and larger families, they are having to leave and struggling to find affordable housing. We're also seeing that among small households and that strain. So, what we're attempting to do is to try to think about as we look at how the impacts of our housing production, what size homes are already available in the market, what size are we producing, and how do we best match the population as it exists and who is applying and expressing an interest for affordable housing. We know that larger households are struggling to find affordable housing. We know that's part of a broader problem here in New York City, where households of all sizes are expressing this concern, and what we're doing is talking about that breakdown or that shift of how



many large units HPD should be producing in each project and on a citywide level to try to meet the need.

CHAIRPERSON SALAMANCA: I know that this bill does not address this, but I'm hearing that there's a future bill that will, in the future, will come up. One of the biggest concerns that I have in my District, given the fact of the amount of production that I've done in my District, is one, the units, whether they're studios, one- or two-bedroom units, and the unit sizes. The unit size is a major issue, and when I speak to the developers about the unit sizes, they say, well, this is the formula HPD has given us, and quite frankly, they try not to rock the boat in terms of that. How did you come up with the formula in terms of the sizes of units, of bedrooms and living rooms, the square footage?

DEPUTY COMMISSIONER DARGA: Thank you. That's another one of those moments where what we're trying to do with our housing policy is balance the needs for serving as many New Yorkers as possible, as well as with meeting their needs on an individual building level.

I'll turn it over to...

CHAIRPERSON SALAMANCA: But hold on, Commissioner. Has anyone from HPD gone to visit these units after they've been built?

DEPUTY COMMISSIONER DARGA: Yes, we have.

CHAIRPERSON SALAMANCA: And honestly, I have an 11-year-old son. I'm pretty sure you have family. You have a bedroom for your child. You have a bed, normally a nightstand, a TV. These new units that are being built, you cannot add all three things in these units. I don't know... so that's why I asked, does HPD actually go and visit after these units have been built and say, this is appropriate for New Yorkers?

DEPUTY COMMISSIONER JOFFE: Yeah. So, just taking a step back. Any of the housing that we finance has to comply with New York City Building Codes. In addition to that, HPD has additional design guidelines that we've established for any of the affordable housing projects that we finance. The square footage, I think you're talking about the square footage of units and kind of configuration of those units, that is overall, the unit sizes that we require are larger than is required by the New York City Building Code. So, we have tried to address

that. I do think this is a balancing act between the amount of housing we can finance and the size of any given units. So, if we increase the square footage even larger than what exists today in the design guidelines, we would produce less affordable housing on each individual site. And we know what's challenging around this is that we know that there are so many people in shelter and that lack just housing they can afford in general today so it is one of these things that were there really tricky trade-offs.

CHAIRPERSON SALAMANCA: I'm sorry Commissioner, but it's just, you know, visiting these units after they've been built, I just find that it's hurtful, and I find myself apologizing to my constituents for approving a project in that magnitude and with the unit size is so small, you know. And quite frankly, the New York City Building Codes, what they set is strict minimums so therefore, and I remember during the de Blasio administration, I believe you were there, there was a change in terms of HPD decided to change the square footage sizes to maximize the amount of units. Am I correct?

2 DEPUTY COMMISSIONER JOFFE: I don't recall  
3 that conversation.

4 CHAIRPERSON SALAMANCA: I remember that. I  
5 remember that conversation because I started  
6 questioning new units that were built compared to  
7 older units that were built and how small the  
8 bedrooms were.

9 With that, I'm going to hand it over to  
10 Council Member Dinowitz for questions.

11 COUNCIL MEMBER DINOWITZ: Thank you,  
12 Chair. Good morning.

13 Just to make sure we're all, I've heard  
14 you use the phrase data a lot, I want to make sure  
15 HPD is aware that families with small children are  
16 leaving New York City at a higher rate than any other  
17 demographic group. Is HPD aware of this fact?

18 DEPUTY COMMISSIONER DARGA: So we look at  
19 all available data sources, so certainly we'd be  
20 happy to look at what sources that you're looking at  
21 for this. We've testified very clearly that when we  
22 talk, I'm trying to, I'm often citing the New York  
23 City Housing and Vacancy Survey, Housing Connect,  
24 etc.

COUNCIL MEMBER DINOWITZ: Demographic data, right? Despite what people may or may not be applying for, they're leaving the city. And you're aware that we're losing students, our public schools are losing students, right? These are these are well-documented, published data points, right? And HPD is aware that the majority of people living in shelter are families with children. So, I just confirm you're aware of these facts that are published by the City.

DEPUTY COMMISSIONER DARGA: Council Member, we would be happy to look through all of the available data that you're looking at. I think our...

COUNCIL MEMBER DINOWITZ: I'm sorry. I'm looking at New York City data that like our government publishes, so like your Administration publishes this data so I just want to make sure we're all on the same page that HPD is not using different data than like DSS or the Mayor, right?

DEPUTY COMMISSIONER DARGA: We are collectively looking at the data sources that you're talking about, yes.

COUNCIL MEMBER DINOWITZ: So, then that means HPD is aware that there is a crisis among families with children in terms of housing in New

York City. I think one of the problems we face is that there's a fundamental mismatch between your goals and our goals. And I'm hearing words like flexibility, but the only metric that I'm hearing about success in meeting your targets is unit production, and you can comb through all of Mayor Adams' press releases, you can look at any of the mayoral candidates, they talk about unit production. Does HPD have any other metrics by which they measure success besides unit production?

DEPUTY COMMISSIONER JOFFE: Council Member, in my testimony today, I talked about that difficult balance and the ways in which HPD has started to look at a number of other metrics differently. We published Where We Live now twice. I think it's been very clear that we are setting metrics well beyond the number of units that we produce. We do think talking about the number of homes and the trade-offs that we make is an important part of this conversation. We also are looking at our Housing Connect data, which indicates applications by household size. I don't think we have different goals here, and I don't think either of us have been here to say that the overarching goal is just how many

homes we can produce. I think what we're saying to you is that we think that this, just as you're indicating, is a nuanced and important issue with which we should be looking at multiple data sources, and coming to a determination about the right set of targets, and that this is a decision that the City should make collectively and informed by nuanced data because it is an expensive decision, and that we've actually set out a framework collectively through the Fair Housing Framework...

COUNCIL MEMBER DINOWITZ: Can I just ask about Where We Live NYC because you testified to that, and which goal is unit size? Goal one, two, three, four, five, or six? No, bedroom, I'm sorry. Bedroom mix in terms of two-, three-bedrooms?

DEPUTY COMMISSIONER JOFFE: Well, we have not specifically set that out in Where We Live because we actually, in the State of the City for, in the City of Yes for Families, announced that we would be looking at this on a neighborhood level, which we've started to do. It's also required of us as part of the...

COUNCIL MEMBER DINOWITZ: But this is like sort of the mismatch between, I think, what's being

said and the actual experiences that we are feeling in our community. And, you know, I'm pleased every time I hear about data informed and flexibility, but, I mean, the data that is produced by New York City is pretty clear in that families are leaving, families are in shelter, more so than any other demographic group. Like, that is the data that our City, the Administration, is sharing. That's public data. So, I'm pleased to hear about data-informed planning. It should be data-informed, and it should use the data, which tells us everything we know from our experiences. But also, when I hear data-informed, and I hear about flexibility, what's confusing to me is that you then have term sheets, which incentivize the production of studios and one-bedrooms, where it says the maximum studios is 15 percent, minimum two-bedrooms or more is 30 percent, and those are the guidelines. And invariably, the production in an individual building is going to have the bare minimum two-bedroom units and maximum studios (TIMER CHIME) and one-bedroom apartments. And I can cite example after example in my District alone, but everyone up here will tell you the same thing. And so, it's unclear to me how you are being flexible when it



seems to be very rigid to maximize the number of units, that the metric that's being used is the number of units, that you have term sheets that really lay out a very rigid structure to incentivize those small units.

DEPUTY COMMISSIONER DARGA: So, thank you Council Member. What I want to note is that, as of the 2023 New York City Housing and Vacancy Survey, 66 percent of renter households have one or two people. 81 percent of the applications that we are getting for affordable housing through Housing Connect are from one- or two-person households. So, you are right that we do use our term sheets to set guidelines, and that they are based on the data that we are producing, the data that we're seeing. So, we would expect to see that 30 percent/70 percent breakdown that you've talked about, because we actually, based on the data that I just shared, are actually overproducing on a citywide level the number of two- and three-bedroom homes. What we're saying to you all is that doesn't need to be fixed, right? We don't think it needs to be fixed in perpetuity, it doesn't need to be fixed through legislation. What it should be is that we work collectively to analyze all of the

available data that we've talked about, to set targets, and for you all to hold us accountable to that as part of a process, because I agree with you, it is incredibly important that we meet the actual needs on the ground, and some of those are sometimes that citywide needs, there is absolutely variation.

COUNCIL MEMBER DINOWITZ: So, I understand, just my District because I know the buildings in my District, how many buildings in District 11 that have been HPD-financed have built anything more than 30 percent two-bedroom apartments in the past five years?

DEPUTY COMMISSIONER JOFFE: I don't think we have that list here today. We can certainly follow up with you, but I do want to take a step back. You mentioned a moment ago that applicants only finance the minimum, right? So, that's actually not what we're seeing in the data. We establish a minimum number of two- and three-bedrooms, and then applicants can, on a property-by-property basis, determine if they believe they can exceed that, and if it makes sense based on the population that they're serving.

COUNCIL MEMBER DINOWITZ: But why would they? If us as a government is saying we're going to give you the most money for putting in as many studios and one-bedroom apartments as possible, and the metric that HPD, that elected officials use, is number of units. And look at any press release from HPD or from the Mayor, and that's what they'll tout is number of units, not people housed. Like, why would a developer do anything other than get the most, get the most money? And why should we incentivize that? Like, why aren't we incentivizing them to build, to actually meet the needs of local communities?

DEPUTY COMMISSIONER JOFFE: So, let me just, so what I was trying to say is we are seeing people do it, right? So, I'm just looking at the FY25 production data, 48 percent of what we financed were two-plus-bedroom homes. In new construction alone, it was 35 percent two- to three-bedrooms or bigger. So, we actually are seeing applicants on a project by project.

COUNCIL MEMBER DINOWITZ: I'm sorry. Can you repeat that data? I'm sorry. Can you repeat it one more time?

DEPUTY COMMISSIONER JOFFE: In FY25, for all subsidized housing production, 48 percent of what we financed were two-plus-bedrooms. And for new construction alone, it was 35 percent were two-bedrooms are larger. So, we actually are seeing applicants on a project-by-project basis, going beyond the minimums, where they can do so, and where they believe it would benefit, be beneficial for the project and the community.

CHAIRPERSON SALAMANCA: Okay. There's different data on HPD Open Data from the years 2020 to 2024. There's different data. So, I don't know if the housing production drastically split and changed, but I believe the two-bedroom production was 24.1 percent of new construction from 2020 to 2024.

DEPUTY COMMISSIONER JOFFE: I think what's difficult about Open Data is that this legislation and this conversation is about subsidized housing. That's where HPD can actually establish guidelines that shape the outcomes. The Open Data actually includes all of the as-of-right production so everything that's being financed through 421-A, for example. And so, when people see affordability or they see unit size information, the rest of it, it

includes the full universe. Where we can make a choice, which is in the discretionary kind of world, right, where we are providing discretionary financial assistance, people are producing more family-sized units. And I just want to take a step back. This is what my colleague was saying a few minutes ago. This is a really tricky balance. We understand that there are many families that struggle for housing. We are not at all questioning that issue, okay. The tricky thing is, is we also know that within the existing rental housing stock of New York City, there actually are a large number of two-, three-plus bedroom homes, and we know that if we continue to produce, given that the demand is so high for individual households, for affordable housing as well, that we are going to create less affordable housing at a moment in time where we know that so many New Yorkers are actually struggling to find housing that they can afford. So, that's the tension and the trade-off, and I think the reason why we really, we want to work with Council to make sure we get it right, right, and that means making sure we are reviewing it holistically. It is absolutely possible that in some communities across New York City, there are not enough family options,

right. So even in aggregate, maybe there's plenty of two- and three-, you know, unit-plus homes, but there are particular communities where we're not seeing that. And as my colleague has mentioned, we are extremely dedicated to making sure we're not just producing housing, but giving New Yorkers choice and access to be able to live the way they want, where they want in New York City. And so, as part of the evaluation that we're doing and committed to early in this year, we're not just looking at the aggregate data, but we're making sure that we're looking at what it actually looks like within individual communities.

COUNCIL MEMBER DINOWITZ: Okay, I will just say I respectfully disagree in that the only metric that we do see is unit count. I will say that interested to talk more offline about the data you're selecting, the selection bias in the data that is there. And even in the beginning, that we couldn't even hear that HPD agrees with the City's own data.

But I'll end with this and the example I always give when HPD comes to testify and always says the same thing about units flying off the shelf and why your previous Commissioner said we don't need

more two- and three-bedrooms, is it hasn't been the experience in my District and a lot of our Districts that HPD and their financing is flexible to the needs of the community, and the one example I always give is in my District where there is a new building, 100 percent affordable, very happy about that, but it's 70 percent studios and one-bedrooms and it's adjacent to a brand new elementary school. It is across the street from a playground. It is down the block from a family shelter. Like I can't think of a place where you would want to put more two- and three-bedroom apartments than a place that is designed for children. And so the metrics you use to measure success, again, I believe is just unit count, not families housed. It has been the experience that HPD has not been flexible in terms of the unit mix they are providing to communities. We have tried to work in the past and that's why this legislation is critical to make sure more and more of our families stay in New York and stay in New York in homes, not in shelters.

Thank you, Chair, for the extended time.

CHAIRPERSON SALAMANCA: Thank you, Council Member Dinowitz.

1 COMMITTEE ON LAND USE

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2 COUNCIL MEMBER DINOWITZ: Thank you, HPD.

3 CHAIRPERSON SALAMANCA: One quick question  
4 before I hand it off to Council Member Sanchez. I'm  
5 interested in knowing where in the city has HPD  
6 financed three-bedroom units in the last five years?

7 DEPUTY COMMISSIONER JOFFE: Let me see.  
8 Give me a moment to see. I actually may have some of  
9 that information and, if not, we can follow up, but  
10 if you just give me a moment I can check.

11 We have seen the most housing for  
12 families financed in Council District 12, 9, 42, 17.

13 CHAIRPERSON SALAMANCA: I'm sorry, 12? Can  
14 you say that again?

15 DEPUTY COMMISSIONER JOFFE: Your District.

16 CHAIRPERSON SALAMANCA: No. I'm sorry, 12,  
17 9...

18 DEPUTY COMMISSIONER JOFFE: Council  
19 Districts 12, 9, 42, 17, and 8. And we have seen the  
20 least financed in Council...

21 CHAIRPERSON SALAMANCA: These are what,  
22 two-, three-bedroom units?

23 DEPUTY COMMISSIONER JOFFE: These are  
24 family size units, two plus.

25 CHAIRPERSON SALAMANCA: Okay. Go ahead.



DEPUTY COMMISSIONER JOFFE: We have seen the least financed in Council Districts 23, 19, 25, 51, and 30.

CHAIRPERSON SALAMANCA: What about three-bedroom units and more?

DEPUTY COMMISSIONER JOFFE: I only have the breakdown for family size is two plus, so we would have to follow up for additional information.

CHAIRPERSON SALAMANCA: And the reason I ask is because I know that there are certain communities that get preference on three- and four-bedroom units opposed to other communities. Yes, I do advocate for studios but most importantly one- and two-bedroom units in my communities. I've tried to get as many three-bedrooms as I can, but I know that there are other communities in the City of New York that are more successful in getting three- or four-bedroom units opposed to other communities.

DEPUTY COMMISSIONER DARGA: Council Member, both in terms of the housing stock and my colleague referenced this earlier, both in terms of the existing housing stock, there is very significant variation between neighborhoods in terms of where there are more two- and three-bedroom homes already.

And we also know there is differences based on our production. So, you know, we certainly agree with that and that's one of the things that we're looking at and how because our operating philosophy coming out of Where We Live, so some of the folks here have heard me talk about this a lot, is that New Yorkers should be able to choose the neighborhood that's best for them. So, we need to identify where there are gaps in the housing stock because if there is somewhere that a larger household would like to move to and there are not enough homes that match their household size, that is one of the immediate ways that we can remove that fair housing obstacle. And you know, some of which is rooted in lack of access and discrimination and historical patterns of segregation, and so that is one of our top priorities, really identifying where are we finding those gaps and targeting those.

CHAIRPERSON SALAMANCA: What about four-bedroom units?

DEPUTY COMMISSIONER DARGA: In terms of data?

CHAIRPERSON SALAMANCA: Yes. In the last five years. How many four-bedroom units have you produced?

DEPUTY COMMISSIONER DARGA: We don't have that with us today because our households skew...

CHAIRPERSON SALAMANCA: But you do produce four-bedroom units. I know, I've been the Land Use Chair for eight years. Prior to Council Member Restler, Council Member Levin was here and we approved a bunch of four-bedroom units. And I was like, Steve, how did you get that? And so I'm trying to figure out how can other communities, other than Steve Levin's community and now Restler's, can get four-bedroom units as well.

DEPUTY COMMISSIONER DARGA: Thank you for that question. Because both the population of the city, those who apply for Housing Connect skew so, to such a degree, towards small one- and two-person households, we did not bring breakouts beyond, you know, four, five, six today. But we would be happy to talk more about that.

CHAIRPERSON SALAMANCA: Well, I'm just trying to get as, we want equity. If there's certain communities that are getting four-bedroom units, why

can't the South Bronx or Borough of the Bronx, why can't we get four-bedroom units also as well?

DEPUTY COMMISSIONER DARGA: Chair, we unequivocally agree.

CHAIRPERSON SALAMANCA: And you know, we just want fairness and equity.

All right, Council Member Sanchez.

COUNCIL MEMBER SANCHEZ: Thank you. Thank you so much, Chair Salamanca. HPD, welcome to your daily installment of hearings in the Council this week. Sorry. Thank you. We appreciate you, you're very popular.

DEPUTY COMMISSIONER DARGA: Same time, same place tomorrow?

COUNCIL MEMBER SANCHEZ: Yep. See you tomorrow.

So, I just want to start off by saying I hear you. I hear the agency not wanting to overly prescribe and constrain HPD's flexibility on production diversity and with respect to unit sizes and income mix. But I just want to also underscore that these bills are, they're communicating a frustration that we have as Colleagues. But not just as Colleagues, it's our communities yelling at us,

our community boards, our leaders, that we repeatedly share with you. And I don't think you contradicted this, Deputy Commissioner, when you said that 35 percent of new construction, only 35 percent of new construction, are two-plus bedroom. We're consistently feeling like our concerns fall on deaf ears. And so I just want to highlight that I understand where my Colleagues are coming from with these bills. And so my first question, and I do want to make sure I get to Council Member Hudson's questions on her bill, because she had to run. But my first question is, in the absence of this legislation, what guarantees do we have as Council Members and do communities have that the agency will be finally listening to what our communities are saying that we want to see in the city subsidized housing stock? Because I, for one, and you've heard me say this probably a million times, is that if I get another Article XI support request for a building that is 25 studios and two one-bedrooms, I'm going to lose my lid, right? I'm just going to lose it because that's just not reflective of what we want to see. And so that's my first question on mechanisms for transparency.

DEPUTY COMMISSIONER DARGA: Thank you for that question. We absolutely do recognize the frustration, why it's coming. We want to be responsive to you all, to New Yorkers, and we're trying to make significant, take significant strides to meet that, and we are all in on the Fair Housing Framework. And we testified very clearly today, this is not a difference in priorities or goals. What this is is a discussion, we think, about how best to achieve them and how to set us up in a way that allows us to balance what are sometimes competing needs. Because there are also times where very understandably, Members of the Council are upset that projects are stuck in the pipeline for too long, right? We want to be responsive to all of these things and put out there, these are the things that we're weighing, right, and these decisions collectively in a way that holds all of these competing needs at the same time. We do think, and I can say, we are already hard at work on the Fair Housing Framework. We embrace the transparency of it. We have started adding public metrics from Where We Live to show that we are approaching equity and thinking about which communities we're building in,

because we do want that, and we welcome that accountability.

COUNCIL MEMBER SANCHEZ: I'm sorry. I'm not the Chair this time so I can't just go on forever. Sorry. But I will tomorrow, just while I have you tomorrow.

I appreciate that and definitely want to see those concrete examples, right? If you come to me with that kind of request, what's the context of the other units in my District, in the Bronx, the other buildings that have been produced and what have been their mixes and what are you considering in the future.

Just on behalf of Council Member Hudson, I want to ask these two questions together. With respect to her bill, how does HPD determine bedroom mix in senior housing buildings receiving City financial assistance? How does HPD balance its goal to finance as much housing as possible and the needs of the people it is trying to house? And lastly, does HPD solicit feedback from senior citizens, both current and potential residents of senior housing buildings receiving City financial assistance about

whether the number of bedrooms in their units meet their needs?

DEPUTY COMMISSIONER DARGA: Thank you for that question. I'm going to turn it over to my colleague in a moment. But one of the things I do want to note, there has been a real change in how we have approached talking about the needs of older adults and how we address their housing needs over just the last couple of years. And a lot of that comes from the very data we're talking about today, what we see in the New York City Housing and Vacancy Survey and Where We Live. And for too long, we treated older adults like a monolith, right, and that there was one way to solve their housing needs. We all know that that can't possibly be true in a city as diverse as ours. And so when we think about this from a policy perspective and work together across policy and development, and when we talk to you all, we have started talking about the diverse range of programs that we need to meet older adults and their needs, and that has been a real change and a real focus. So, we've rolled out a number of different pilots and programs (TIMER CHIME) that attempt to take account for that real wide range. And so with



that, I'll turn it over to my colleague to talk about our production.

DEPUTY COMMISSIONER JOFFE: Yeah, so, the Senior Affordable Rental Apartments Program is unique for HPD in that we don't dictate the number of studio, one-bedrooms the same way as we do in some of the other new construction programs. We have found that the providers that we work with are very dedicated to working with older adults and that they seek to design the building to make sure that it works for the population they're trying to serve. We actually, this is one space where we do have larger square footage requirements for studios specifically. We also have more amenity space within the building specifically designed to make sure that older adults are able to meet with other residents of the property as well as people that may be visiting. And also, I just want to take a step back in that I think our work to support older adults is pretty diverse. We talk a lot about age-restricted housing, but we've actually over the last couple years tried to take a much more expansive approach to thinking about how we are supporting households as they age. And that is everything from how we do our preservation work,

making sure that households have opportunities when we are working with a property to have modifications to kitchens and bathrooms so that they can age more safely in their home today and not move, to making sure that in new construction we have adapted design standards in everything that we finance. So, whether it's a unit that is produced through our extremely low and low-income program or through our supportive housing program or through our senior housing program, the apartments can be adapted in order to meet the needs of households, especially if they have mobility concerns. Also, older adults have access uniquely not just to age-restricted housing, but they also have access to all of the housing that we finance. So, they have some additional choices that they can make when they're applying to the lottery through HPD. Do they want to be in a building with lots of different people of different ages, or would they prefer to be in age-restricted housing? And so we've really tried to take a really kind of expansive approach. We've also started to think about how we are working with households that may have stairs within their property today. So even if their unit is accessible, they're having a hard time, maybe their

entry stairs or something like that, and giving them priority to our age-restricted housing if they are applying through Housing Connect so we're really trying to think expansively about how we work with older adults.

DEPUTY COMMISSIONER DARGA: And to your question, that last point directly came out of our findings from the New York City Housing and Vacancy Survey about accessibility challenges in our current housing stock for older adults, and a lot of this comes from research, both local and nationally, about older adults' needs, varied preferences about living intergenerationally or not, and so we really are trying to be responsive as maximally as we can.

COUNCIL MEMBER SANCHEZ: Thank you. Thank you, Chair.

CHAIRPERSON SALAMANCA: Thank you, Council Member.

A quick question before I get to Council Member Sandy Nurse. The SARA program, that program still exists, correct?

DEPUTY COMMISSIONER DARGA: Yes, it does.

CHAIRPERSON SALAMANCA: I know that the community preference changed. There was a lawsuit,

and now I think, are we still at, what's the percentage that there is for community preference for communities? Where are we? It was 50, now it went down to, I think it was going to go to 30, and then 15, correct? Am I saying that correctly?

DEPUTY COMMISSIONER DARGA: This is not what I came prepared to talk about.

CHAIRPERSON SALAMANCA: I'm just curious.

DEPUTY COMMISSIONER DARGA: I know, I know. I'm digging it out of the back of my brain. I think it's 20 percent down to 15, and I think we're still at 20 percent.

CHAIRPERSON SALAMANCA: We're at 20 percent. And do we know when that it's going to go down to 15, the deadline?

DEPUTY COMMISSIONER DARGA: We do. I think it's 2029.

CHAIRPERSON SALAMANCA: 2029. All right.

DEPUTY COMMISSIONER DARGA: But we will get back to you to double confirm.

CHAIRPERSON SALAMANCA: And the SARA program, was that affected as well, the community preference for the SARA program?

DEPUTY COMMISSIONER JOFFE: All of our new construction programs were, all of our programs were impacted by the litigation, all our subsidized programs.

CHAIRPERSON SALAMANCA: So the SARA program, it's going to go down to 15 percent for, but the SARA program was different. The community set aside, I believe, was boroughwide, correct?

DEPUTY COMMISSIONER DARGA: I don't know.

CHAIRPERSON SALAMANCA: It was not by community board.

DEPUTY COMMISSIONER JOFFE: We'll have to double check.

DEPUTY COMMISSIONER JOFFE: There may be...

DEPUTY COMMISSIONER DARGA: I think that's the intersection of the rental.

DEPUTY COMMISSIONER JOFFE: Yeah. I think it's because the rental assistance...

DEPUTY COMMISSIONER DARGA: HUD has different rules on this, so where there was rental assistance in the project, we had to comply with HUD's rules.

CHAIRPERSON SALAMANCA: Okay. I'm sorry. Council Member Nurse.

DEPUTY COMMISSIONER JOFFE: Sorry. To clarify, some of the senior housing projects that we financed were collaborations with NYCHA, so there were also some modifications based on having a preference for NYCHA households.

COUNCIL MEMBER NURSE: I just had a couple clarifying questions from some of the answers you've given. You had mentioned, you were talking about overproducing two- and three-bedrooms. Can you say how much you are overproducing by?

DEPUTY COMMISSIONER DARGA: Thank you for that question, and I do want to note that our goal here today is not to bring competing data, right? What we want to do is have a holistic... (CROSS-TALK)

COUNCIL MEMBER NURSE: (INAUDIBLE)  
Understand how you're seeing, what is the percentage by which you are overproducing two-bedrooms and overproducing three-bedrooms, and how is that being revealed to you? Is that through vacant two- and three-bedrooms that you're saying you're not able to fill? Elaborate for me.

DEPUTY COMMISSIONER DARGA: Yes. Thank you. So, assessing demand is hard, right, because one of the things you want to look at is who exists in

the city, who's living in the city, and what are their apparent needs based on demographic data, both household composition and then income, right, and we see as we sort of make each of those cuts in the data, adjusting for renter households, adjusting by income, we see that household sizes get smaller. Just because those are the folks who are living here doesn't mean they have an interest in leaving their current housing for whatever reason that we can't actually necessarily assess just from looking at survey data. So, then we also look at Housing Connect data where specifically we try to look at a number of indicators, but in particular at profiles, right, who is creating a profile as one of the best expressions of interest in affordable housing because then it's less about, oh, I can see myself living in this particular new building, but I am interested in affordable housing. I would like to move. So, we try to look at both sides of that, right? And what already exists in our housing market. And what we see is that we actually have 52 percent, and I think based on your language you said vacant, so 52 percent of our occupied rental units have two bedrooms or more.

2 COUNCIL MEMBER NURSE: Those are City-  
3 subsidized units?

4 DEPUTY COMMISSIONER DARGA: No.

5 COUNCIL MEMBER NURSE: Okay. I'm talking  
6 about...

7 DEPUTY COMMISSIONER DARGA: For our  
8 production.

9 COUNCIL MEMBER NURSE: What it's related  
10 to Council Member Dinowitz's bill. I'm just trying to  
11 understand, like what's your formula? So, if you, I  
12 understand what you're saying today, but I think it  
13 would be helpful to have that broken down. Like, how  
14 are you determining that you, better yet, let me put  
15 it this way, is your testimony or is your belief that  
16 if you build more three-bedrooms, that you would not  
17 be able to fill them from City-subsidized units?

18 DEPUTY COMMISSIONER DARGA: There are  
19 households of every size, every situation who are in  
20 need of affordable housing so we are not minimizing  
21 that to any extent. What we are trying to do is look  
22 at the relative size of each of the populations  
23 expressing interest and then say, okay, so what is  
24 the right mix between these different sizes.



COUNCIL MEMBER NURSE: Have you done any surveying to get at why people might not be interested in what is being City-subsidized? So, for people who are, you know, let me think about how to put this. I'll just say my hunch is that people who are living in railroads and old housing stock have bigger families and they are paying really low rent because they're in old buildings and they're looking at what is City-subsidized and they're looking at what's on Housing Connect, and I think they are saying, my rent would go up and I can't bring my whole family with me. And so, I would like to understand why producing more three-bedrooms would be overproducing, very specifically.

DEPUTY COMMISSIONER DARGA: Well, so the first thing I want to say is this is exactly the kind of conversation that we want to have. We want to look at sort of that nuance, what are the multiple levers we need to be thinking about, right, to make sure that we are being responsive to the needs of everyone and by household size. We do look at the rates at which folks are applying. I don't have survey data. I don't know of any survey data that specifically looks at asking people about that level of preference,

right. What we are looking at is the number of folks citywide and the number who are expressing an interest and trying to find the intersection of it. We would be happy to continue to have this conversation. We want to be responsive, right, to the needs of New Yorkers. And I think what we're here talking about is the best way to get to that point. And we feel very committed to doing this through the Speaker's Fair Housing Framework, looking really holistically at demographic changes, at the obstacles that people are (TIMER CHIME) experiencing towards housing stability, which is a whole section of the report. And to the extent that we think there are some changes or updates that we could make to the Framework to make sure that we're being responsive to the Council, we welcome that.

COUNCIL MEMBER NURSE: I think HPD needs more tools or more surveying to understand, to better contextualize that demand rather than simply looking through the household profiles on Housing Connect.

And lastly, Chair, just my last question. You know, in my experience, when I ask developers for bigger units, three-bedrooms or just like a couple four-bedrooms, they always come back and say that you

2 all say no, that you don't want to do it and you  
3 won't do it or that you're going to give them hell to  
4 do it, so have you all told developers we will not  
5 finance? When they come and ask, have you not told  
6 developers, have you told developers you will not  
7 approve or move forward more four-bedrooms, more  
8 three-bedrooms?

9 DEPUTY COMMISSIONER JOFFE: You can always  
10 talk with us directly.

11 COUNCIL MEMBER NURSE: No. I'm talking to  
12 directly now.

13 DEPUTY COMMISSIONER JOFFE: But I'm just  
14 saying on an individual project, if you're hearing  
15 that, you can always come to us directly and we're  
16 happy to have that conversation. We are producing  
17 more than the minimum in our term sheets..

18 COUNCIL MEMBER NURSE: I'm just asking for  
19 a direct answer. Have you ever told a developer who  
20 has saying I'm willing to go beyond what the minimum  
21 is here for larger family units and larger sizes  
22 within the units, have you told them no?

23 DEPUTY COMMISSIONER JOFFE: We are willing  
24 to be flexible if an applicant can conform with our  
25 term sheet with regard to the maximum investment the

City will make. So, there are lots of different factors within a budget that drive the cost. That is one of them. An applicant certainly could look at the overall budget and figure out if they can do more within the amount of subsidy that the City is willing to invest.

COUNCIL MEMBER NURSE: So your testimony is that you tell people they're flexible but you are not willing to say whether you have not, yes or no, that you have told someone no.

DEPUTY COMMISSIONER JOFFE: I'm not negotiating every single transaction so I can't actually answer that question. What I can tell you is that we are willing to be flexible if an applicant can finance the project under the term sheets. The term sheet is specifically designed to say minimum in order to allow that flexibility for applicants to say I'd like to do more here. I think I can make that work from a design or financing perspective.

COUNCIL MEMBER NURSE: I'll let it go but because of the interest of time, the Chair is giving me the look.

I'll just end with a comment that I really think, you know, you got some new tools. You

got City of Yes, you got a bunch of stuff, you got the Charter proposals. There's a lot of free reign here for people to build, build, build. And I think given that, it is time for HPD to now look at the quality and the experience of living in these units. The experience of a family living in a two-bedroom. I would argue it is a horrible experience over time. Families grow, people get bigger, people's bodies are bigger. And they need to be able to have the experience of living in a unit that isn't stuffing their life in there, allows them to have toys, allows them to have their family members come over, allows them to put a Christmas tree in there, not a Charlie Brown one. If it's our dollars, our public dollars going to build housing because we want to keep people in New York, we should be building for an experience of living that's worth staying and is worthy of the dollars that we are putting forward so I think it's time for HPD to just build a broader framework that focuses on that versus just quantity. And thank you, Chair.

DEPUTY COMMISSIONER DARGA: I don't know it wasn't necessarily a question, but if I can respond.

Thank you. Yes, we are looking at all of those things. I think we are using the word flexibility in a way that might be confusing. We have set our current targets purposefully based on the data that we're looking at. We are also more than welcome to, or more than happy to come to the table with all of you to say maybe there's other data that we should be considering when we set those targets, right, so when we talk though about wanting to ensure that there's flexibility, what we want to make sure of is that collectively if we set a target and we disagree or we all realize that target's not working for whatever reason it may be, maybe because we got it wrong or because things change, right, what we think is there should be something in how we plan for this so that we can actually go back and fix it given that there are costs associated with it. There are so many New Yorkers so desperately need an affordable housing that we want to make sure we get it right.

COUNCIL MEMBER NURSE: It costs money to do things. It costs money to build schools. It costs money to put parks. It costs money to do things well. No one's in disagreement there. We're just saying that the trade-offs that you're talking about,

because you all are using the terminology trade-off, I'm saying that the trade-off is worth it to spend more to do better. And I think we can all agree on that here, and I think the Chair's remarks about going into those units I think is shared by every single Member of this of this Body. So, I mean I have a massive project that we're negotiating right now. It's good to see that you're flexible. I am going to be asking for bigger units so I'm hoping that the flexibility moves in the direction of the community and not towards like some rigid sheet. Thank you.

CHAIRPERSON SALAMANCA: Thank you, Council Member, and I want to agree with your statements and I hope that while you're negotiating you ask for bigger square footages in these bedrooms.

And you're right, I have heard from developers their fear to go back on HPD and say, hey, they want more two- and three-bedroom units because they're scared, they're scared, you're the decision maker. They're scared that in their next project you're going to keep them in the pipeline if they push back. And that's an honest assessment. I've been around for some time and that is exactly what I'm told. See some of these developers, they're scared to

1 speak up because they know that ultimately after that  
2 project is approved in the Council, HPD has the final  
3 say so as to what gets approved and what does not get  
4 approved, and that is an honest assessment. You can  
5 disagree.

6  
7 DEPUTY COMMISSIONER DARGA: No, no, no...

8 (CROSS-TALK)

9 CHAIRPERSON SALAMANCA: But I'm telling  
10 you what the reality is here in the City of New York.

11 DEPUTY COMMISSIONER DARGA: Where the  
12 developer was the one who we were trying to protect.  
13 Well taken. We appreciate it. Just to the extent you  
14 see a smile, that's not normally the way we talk  
15 about it and think about it but we appreciate that.  
16 Thank you.

17 CHAIRPERSON SALAMANCA: Just finally, just  
18 some questions that we want to get on the record,  
19 some answers. What percentage of senior housing units  
20 receiving City financial assistance built each year  
21 are studios, one-bedrooms, and two-bedrooms, because  
22 unfortunately that data is not available on the Open  
23 Data.

24 DEPUTY COMMISSIONER JOFFE: Okay. Just  
25 give me one moment. I think it's averaged about 30



percent one-plus bedrooms. We actually recently implemented a kind of a created an option within the senior housing term sheet specifically to allow for two-bedrooms for intergenerational households. We do know that some older a percentage of older adults about 14 percent citywide are in intergenerational households. So, I can give you the exact number, but it's approximately 30 percent one-bedroom plus.

CHAIRPERSON SALAMANCA: All right. Is it possible you can provide that that information to Land Use?

DEPUTY COMMISSIONER JOFFE: Absolutely.

CHAIRPERSON SALAMANCA: One-bedroom, two-bedrooms.

And then finally I just want to ask questions about your vouchers, how vouchers are given? And it's been my experience in my communities even with some of my staffers, I have a staffer that has three kids that are in City College and they're only giving her a voucher for a two-bedroom unit, but yes she has three grown children that live with her, and herself. How does the voucher, what's the policy in terms of giving vouchers to families with bigger families?

DEPUTY COMMISSIONER JOFFE: So this is a little bit outside my expansive expertise, but there are federal regulations when it comes to household size and the size unit that would be subsidized, so a household could choose to be in a bigger unit but then they would have to make up the difference within their own household income between what the federal subsidy would cover and what the household would be responsible for in terms of rent.

DEPUTY COMMISSIONER DARGA: And that's assuming it's a federal form of rental assistance versus local which is more outside our expertise.

CHAIRPERSON SALAMANCA: All right. Well, we would like to thank you for your testimony today. I don't think we have any more questions from the from the Council here.

Just give us a two-minute recess while we bring in the next panel.

Thank you, Commissioners.

DEPUTY COMMISSIONER JOFFE: Thank you very much.

DEPUTY COMMISSIONER DARGA: Thank you.

CHAIRPERSON SALAMANCA: All right. So, the next panel we'll be calling up will be Eustacia Smith, Chris Walters, and Howard Slatkin.

All right. So, we're going to start with Chris Walters first then Howard Slatkin and then Eustacia Smith.

CHRIS WALTERS: Am I good?

CHAIRPERSON SALAMANCA: Yeah, yeah. Yes.

CHRIS WALTERS: Okay. Thank you, Chair Salamanca and Committee Members, for the opportunity to testify. My name is Chris Walters. I'm the Senior Land Use Policy Associate at the Association for Neighborhood and Housing Development, ANHD. We're a membership organization of NYC neighborhood-based housing and economic development groups with a mission to build community power to win affordable housing and thriving equitable neighborhoods for all New Yorkers. ANHD supports the intention of these bills to help set a floor for AMI levels and unit sizes including for senior housing for City projects that all future administrations must follow. We've long advocated for City-financed housing that seeks to achieve the deepest affordability possible as we know that this is where the need truly lies. When it

comes to AMI levels, close to 50 percent of renter households in the city earn 50 percent of AMI or less. 78 percent of rent-burdened households earn 50 percent of AMI or below. There's a critical need for housing these households can afford. At the same time, we want to acknowledge HPD's work in creating deeply affordable housing and the intentional work they have done to focus more of their resources there. When you look at the numbers, they are close to reaching the AMI levels that are laid out in Intro. 1443, and we want to ensure that this trend is able to continue and grow. With this in mind, our central recommendation is that these bills should be incorporated into the Fair Housing Framework created by the City Council. Doing so we feel would help give the framework more teeth and accountability and build upon the robust planning and analysis that it already requires. This could look something like for each five-year target period HPD should have to ensure that it reaches a certain AMI breakdown in unit count mix in the aggregate as exemplified in these bills that is responsive to the targets they have set citywide through the Fair Housing Framework. In addition, these requirements could be focused

specifically on new City finance construction and not include preservation units where there is less flexibility on changing existing unit sizes and AMI levels. Thank you.

CHAIRPERSON SALAMANCA: Thank you.

HOWARD SLATKIN: Good afternoon, Chair Salamanca, Committee Members. Thank you for having me here. I'm Howard Slatkin. I'm the Executive Director of Citizens Housing and Planning Council, and I will try to not repeat points that have been made already because I think many have been and I'll just reflect briefly that I think the conversation by and large today at this hearing has been reflective of what I think a productive process of oversight and ongoing dialogue between the Council and the administration can and should look like. But I'm here as well to testify about concerns about the fixed mandate aspects of these bills and the challenges this raises in making trade-offs among many, many priorities for the affordable housing production that the City engages in. And the concern is that this could tie the hands of an incoming administration to advance ambitious affordable housing goals, set priorities, and adapt to changing conditions which have never

been as perilous as they are with what's been going on in Washington today. I too recommend that the Council look to its own Fair Housing Framework and its process for the formulation and oversight of a coherent affordable housing policy for the model to address the important issues that underlie these bills today. The concerns about trade-offs include obviously the cost trade-offs that have already been discussed, the inability to adapt to a highly dynamic budget and financial environment, as well as the inherent problem of making one closing dependent on another closing in an already congested and problematic affordable housing pipeline that we know there are intentions to expand significantly. The Fair Housing Framework requires the next administration by next October to produce a strategy outlining affordable housing targets and strategies to address many factors including equitable geographic distribution of affordable housing, needs for deeply affordable housing, and the needs of seniors and homeless New Yorkers among other priorities. Our recommendation would be to incorporate (TIMER CHIME) the priorities outlined

here including better mix into that framework for the coming year. Thank you.

EUSTACIA SMITH: Good afternoon. Thank you to the Land Use Committee for the opportunity to testify. My name is Eustacia Smith. I'm from Westside Federation for Senior and Supportive Housing, or WSFSSH. WSFSSH develops and operates supportive housing for older adults with extremely low income. We currently have 2,500 units of housing across 31 buildings with three additional buildings in different phases of development. While we totally agree with the intent behind these Intros, we have some concerns about their impact as legislation. These Intros would drive up costs and shrink the number of apartment units being developed. They could also halt some projects altogether. It is very difficult to build buildings within the Zoning and DOB guidelines and also make them financeable. Making the unit size mixes inflexible will mean that some sites would not work for senior housing because we simply would not be able to fit enough units into the site to make it financially viable. Take for example our project on West 108th Street where senior affordable housing is being developed at a lot that

once had a City-owned garage. The studio maximum proposed in Intro. 1437 would mean that this project would not have enough units for us to finance it. We are particularly concerned about how this might hinder the ability to renovate existing buildings to better serve older adults. We are about to begin renovation on a building that was built in the '20s as SRO for single women in the arts. The building will be renovated to provide 61 units of affordable apartments for seniors. Due to the pre-existing structure of the building, it would not be feasible to renovate if no more than 50 percent of the units could be studios. Conversions of existing buildings from SRO to full apartments requires that the architect fit the units within the existing window configuration and egress. We have three other SROs that we are hoping to convert to apartments because our experience has taught us that SRO housing makes it difficult for someone to age in place. If we were limited in how many of the units could be studios, these projects may not be feasible or financeable and they would remain as SRO housing. WSFSSH strongly agrees that one-bedrooms are ideal for many seniors as they age in place, but rather than legislation



that is binding, we would prefer to see the City Council work directly with HPD on oversight to achieve these goals through term sheets and to work with City agencies to develop systems to prioritize that those who really need a one-bedroom in order to age in (TIMER CHIME) place are the ones who get them, or that those who need a larger apartment can transfer to a larger unit because their needs have changed are able to do so without having to re-enter homelessness.

CHAIRPERSON SALAMANCA: Thank you. I just want to thank you all three of our panels for your statements.

I just want to highlight, it's not a project-by-project level, but more of a citywide within the five years.

EUSTACIA SMITH: Yeah.

CHAIRPERSON SALAMANCA: Just to get clarity on that. Yeah.

And just to be clear here, look, my District has produced the most affordable housing than any Council District in the last 10 years, but when you're going in and you're seeing the unit sizes, the unit sizes are too small for my families,

first of all. Second of all, we need more two- and three-bedroom units. I understand the fear that it's going to hold the amount of productivity that is building, but if we're putting families that have three or four children in a one-bedroom unit, these kids are living in their living rooms. It's unfair to them. So, it is our responsibilities as elected leaders to come up with policies, laws that HPD must follow so that they have more adequate living spaces, and that is really the basis of these laws.

Go ahead, Council Member.

COUNCIL MEMBER DINOWITZ: I agree completely with the chair, and I'm going to share with you what I shared with HPD, which is we have to start looking at housing in the city about housing people, not about producing units. And again, when you have families with children fleeing the city, and when you have families with children living in shelter at greater rates than any other demographic group, it's time to start building housing for the people who need it and start measuring our success as in housing production in how many people we're housing and not in how many units we are producing.

HOWARD SLATKIN: If I may just add an observation to that, and it's something that Eustacia has pointed out, as important to the housing that is produced and that exists is how people access that, how people are placed in that housing, and when you're talking about families with children, that is a thing that changes. The children start out not existing, they're added, and then they eventually move on in most cases. But it's really important to be able to look at the needs of households to transfer from one unit to another in ways that is not as bureaucratically cumbersome or as difficult as it often is to find your housing unit in the first place so that's an important additional goal in addition to production.

COUNCIL MEMBER DINOWITZ: Well, then I would say it's a good thing I have two other bills to reform and improve Housing Connect.

CHAIRPERSON SALAMANCA: All right. Thank you very much.

So, we're going to call up the next panel. We're going to call up Vincent Madera, Christopher Leon Johnson, and Brendan Cheney.

And it'll be in that order. Vincent, Christopher, and Brendan.

Vincent? Yeah, you go.

VINCENT MADERA: Thank you, Council Members, for the opportunity to be here today. New York City urgently needs more family-size affordable apartments, two-, three-, even four-bedroom homes. Developers must meet this need, but we also recognize the market forces that make producing these units increasingly challenging. The Children's Village strongly supports this bill. In Manhattan, we built our first two-bedroom apartments at a home for Harlem Downing and 127th and Adam Clayton Boulevard. At Eliza and Inwood, we went further and built three-bedroom, two-bathroom homes, so families of all sizes can afford and remain in the city that they love. Our concept is simple. Affordability and beauty can live in the same sentence. We believe in integrated buildings where the amenities, finishes, and resources are the same ones we would want in the places we choose to live. Our people deserve this. These decisions carried real financial risk, but we remain committed to building the homes families truly need. I want to emphasize CV is not merely building

units, we are building opportunity. Our developments intentionally prioritize proximity to strong public schools, safe neighborhoods, and access to transportation so families can thrive for generations. Here are the facts. Larger units come with significantly higher per-unit costs, more square footage, more walls, more plumbing. In affordable housing where rents are capped, these costs make margins thinner and risk greater, especially for mission-focused non-profit developers. Yet larger units provide something critically important, stability. Apartments with three or more bedrooms have the lowest turnover rate of any housing type. That stability strengthens neighborhoods, supports multi-generational family, keeps children rooted in their communities. The bottom line is clear. We face a structural economic and policy mismatch. Regulatory mandates alone will not solve this. We need targeted financial incentives, such enhanced subsidy levels, additional tax credits, and/or providing scoring RFPs that mitigate risk and reward those like Children's Village who are committed to building high-quality family-sized units. Because we all know that where you live and where you go fundamentally changes the

trajectory of your life. We stand ready. Thank you, guys.

CHRISTOPHER LEON JOHNSON: Oh, it's on.

Yeah. Hello, Chair Salamanca, Chair Dinowitz. Thank you. My name is Christopher Leon Johnson. I'm here to show support for the bill Intro. 1443, which is sponsored by Sandy Nurse. But I want to make this clear that, look, I support this. I know that the law that HUD, that 30 percent of every new affordable housing must go to people that make like 30 percent like that'd be affordable. But what's going on is that I don't know why it has four sponsors on this bill. I know the sponsor is Gale Brewer because she has a lot of pull in the City Council. Shout out to Gale Brewer because I know if she was here, she'd be asking a lot of questions to people that would be opposed to this bill. The issue I have is that we have to start fighting back against these housing, these affordable so-called like luxury developer non-profits like Open Air for All and, Open Air for All and Housing Justice for All, and what's, The Housing Conference, which is ran by Rachel Fee, that will be opposed to a bill like this because they believe that if you allow mandate 30 percent to a developer, it's

going to cut into their profits and to their money coming in from the developer. So, like I said, we have to make it where that every development get pushed up a certain amount of percent must go to people that make less than a certain amount of money per year. While at the same time, I'm saying this right now that the lottery should be a real transparent lottery when it comes to these affordable units. Instead, they just hand them out to their boys and gals who are politically connected because this is what's going on with the lotteries that they only hand out these apartments, they only give out to people that's really politically connected. Myself, I'm lucky to be selected, but it shouldn't be like that. A person that's not politically connected should not be cast out of the lottery when it comes to affordable housing versus the people that's been politically connected. So like I said, I support this bill 100 percent. The people that make less than 30 percent AMI should be able to have a chance to get these units in the city, even the ones (TIMER CHIME) in Manhattan. But we have to start fighting back against these organizations that are totally against this stuff because like I said, it cuts into their

profits, like Open Air for All and Housing Conference and stuff like that, and (INAUDIBLE). So, thank you so much and enjoy your day. I got to go. Thank you.

BRENDAN CHENEY: Good afternoon. My name is Brendan Cheney. I'm Director of Policy and Operations at the New York Housing Conference. Thank you for the opportunity to testify.

So, we support a housing plan that is responsive to community needs for deep affordability, family-sized units, and seniors aging in place, but we do not support legislating requirements relating to these issues applied to all projects. While we understand your desire to fight for these priorities, we believe any such effort should be addressed in the City's term sheets and not in legislation.

Legislating term sheets undermines the ultimate flexibility needed over the course of a year and prevents responsiveness to local needs from HPD and developers. I'm going to try and summarize the rest of it. We support adding more family units, especially in areas with high-performing schools, to provide housing opportunity. Harvard economist Raz Shetty's research shows benefits for children that move into neighborhoods with lower poverty rates



increase earnings as adults, but again, this should be done through term sheets and other efforts by HPD.

On the senior housing, I think I'll just sort of echo what's been said earlier in terms of if you improve tenants' ability to transfer, then you can sort of address some of these issues with seniors who have needs for going from a studio to a one-bedroom.

Legislating deep affordability will also restrict HPD's flexibility. We definitely support calls for deeper affordability. We have in the past, and we still do, but we think it should be done through term sheets. And just addressing really quickly, Council Member Dinowitz, your statement about wanting to not just count units. I think one of the things that we've been looking at over the last several years is how do we get away from just units and look at sort of what you're saying and get at other issues. And I think one of the ways to do that is to track, which we've been doing, deeper affordability, right? Not just total units, but how many deep affordability units are they doing and push for more each year, right? And if it's also family size, it's tracking the family size units and push for more of the stuff we want so really using advocacy to (TIMER CHIME) do

it rather than legislation. Happy to answer any questions.

CHAIRPERSON SALAMANCA: Thank you. I'm just going to make a statement on that. At times, it's important that we legislate term sheets, and I'll give you an example. A few years ago, right before COVID, I had a bill called 15 percent Homeless Set-aside, and HPD was against that bill. And what the bill did was it ensured that every developer that's getting 1 dollar from the City, they get for City financing that they have to set 50 percent of their units for homeless families, and there were certain communities that were housing more homeless families in their districts than others. And I'm using my community as an example, where I was doing 15, 25, up to 30 percent, where you had other communities in other parts of the city that were doing 3 percent and 5 percent. There was opposition. And so to make it equitable across the entire City of New York, we passed a law. And now every developer that's getting 1 dollar from the City of New York to build housing, 15 percent of those units have to be set aside for homeless families. It's unfair that there are certain communities that are getting two-

three-, or four-bedroom units in their districts, and there are other communities who are just getting studios and one-bedroom units, and HPD is going to push back on it. So how does the Council push back? Well, we use our legislative power, and we pass a law, and we require that they do it. Thank you.

BRENDAN CHENEY: Yeah. Council Member, I appreciate that. And I think the 15 percent set-aside has been really important. We appreciate that. I think our concern generally is just the more you layer on these requirements, the harder it is for HPD to be flexible, and so that's why we're concerned about several versions of this.

CHAIRPERSON SALAMANCA: All right. Thank you very much.

All right. That concludes this hearing.

Is there anyone else in the public who wish to testify?

No. Seeing none, I would like to thank the members of the public, my Colleagues, Land Use and Council Staff, and Sergeant-at-Arms for attending today's hearing.

This meeting is hereby adjourned. [GAVEL]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 29, 2025