

TESTIMONY FROM CHIEF HOUSING OFFICER JESSICA KATZ
“HOUSING OUR NEIGHBORS”: A FIRST LOOK AT THE MAYOR’S HOUSING PLAN
COMMITTEE ON HOUSING AND BUILDINGS
FRIDAY, JULY 1, 2022 – 10:00 AM
COUNCIL CHAMBERS, CITY HALL, NEW YORK, NY

Chair Sanchez, members of the Committee on Housing and Buildings, other distinguished members of the City Council, and members of the public: good morning. I am Jessica Katz, the New York City Chief Housing Officer. Joining me are Adolfo Carrion Jr., Commissioner for Housing Preservation and Development; Molly Park, First Deputy Commissioner for the Department of Homeless Services; Ryan Murray, First Deputy Commissioner for the Human Resources Administration; and NYCHA Executive Vice President Eva Trimble and Senior Vice President Brian Honan.

Thank you for this opportunity to discuss *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. We all know that housing is a top concern for New Yorkers. I have worked in housing my entire career, including 12 years in city government, where I primarily focused on supportive housing. This is my third Mayoral administration, and *Housing Our Neighbors* is my third housing plan. When I joined the Adams Administration in January, I made it clear to my colleagues that I wanted to take a new approach to tackling the housing shortage, affordability and homelessness crises. I am proud that we were able to create a vision for housing that sets ambitious goals and harnesses all the benefits that housing can provide.

The City has spent many decades and billions of dollars investing in the creation and preservation of affordable housing. We must and will continue this critical work. But we must also ensure that our public housing is stable, that the housing we create serves New Yorkers who need it the most, and that every resident has access to a safe, healthy home. *Housing Our Neighbors* takes an integrated, holistic approach that strives to meet all of these critical goals.

Housing Our Neighbors: Engagement

A key goal for the Housing Blueprint was to outline a shared vision that reflects the knowledge, insight, and ideas of our community and neighbors. Over the course of ten weeks, we held a series of roundtables with over 100 advocates, affordable housing developers, and homeless shelter providers. We sought ideas from their staff, colleagues, and tenants through an online form for open submissions. We invited dozens of agencies and offices from across city government to highlight their existing housing-related initiatives and propose new ones.

This process allowed us to capture invaluable input from our city's leaders in housing and government. But New Yorkers who have been directly impacted by our housing and homelessness crisis know better than anyone where our systems are helping – and where they need to improve. For this reason, our greatest priority and focus was to position directly impacted New Yorkers in the drivers' seat. We asked NYCHA residents about how we should invest in their homes and what they want the rehabilitation process to look like. We analyzed survey responses from over 72,000 New Yorkers about their housing priorities, collected through NYC Speaks. And for the first time in history, we invited homeless and formerly homeless New Yorkers to City Hall to meet with the Mayor and weigh in directly on the citywide housing plan. These meetings marked a major milestone and laid the groundwork to improve our approach to addressing homelessness that elevates the expert insight of New Yorkers who have lived experience.

We are extremely grateful to everyone who contributed their time and energy to this Blueprint and look forward to continuing these partnerships to implement the plan.

Housing Our Neighbors: Framework

I would like to walk you through the Housing Blueprint, but first, I want to explain the intention behind it. Over the past months, we have heard loud and clear from residents, advocates, and housing providers alike that a new approach to the housing crisis is needed. Tens of thousands of New Yorkers are living in shelter. Countless families are struggling to keep up with rent or living in unsafe or unhealthy conditions. Aspiring homeowners are leaving the city in order to find a home they can afford.

New Yorkers asked for a new approach, and that is what our Blueprint delivers. At \$22 billion over ten years, this administration has made the most robust housing investment our city has ever seen. This capital investment, combined with the new authority of the recently created NYCHA Trust to borrow up to \$10 billion, represents the Adams administration's unprecedented commitment to affordable housing. This unprecedented capital investment will allow us to continue creating and preserving affordable housing at similar rates to recent years. *Housing Our Neighbors* provides a broader framework for housing to shape those investments and to ensure the housing we create truly serves New Yorkers.

For the first time ever, we are prioritizing NYCHA in our efforts to create and preserve affordable units. For too long, we excluded NYCHA from our citywide housing plans, allowing our most critical source of affordable housing to be seen as someone else's problem. But the hundreds of thousands of New Yorkers who live in NYCHA apartments deserve better. Our administration is committed to doing better.

Beyond preserving NYCHA, *Housing Our Neighbors* both invests in more affordable units and encourages more housing production overall. We cannot solve the affordability and homelessness crisis without building significantly more housing. From extremely low-income housing to market-rate units, our city has not produced enough new housing to meet the needs of a growing population for generations. We must close that gap to ensure that homes are affordable and protect communities from rising costs. This means growing the overall supply of housing – not just HPD-financed housing. That is why Mayor Adams announced his *City of Yes* plan on June 1 – and why *Housing Our Neighbors* calls for changes to our zoning, construction, and maintenance codes to streamline housing production of all types. We will leverage zoning and regulatory reform to increase citywide supply and ease pressure on renters across income levels.

The Blueprint also shifts the way that we measure the success of our investments in affordable housing. Traditionally, city-backed affordable units have been counted at the moment when the financing for a project is confirmed – when the bankers, developers,

and lawyers are aligned. But this moment comes long before construction starts, the units become ready, or leases get offered. Too little attention has been paid to these next steps in the process of housing New Yorkers causing families to wait longer for a home and delaying the impacts of our investments. The Adams administration is shifting our focus to measure not just how much housing we produce, but also how many New Yorkers have been able to move into those units. We will begin measuring our success based on when we house New Yorkers – not just when we close the deal – to prioritize getting people into homes faster.

That includes our neighbors experiencing homelessness. For years, we have used the DHS shelter census to measure homelessness and our progress towards ending it. But that metric doesn't tell the full story. It obscures thousands of New Yorkers in other shelter systems from view and excludes them from access to the housing and resources they need. *Housing Our Neighbors* holds us accountable to every New Yorker experiencing homelessness. We will introduce an accurate homeless census that incorporates all shelter systems, and reform our policies so that New Yorkers can access resources like rental assistance and homeless set-aside units, regardless of what shelter system they are in.

Finally, *Housing Our Neighbors* embraces that housing is more than just a roof over your head. Housing can give New Yorkers so much of what they need to thrive, from access to transit and jobs to improved safety during storms to better health outcomes. The Blueprint focuses on all of these goals. It prioritizes stability for renters while promoting homeownership to increase racial equity and help families generate wealth. It directs the jobs and economic development created by housing into communities that have historically benefitted less. It confronts climate change to build a healthier, more sustainable city that keeps New Yorkers safe during disasters and extreme weather. The Blueprint incorporates every aspect of our housing ecosystem to both build additional housing and ensure that our housing helps New Yorkers thrive. We worked with partners across government to reach that goal. I want to thank Chief Climate Officer Aggarwala, City Planning Chair Garodnick, NYC Health and Hospitals' Dr. Katz,

DOHMH Commissioner Dr. Vasan, and the Deputy Mayors across City Hall for their support.

Housing Our Neighbors: Metrics

Traditionally, our city's housing plans have been focused on financing affordable housing through both new construction and preservation. This administration will make every effort to continue building at the same rate as recent years to ease the housing shortage, but we are also going to move beyond this singular focus. Rather than focusing solely on a top-line financing number, we will incorporate new metrics that more clearly demonstrate our priorities and more effectively measure progress.

Housing Our Neighbors will measure the number of affordable units created and preserved with city financing. But, for the first time, that annual unit count will also include NYCHA units preserved and rehabbed. *Housing Our Neighbors* will also measure:

- How many of our supportive housing units are occupied (with an approximate 10% vacancy rate in supportive housing earlier this year);
- How many new affordable and supportive housing units we fill; and
- How long it takes to lease up new affordable and supportive units.

I will now walk you through each of the five policy chapters of the Blueprint and highlight some of the key initiatives described in each.

Chapter 1: Transform NYCHA

NYCHA is the first chapter in *Housing Our Neighbors*. We are committed to finally making the necessary changes to preserve this vital housing resource for generations to come. The team at NYCHA has worked incredibly hard over the last three years, since the signing of the Federal Agreement, to address physical issues across the portfolio.

From lead and mold to broken boilers and elevators, there is a long road ahead to bring our public housing stock up to the standard that New Yorkers deserve.

We are advancing many operational changes to improve quality of life for residents in the near term. Traditionally, NYCHA operated in an overly centralized manner, which meant that the unique needs of a community, or the size and layout of a development, were not considered in day-to-day operations. By rolling out the Neighborhood Model, we are bringing decision-making power to development staff, who know their residents and buildings the best, and shifting authority to the local level so that decisions can be made faster based on neighborhood needs.

Similarly, we are shifting how work orders are completed to expedite repairs and prioritize residents' schedules. Residents will now be able to see every step in the repair process from the start. They will be able to call one central number for their neighborhood to schedule appointments, ask questions, and access other forms of support. Beyond giving NYCHA residents more flexibility and control, Work Order Reform also introduces new efficiencies to ease the pressure on NYCHA's most critical skilled trades, such as plumbers, plasterers, and painters.

We are also improving sanitation and janitorial services at NYCHA, which have been raised by residents as key quality-of-life concerns. Because of its unique size and scale, NYCHA is well-positioned to test new strategies for providing and operating housing that could eventually be scaled up to serve more New Yorkers. In partnership with DSNY, NYCHA is leading the way on a pilot for mechanical waste collection, which is a method of waste containerization and collection that keeps trash and recycling off the sidewalk and street.

Alongside efforts to improve quality of life for residents in the short term, we are setting NYCHA up for long-term financial stability through processes that give residents an active say over the future of their homes. Through both the PACT/RAD program and the forthcoming Preservation Trust, NYCHA is allowing residents to select which preservation tool, if any, is used to rehabilitate their development. The State law

enabling the creation of the Trust requires an opt-in vote for residents to affirmatively choose the Trust or another preservation route. For PACT/RAD projects, residents are being given a seat at the table every step of the way, from selecting the development partner to participating in long-term property management.

Finally, the Blueprint commits to improving safety and security at NYCHA, which was a key priority for residents when asked what they want to see in a citywide housing plan. In partnership with the Mayor's Office for Criminal Justice, we are proud to be expanding the Mayor's Action Plan for Neighborhood Safety (MAP) Neighborhood Stat program from 15 NYCHA sites to 30 in the coming months with \$10.9M in funding. engages NYCHA residents and MAP partners in identifying public safety priorities and implementing solutions, and provides new resources to enhance accountability.

Chapter 2: Address Homelessness and Housing Instability

Homelessness is a housing issue. *Housing Our Neighbors* is the first citywide housing plan to truly embrace this and put forth integrated solutions for both housing and homelessness. The Blueprint includes a wide range of strategies to break the cycle of housing instability and homelessness, from helping New Yorkers stay housed to reducing the risk of returning to shelter.

The first step is to acknowledge the full reality and scope of this crisis. Regardless of whether they are escaping an abusive partner, have had to vacate their home due to a fire, or any number of other circumstances, New Yorkers without permanent stable housing must be acknowledged and given access to the full range of options for housing and support. In the coming weeks, we will be publishing a new daily shelter census that includes New Yorkers in all City-administered shelter systems, and finally holds us accountable to the full scope of need.

All too often, New Yorkers are forced to make the impossible choice between staying with an abusive partner or losing their housing. Domestic violence is a leading cause of homelessness in New York City, as too many survivors do not get a chance to heal and

get back on their feet. We are committing new funds to expand a program at the Mayor's Office to End Domestic and Gender-Based Violence that provides survivors with low-barrier emergency grants to cover rent, moving costs, and other urgent expenses. The program is expected to serve over 700 households per year with crucial resources to help survivors avoid shelter entry and find a safe, new home.

We are also launching a new effort to prevent housing instability and homelessness among new migrants. Although we pride ourselves on being a microcosm of the world's many communities, according to HUD guidelines, New York City is not an option for newly arriving refugees due to the lack of affordable housing. Undocumented New Yorkers, refugees, and asylum-seekers alike face many barriers to housing access related to eligibility, language access needs, and more. In partnership with the Mayor's Office of Immigrant Affairs, we are launching working group to identify and break down those barriers so that our immigrant communities can thrive.

For New Yorkers already living in shelter, *Housing Our Neighbors* offers new resources and strategies to help households move into housing faster. Supportive housing is a critical resource for many New Yorkers exiting shelter who need services and support to remain stably housed. The City previously committed to creating 15,000 new units of supportive housing by 2030. Our administration is accelerating supportive housing production to meet that target by 2028 – two years earlier than originally expected. At the same time, we have already begun the important work of expanding and streamlining access to supportive housing. These efforts will help New Yorkers who need supportive housing access it faster and ensure that desperately needed supportive units do not sit vacant for protracted periods of time.

Housing vouchers offer another important pathway out of shelter, but too often, households with vouchers cannot find an apartment to move into. This is due in part to the lack of low-cost housing options, but also to persistent source-of-income (SOI) discrimination against voucher holders. This administration has no tolerance for illegal discrimination and is committed to ending this violation of civil rights. The Mayor's 2023 Adopted Budget restored funding for several lawyers at the NYC Commission on

Human Rights to investigate and litigate against discriminating landlords. *Housing Our Neighbors* commits additional funding to combat source-of-income discrimination through proactive testing, enforcement, litigation, and more. This will be a coordinated effort across agencies and City Hall that brings in expert non-profit partners to ramp up capacity and broaden our reach.

Overall, the Blueprint commits \$35M to support tenant rights and protections so that New Yorkers can become and remain stay stably housed. These funds will support efforts ranging from source-of-income discrimination to enforcement against tenant harassment to support for at-risk tenants. The plan also commits \$25M to homelessness prevention services and stabilization services for formerly homeless households. Finally, the Blueprint provides a wider range of shelter and service options and commits new resources to improve quality of life in shelter. These include medical respite beds for homeless patients exiting hospitals, new services at drop-in centers for homeless youth, and telehealth mental health services for children in shelter. These efforts build on recent DHS work to strengthen service provision in the shelter system. *Housing Our Neighbors* commits \$5M to create a new predevelopment shelter and acquisition fund, which will help non-profit shelter providers develop their own facilities and increase capacity so that aging, lower-quality shelters can close.

Chapter 3: Create and Preserve Affordable Housing

The third chapter of *Housing Our Neighbors* is focused on creating and preserving affordable housing. This has been the heart and primary strategy of housing plans from past administrations, and it is a goal we must continue to advance in the years ahead.

With \$22 billion committed over the next ten years, we have the largest capital plan for housing that the city has ever seen. The Adams administration is committed to building new affordable housing and preserving existing affordable homes. But we are also committed to shaping development to fit the right context and meet the right needs – whether that means shifting the balance between rental and homeownership, creating

more units to serve lower-income households, prioritizing projects in areas with fewer affordable homes, or numerous other strategies to help meet the moment.

Housing Our Neighbors aims to serve New Yorkers' diverse household needs by creating more flexibility for housing sizes and types. We will continue to advocate for state legislation that provides the relief we need to protect new Yorkers in basement apartments. People are living in basements whether we like it or not, and we cannot ensure that the units are healthy and safe without a pathway to legalization. We will also eliminate barriers to the creation of small units, convert underutilized hotels to supportive and affordable housing, and advance other innovative strategies to meet diverse household needs.

Every neighborhood must be held accountable for meeting the need for new housing supply. To spur new development citywide, we will work with the Department of City Planning to pursue zoning changes that allow greater square footage for all types of affordable housing – including senior, supportive, and other affordable housing. This is a key part of the Mayor's *City of Yes* plan and is aligned with other strategies to help the city thrive post-pandemic. Finally, we will leverage land use and financing tools to increase the supply of affordable housing in areas with good access to transit, jobs, schools, and other resources that help New Yorkers thrive.

Housing Our Neighbors prioritizes affordable, stable housing for renters, including those who need ongoing services and support to remain housed. Rent is the single greatest monthly cost for most low-income households, leaving households with less money to pay for childcare, groceries, and other daily necessities. Our administration is committed to reducing rent burden, especially for low-income households who are struggling the most. One strategy is to expand and streamline access to the Senior Citizen Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE), which freeze the rents of seniors and people with disabilities living in rent-regulated apartments. We will also work to place new affordable childcare centers into the ground floors of affordable housing to alleviate the competing financial pressures of childcare and rent.

Housing Our Neighbors also places a renewed focus on homeownership to help households build and generate wealth and address longstanding racial disparities in our city. Homeownership is the single greatest contributor to household wealth in America, but only 32% of New York City households own their homes – less than half the national rate. The costs of purchasing and maintaining a home have soared, putting homeownership further out of reach for renters and threatening the stability of low-income owners. We must provide the help that both aspiring and existing homeowners need. *Housing Our Neighbors* commits \$44M in new funds for critical homeownership programs to help reach that goal.

To increase access to homeownership, we are significantly expanding HPD's HomeFirst program, which helps low- and moderate-income households buy their first home. With new resources committed, the program will provide up to \$100,000 in down payment assistance to an estimated 300 households each year. We are also shifting capital resources to support the construction of more affordable homes for low- and middle-income first-time homebuyers.

It is equally important to ensure that low- and moderate-income homeowners can stay in and maintain their homes – especially now, as inflation and rising maintenance costs are compounding the economic impacts of COVID-19. We are launching two new programs to support homeowners with a multitude of resources. Building on the successful HomeFix pilot, we are launching a permanent version of the program called HomeFix 2.0. The program will provide homeowners who cannot access traditional loans with financial assistance and technical support to make repairs and renovations, sustainability and resiliency upgrades, and accessibility improvements for seniors aging in place. We will also launch a citywide Homeowner Help Desk to support homeowners who are at risk of displacement from foreclosure, scams, tax liens, rising costs, or lack of estate planning. The Help Desk will provide over 1,000 homeowners each year with financial, housing, and legal counseling, and connections to additional services and support.

It is imperative that we aggressively pursue the creation and preservation of high-quality homes that New Yorkers can afford. Beyond these items that I have highlighted today, we have an extensive list of other programs and initiatives that will help New Yorkers in the years ahead.

Chapter 4: Improve the Health and Safety of New Yorkers

The fourth chapter of *Housing Our Neighbors* focuses on improving the health and safety of New Yorkers. Housing plays a crucial role in determining health outcomes. Poor housing conditions put New Yorkers at greater risk of health problems including asthma and lead poisoning. Substandard housing quality can also increase the risk of fire and other safety concerns, especially in the face of extreme weather and climate change. At the same time, much of the work that is needed to advance our ambitious decarbonization goals can also provide safer and healthier living conditions for residents. We have worked extensively with the Chief Climate Officer, FDNY, HPD, NYCHA, DOHMH, and DCP to create a roadmap forward to building safer, healthier, and more sustainable homes.

To ensure healthy and safe living conditions in our affordable housing, we will ramp up enforcement against owners who neglect their buildings, and education and assistance for owners who need additional resources and support to make repairs. Housing Our Neighbors includes \$9m for programs to improve enforcement and promote health housing conditions. Mayor Adams' 2023 Executive Budget funds 27 new lead inspectors at HPD. We are also investing new resources to improve HPD enforcement operations, technology, and capacity. We are working across agencies to increase proactive inspections, which allow us to root out and address housing quality issues even if the city has not received a complaint. We are also expanding two DOHMH programs to reduce home-based asthma triggers and risk by providing integrated pest management services or education and assistance for both tenants and landlords.

With climate change upon us, keeping New Yorkers safe in their homes is even more urgent than ever before. Again and again, we have seen our neighbors tragically lose

their lives to hurricanes, floods, and heat waves. Extreme weather events will only grow more frequent in the years ahead. *Housing Our Neighbors* outlines a suite of tools to increase awareness and help residents keep themselves safe from extreme weather. We are expanding FloodHelpNY, an online platform where residents can access information and resources about flood insurance and other tools to address flood risk. As we continue fighting for state legislation to allow for safe and legal basement apartments, we are also increasing strategic community outreach to help protect New Yorkers in basements ahead of flooding events. To this end, the City has engaged Los Deliveristas Unidos/Workers Justice Project, Uber Eats, Grubhub, and Door Dash in a working group to develop new strategies for communicating with New Yorkers in basement apartments about potential floods.

In addition to awareness and education initiatives, *Housing Our Neighbors* confronts the need for resiliency in our homes and neighborhoods over the long term. In the coming months, HPD will establish new design guidelines to ensure that new affordable housing is climate resilient. The agency will also begin incorporating resiliency screenings into assessments for retrofits, so that existing buildings can become safer and more resilient. We will work across government and City Hall to develop better long-term systems for disaster recovery so that we are more prepared in the aftermath of the next major storm.

Alongside these efforts, *Housing Our Neighbors* strives to make our homes healthier and more sustainable for generations to come. We must develop new tools and practices to help the building stock meet our city's ambitious decarbonization goals and to provide owners with the resources and education they need to comply with Local Law 97. We are advancing zoning changes that will clear a pathway to better building performance, pilot programs for electrification and weatherization in multi-family buildings, and strategies to make better use of state and federal funds, among other tools. With over 300,000 units, NYCHA provides a unique opportunity to develop and test new tools that can then be applied to the broader housing stock. *Housing Our Neighbors* supports NYCHA as a leader in sustainability, including through feasibility

studies for a new geothermal heating district that includes several public housing developments – a first-of-its-kind model for New York City.

Chapter 5: Reduce Administrative Burden

The final chapter of *Housing Our Neighbors* focuses on administrative burden – something that has long been overlooked in City government yet has a very real impact on New Yorkers in need. All too often, residents are forced to go through time-consuming, stressful, and traumatizing processes in order to get the affordable housing and help that they need. Our administration is committed to reducing as many of these bureaucratic hurdles as possible. Our goal is to reorient how we provide housing and services to focus on the resident experience.

Housing Our Neighbors outlines several actions that can be taken immediately to reduce administrative burden and streamline access to housing and services. For example, we are working to implement a back-end audit for income verification in the HPD affordable housing lottery. This will allow New Yorkers to move into affordable units sooner, without having to wait until their income information has been reviewed and confirmed multiple times. Another priority that we are accomplishing this summer is removing the Absent Parent Form from the Section 8 application process. The Absent Parent Form requires households applying for Section 8 to provide personal, contact, and income information for the parents of any children in the household who will not be living with them in the apartment. The form was designed to prevent fraud and ensure that all household income is being reported. In practice, though, it creates extra paperwork, stigmatizes single parents, and potentially puts families who have left an abusive situation at risk.

As well as describing improvements that can be made in the near term, *Housing Our Neighbors* commits to doing the hard work that is needed to identify and remove countless other burdensome barriers. We will work across agencies and City Hall to examine the processes that New Yorkers must go through to apply for and obtain affordable housing, rental assistance, and other housing supports. Our goal is to

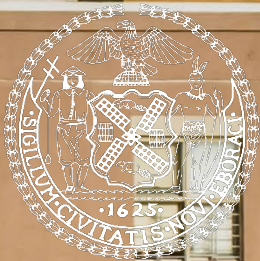
eliminate any barriers that we have sole authority over, while partnering with the state and federal government to eliminate those we do not.

Wrap-Up

Thank you very much for this opportunity to share the vision and ideas behind *Housing Our Neighbors*. The initiatives I highlighted here today are only a few of many included in the Blueprint to create a healthier, safer, and more affordable city. We look forward to partnering with you and your colleagues to better serve New Yorkers in the days ahead. I am happy to answer any questions.

Housing Our Neighbors:

A Blueprint for Housing and Homelessness



The City of New York
Mayor Eric Adams

Chief Housing Officer
Jessica Katz

NYC

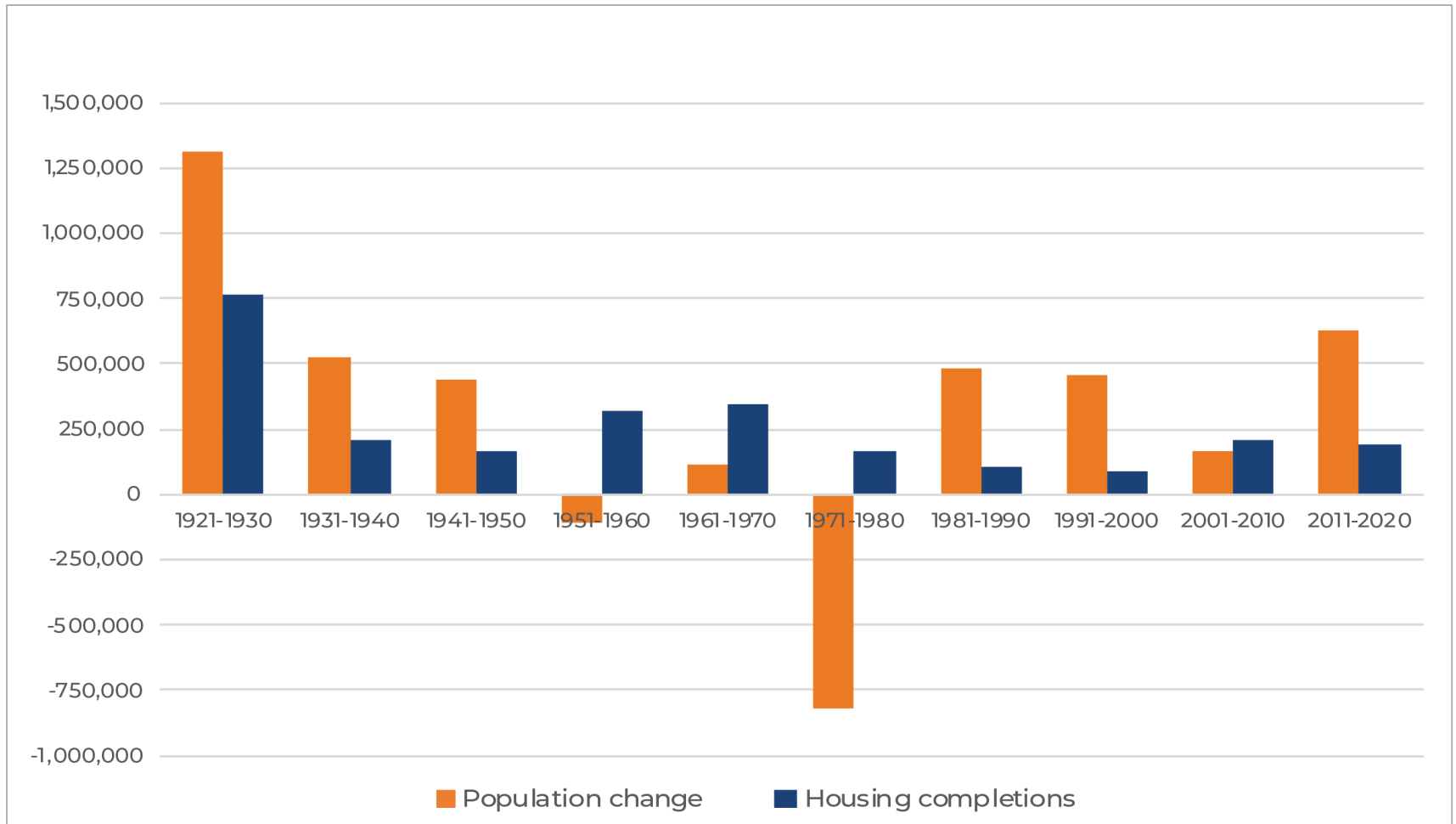
Engagement



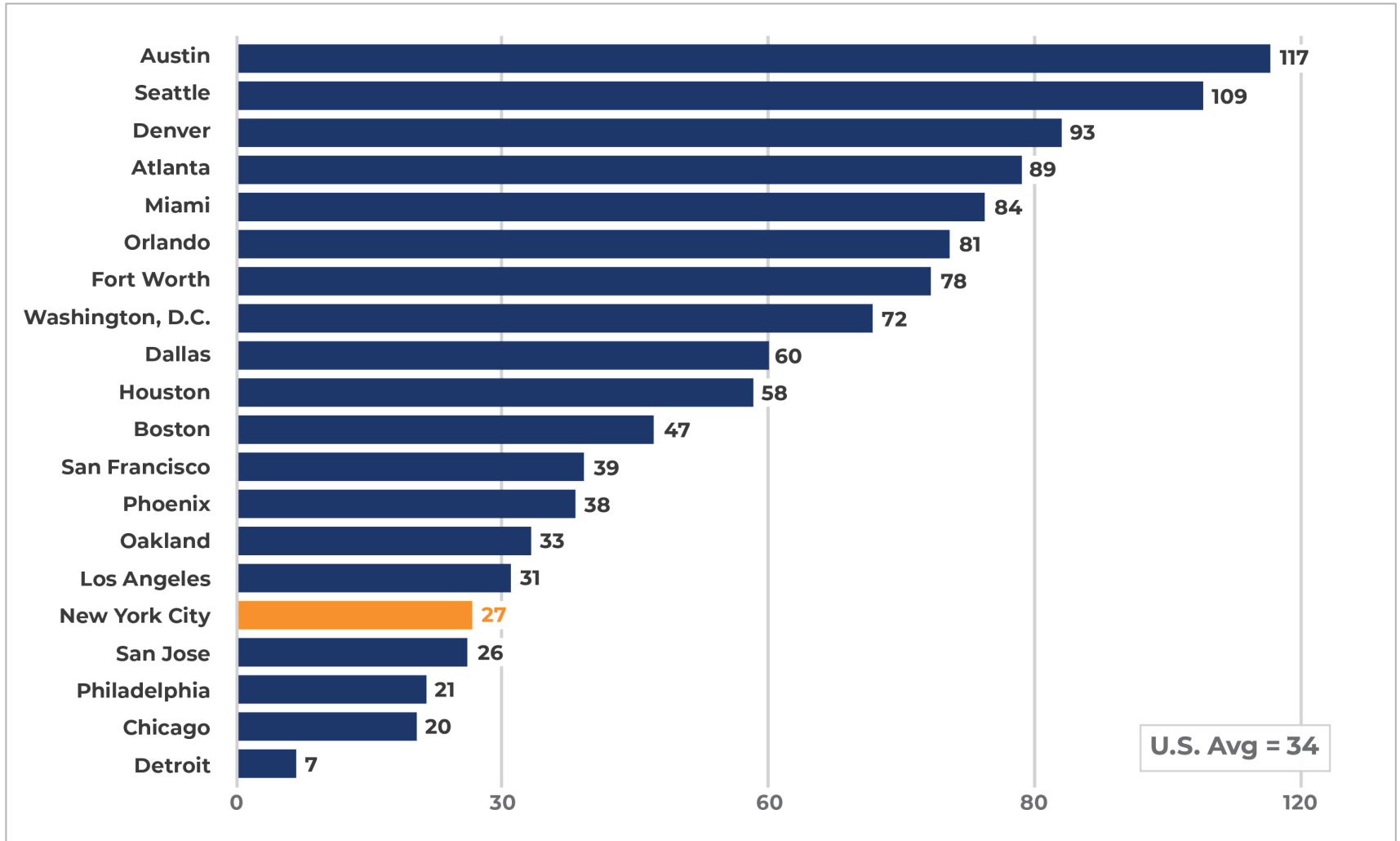
Capital Investments

- We must continue to build – and we will – with the **largest capital budget** for affordable housing the city has ever seen.
- **\$22B in the Capital Plan + \$10B unlocked by the Preservation Trust = \$32B for HPD and NYCHA over 10 years**
- We will include the number of NYCHA units preserved and rehabbed in our annual unit count for the first time.

Population Change vs. Housing Completions in NYC by Decade (1921-2020)



New Housing Units per 1,000 Residents in Major U.S. Cities (2011-2020)



Beyond Capital

- We will also use zoning and regulatory reform to encourage the growth of **overall housing supply** – not just HPD-financed units.
- We will also invest in all the other benefits that housing can provide:
 - ❖ Access to jobs, schools, transit, parks, and other fundamental resources
 - ❖ Improved health outcomes
 - ❖ Increased public safety
 - ❖ Opportunities for households to generate wealth
 - ❖ Job creation and inclusive economic growth
 - ❖ Sustainability and climate resiliency

Partners

Department of Housing Preservation & Development (HPD)

NYC Housing Authority (NYCHA)

NYC Housing Development Corporation (HDC)

Department of Health and Mental Hygiene (DOHMH)

Department of Social Services (DSS)

Department of City Planning (DCP)

Administration for Children's Services (ACS)

Department of Youth and Community Development (DYCD)

Department of Buildings (DOB)

Mayor's Office of Climate and Environmental Justice (MOCEJ)

NYC Fire Department (FDNY)

Department of Consumer and Workforce Protection (DCWP)

Office of Management and Budget (OMB)

Mayor's Office of Operations

Mayor's Office of Equity (MOE)

Mayor's Office of Immigrant Affairs (MOIA)

Department of Information Technology and Telecommunications (DOITT)

Mayor's Office of Criminal Justice (MOCJ)

Department of Sanitation (DSNY)

NYC Commission on Human Rights (CCHR)

Department for the Aging (DFTA)

Department of Environmental Protection (DEP)

Department of Veterans' Services (DVS)

Mayor's Office for People with Disabilities (MOPD)

NC Economic Development Corporation (EDC)

Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV)

Mayor's Office to Protect Tenants (MOPT)

Housing Recovery Operations (HRO)

NYC Emergency Management (NYCEM)

NYC Health + Hospitals (H+H)

Mayor's Public Engagement Unit (PEU)

Mayor's Community Affairs Unit (CAU)

Measuring Our Impact

- We will continue to track the number of affordable units financed annually.
- **We will also:**
 - ❖ Include the # of NYCHA units preserved and rehabbed in our annual unit count;
 - ❖ Include New Yorkers all city homeless shelters in the homeless census, rather than only counting those in DHS shelters;
 - ❖ Consistently track how many of our city-funded supportive housing units are empty (with a ~10% vacancy rate in supportive housing earlier this year);
 - ❖ Measure how long it takes to fill both affordable and supportive housing units – and identify reforms to speed those processes up.

Policy Blueprint

1. Transform NYCHA
2. Address Homelessness and Housing Instability
3. Create and Preserve Affordable Housing
4. Improve the Health and Safety of New Yorkers
5. Reduce Administrative Burden

1. Transform NYCHA

1. Transform how NYCHA delivers services to residents
2. Leverage new partners and resources to address capital needs
3. Amplify resident-voices in decision-making
4. Invest in the health and safety of NYCHA residents

2. Address Homelessness and Housing Instability

1. **Break down government silos to better measure and address homelessness**
2. **Combat housing instability to help New Yorkers stay housed**
3. **Improve shelter and services for New Yorkers experiencing homelessness**
4. **Help New Yorkers move into permanent housing faster**
5. **Reduce the risk of returning to shelter**



3. Create and Preserve Affordable Housing

- 1. Accelerate and increase capacity for housing supply citywide**
- 2. Increase access to transit and amenities for low-income New Yorkers**
- 3. Meet the housing needs of seniors and people with disabilities**
- 4. Expand tools to preserve existing low-cost and affordable housing**

3. Create and Preserve Affordable Housing, cont.

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- 5. Help communities build and maintain wealth through homeownership**
 - 6. Promote housing stability for renters**
 - 7. Provide inclusive development opportunities for equitable growth**

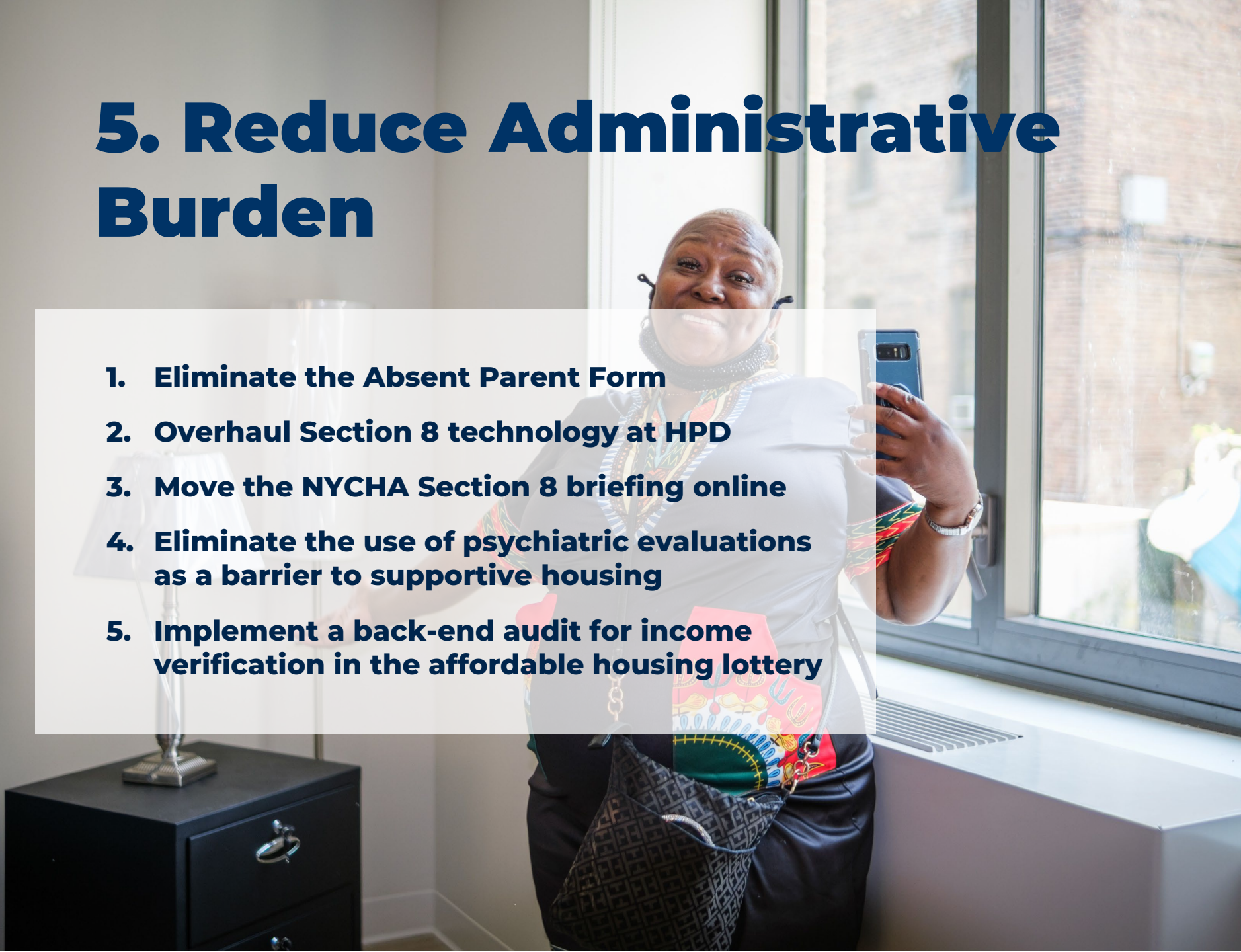
4. Improve the Health and Safety of New Yorkers

1. **Improve housing quality to ensure safe and healthy living conditions**
2. **Keep New Yorkers safe in their homes in a changing climate**
3. **Create healthier and more sustainable housing**

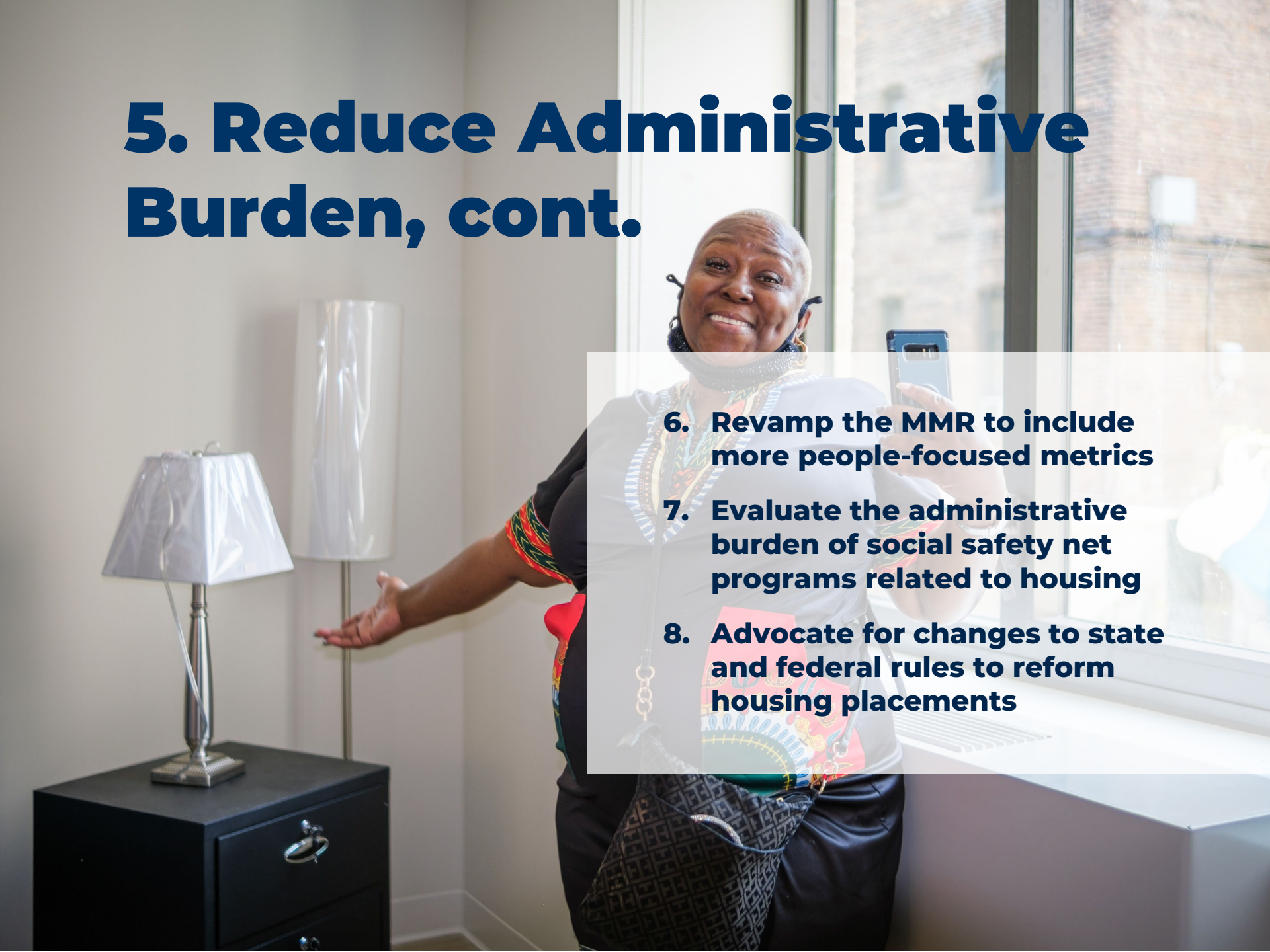


5. Reduce Administrative Burden

1. **Eliminate the Absent Parent Form**
2. **Overhaul Section 8 technology at HPD**
3. **Move the NYCHA Section 8 briefing online**
4. **Eliminate the use of psychiatric evaluations as a barrier to supportive housing**
5. **Implement a back-end audit for income verification in the affordable housing lottery**



5. Reduce Administrative Burden, cont.

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- 6. Revamp the MMR to include more people-focused metrics**
 - 7. Evaluate the administrative burden of social safety net programs related to housing**
 - 8. Advocate for changes to state and federal rules to reform housing placements**



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK

Jumaane D. Williams

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON
HOUSING AND BUILDINGS
JULY 1, 2022**

Good Morning.

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. Thank you very much Chair Sanchez and members of the Committee on Housing & Building for holding this hearing and allowing me the opportunity to provide testimony.

After reviewing “Housing our Neighbors: A Blueprint on Housing & Homelessness”, our office has concluded that the blueprint puts together in one place all that we already know, but does not include the specifics of what we need to know and an analysis of why certain affordable housing programs are not delivering what we need, when we need it and not in the numbers that are needed in New York City. My office is still awaiting a briefing of the blueprint. I am thankful the Council is holding this hearing and hope it will illuminate many unanswered questions.

The Blueprint does tell us that 19% more New Yorkers are rent burdened today than one year ago. We can assume that the financial stresses of the pandemic that caused loss of life and work are responsible, but there is nothing in this paper that elaborates on any other potential issues that would have caused this number to rise so drastically in one year. The issues tenants had with affordable units when I was an organizer still exists today. We need solutions to stop this crisis from getting worse.

I am left to wonder if the request for a briefing has yet to happen due to details still needed on concrete plans about:

1. Fixing NYCHA;
2. Creating and preserving affordable housing in greater numbers than before; and
3. Eradicating homelessness.

NYCHA

The Blueprint commences its discussion on public housing by discussing the Transformation Plan of 2021 that will bring improvements to the “day-to-day operations” of NYCHA while meeting “the requirements of the 2019 HUD Agreement.” The plan is to bring local site-based management as opposed to the current Central Management model. While this sounds like a plan, I have concerns. This blueprint does not address the fact that NYCHA, created in 1935, did have local site-based management for many decades, but changed to a central management model. There was some corruption and other problems that led to a different property



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management style. In returning to the previous style, then what, if anything, is NYCHA doing to prevent those issues from resurfacing?

The report points out that NYCHA's current work order system is backlogged with over 600,000 work orders. Moreover, there are wait times of over 300 days for work performed by workers in skilled trades such as painters, carpenters, electricians, and plumbers. The report goes on to say that the administration will implement "Work Order Reform Today" that addresses duplicative or unnecessary work orders, and scheduling repairs around a resident's availability.

My question is- how? The report states that the "Work Order Reform Today" was implemented in three boroughs and will be expanded to Brooklyn and Manhattan by the end of 2022. However, this report does not contain information on what exactly is different about this program and why or how it is succeeding. If NYCHA does not close work orders when work has not been done because the resident is not home, then I support that 100%. That will give everyone a true number of outstanding work orders instead of churning work orders back and forth.

Regarding NYCHA STAT, everyone wants true accountability including some at NYCHA. How is NYCHA STAT going to work? When will it be implemented?

The report speaks about infill housing and Transferable Development Rights (TDRs) as a way of bringing in money to address capital needs. I have concerns. Before Mayor Bloomberg left office in 2013, he proposed infill housing and TDRs as a way of generating additional monies for much needed capital. NYCHA residents and advocates rebuked this plan since there were no mechanisms in place to ensure that this plan did not create a two-tiered system of the haves and have nots. You cannot build luxury housing on vacant or underutilized land and have market rate tenants living on NYCHA land. While at the same time, NYCHA residents are waiting for repairs, and higher income NYCHA residents do not have an opportunity to apply for the new housing units being built where some residents played or parked their cars previously. There must be specifics and assurances that the additional funding that will be put into the NYCHA buildings immediately and/or before any new development breaks ground.

Creating and preserving affordable housing

After a close analysis of this portion of the Blueprint, my office noticed that nothing is called to go into effect or implemented immediately. I have yet to see any real numbers or a real execution plan about what the Mayor and his administration plans on doing to move forward.

The undersupply of housing causes an increase in cost for everyone. We could have reconciled this issue much earlier by converting these vacant luxury apartments into affordable and



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supportive housing. Along with this, zombie homes could have been prioritized for repairs and remodel, rather they were left in devastation. So many New Yorkers are rent-burdened and even more will face this issue since the Rent Guideline Board voted to increase rent for those living in rent stabilized apartments. Sadly under the current administration the Board implemented the highest rent increase in a decade. The rate of inflation continues to go up and so many New Yorkers struggle from the impacts of the pandemic. Rents are increasing while income stays the same.

I would like to know from the administration if this would also apply to 421a exempt apartments since it was not directly mentioned. The city continues to lose millions of dollars each year from vacant 421a exempt apartments that are either taking too long to finish construction or just left unoccupied. I support pathways to bring basement apartments into safe and legal use. Since it is mentioned that the City will pursue a package of zoning and regulatory changes to encourage a wider range of unit sizes and housing types, I hope we have the administration's support on [Res 0161-2022](#) which assists in doing just that. I also look forward to hearing from administration what other legislation they plan to propose or currently support..

The administration plans to leverage non-residential spaces in affordable housing to meet community needs. This is a great start, at the same time, based on previous administrations efforts what ends up being added into the community as an investment to creating community space is something that is not useful and the City ends up wasting millions of dollars to build it. An example of this is the Hudson Yards Vessel. The intention of this was not for the community; it was to build more attraction and tourism to the City. No community member actually benefited from this. These dollars could have been invested elsewhere that would have directly benefited various communities.

Childcare was highlighted in this section as well where the administration will spearhead two new tax incentives (included in the recent state budget) to encourage the private sector to create new childcare seats. Additionally, property owners who pay for construction with the creation of new seats in childcare are eligible for a tax exemption which can cause potential loopholes just like the 421a tax exemption. There is no real improvement and now more people are able to get tax exemption which means no positive improvements for communities in childcare deserts.

There are also various mentions of supporting affordability like community land trusts. There are many great ideas, but the questions of specifics frustratingly linger about how they will actually be implemented.



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I'm hopeful to see ideas that will provide resources for New Yorkers but, that hope begins to diminish without seeing what exact programs will do them, how much funding will be allocated, or what the process will be to make this program equitable equitable.

Eradicating homelessness

I am thankful the BluePrint rightfully discusses housing and homelessness, which too often are inexplicably discussed separately. Unfortunately, notably absent from this plan is any comment on the Administration's current policy of sweeps and harassment of homeless individuals on New York City streets and subways. As that I have said does the last thing first. And without a place for these New Yorkers to go is an inhumane policy that continues the conflation of fixing the homelessness crisis with not seeing homeless people in specific areas. The starting point to end homelessness is to ensure every interaction between an unhoused person in this city and a representative of this government is respectful and culturally sensitive. The Administration's approach did not observe either of these necessary qualities. The forced removal of the unhoused from subways, platforms, and camps with no real place to go drives a wedge between this city's government and our unhoused residents.

The Administration's over-policing of unhoused New Yorkers stands in stark contrast with one of its stated blueprint goals: work with the State to address the prison-to-shelter pipeline. Reducing this pipeline can start here and it can start now. This Fourth of July weekend will see New York experiencing extreme heat. Unhoused individuals should not fear being arrested or harassed on an air-conditioned subway either at night or during the day when shelters are not open. If we are serious about reducing a "prison-to-shelter" pipeline, we must take steps to end the criminalization of survival, by making it easier to survive.

At the same time, the Administration must address the prison-to-shelter pipeline through a comprehensive transitional housing program for returning citizens. For instance, the Women's Prison Association provides up to 28 families affected by maternal incarceration through its Sarah Powell Huntington House (SPHH). SPHH's model of supportive housing, wraparound services, and personalized care is a successful model for creating long-term housing stability. These models could be replicated and celebrated in any housing plan. They are not present in the current Administration blueprint.

The blueprint calls for a shelter predevelopment and acquisition fund. Not-for-profit shelter operators would receive public and philanthropic funds to meet the upfront costs associated with acquiring and developing new infrastructure. I agree that as a city we must do more to ensure that shelters have the funds needed to develop service-rich shelter sites even, as permanent homes are the true goal. However, the blueprint calls for shelter providers to pay the fund back through shelter contracts. The mechanics of such an arrangement should immediately raise concerns. The only true return on investment for shelter services is the wellbeing of our current and future unhoused populations. The Administration must be clear about the terms of accessing this predevelopment and acquisition funds. Shelters should not be forced to choose between aging facilities and predatory loan conditions from the city.



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The housing crisis is happening right now, and NYC is currently the most expensive place to live with hundreds of thousands facing eviction or currently homeless.. At the same time, the Administration's blueprint does not provide information on widely reported policies. For instance, there is no update on the use of hotels for temporary shelters. It does not seek to provide guidance on ensuring shelter stability while unhoused individuals utilize services to move into transitional, supportive, or permanent housing. Those who utilize our shelter system deserve assurances that their care and safety is consistent and predictable. Without such promises, unhoused individuals are at risk for receiving disjointed services. Trust in the shelter system by our unhoused must be a guiding principle an seems to have fallen short in the plan.

The Administration correctly noted an increased need to combat tenant harassment. Expanding the Partners in Preservation (PiP) pilot is a good first step, and I am glad that the Mayor's Public Engagement Unit will be enhancing PiP's visibility alongside a growing campaign around Right to Counsel initiatives. At the same time, a right without resources is a toothless right. The Legal Aid Society, Bronx Defenders, and Neighborhood Defender Services of Harlem are struggling to staff their organizations¹. As their services are stretched thin, the Office of Court Administration has rejected a call for eviction cases to be slowed until counselors are made available to tenants in Housing Courts². The Administration must do more to ensure that Right to Counsel is a secured promise to New Yorkers.

I am glad to see this blueprint includes expanding a pilot program out of ENDGBV to provide low-barrier emergency grants to survivors of domestic and gender-based violence. Including this expansion should underscore the need for the passage of Intro 0153-2022, which would permanently establish such a program within 150 days. I am a proud co-sponsor of Intro 0153 because these low-barrier grants are proven measures to restore the dignity, safety, and stability for survivors of violence, and their families.

Thank you.

¹ Gwynne Hogan, 'Legal Aid, public defenders sound alarm on staffing shortages', Gothamist (June 9, 2022) <https://gothamist.com/news/legal-aid-public-defenders-sound-alarm-on-staffing-shortages>

² Emma Whitford, 'NYC Housing Court Rejects 'Inundated' Attys' Slowdown Ask', LAW360 (March 4, 2022). <https://www.law360.com/articles/1470771/nyc-housing-court-rejects-inundated-attys-slowdown-ask>



“Housing our Neighbors: A Blueprint for Housing and Homelessness”
New York City Council, Committee on Housing and Buildings Hearing

Acacia Network’s response to the Housing Plan

Thank you for providing the Acacia Network with an opportunity to respond to the Housing Plan released by Mayor Adams. The Acacia Network is the largest Hispanic founded and led not for profit in New York State and is a network made up of 100+ affiliates with a shared mission to partner with communities, lead change and promote healthy and prosperous individuals and families. For over 50 years, Acacia and its affiliates have been committed to improving the quality of life and wellbeing of underserved communities in New York City through integrated health, housing, economic development, and social service programs.

Acacia’s vision of healthy communities is deeply connected to high-quality affordable housing. We meet the needs of our communities through a full continuum of low barrier housing programs, from transitional housing, to supportive housing, and affordable housing. Our tenants are part of our integrated network and linked to our health, community development, and social service programs as needed. As a mission driven developer and property manager, Acacia provides much needed housing to at-risk and vulnerable populations.

Acacia Network is appreciative of the release of the Mayor’s new housing plan, created under the leadership of Chief Housing Officer Jessica Katz, Department of Housing Preservation and with the support of Development (HPD) Commissioner Adolfo Carrión, Department of Social Services (DSS) Commissioner Gary Jenkins, and New York City Housing Authority (NYCHA) Chair and Chief Executive Officer Gregory Russ, among others. The release of the plan signals to New Yorkers, and not for profit providers, an understanding of the barriers, the gaps, the need and the dire nature of today’s housing crisis and a commitment to taking meaningful action to address such a plan.

Acacia is in agreement with the methodology utilized in developing this plan and celebrates the inclusion of persons with lived experience and not for profit supportive, senior and affordable housing providers. This plan is the first step in the right direction to truly fix our systems and provide safe and habitable housing for all. Acacia Network internally continues to push for quality improvement, innovation and sustainability, and through this commentary, we push the city to expand their vision further and do the same.

Chapter 1: Transform NYCHA

Acacia, as a partner in a NYCHA RAD project has had birds’ eye view to improving NYCHA. We strongly support the transformative work and elevating services to a Neighborhood model of operations. Having learned the challenges, Acacia strongly encourages investment in Human Capital, both of the workers and tenants. WI-FI

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capabilities, computer rooms, basics computer skills trainings to set up emails, access the NYCHA Portal, online work order systems, and online rent payments sites are essential for success. Acacia encourages strong tenant services programs, and trauma informed training and design, in all aspects of operations.

Chapter 2: Address Homelessness and Housing Instability

Acacia strongly agrees with and supports the recommended increase in shelters and services for displaced households, increase in low barrier shelter options, the expansion of shelter and services to meet a wider range of needs (seniors, youth, LGBTQI+, etc.), and supporting the health and wellbeing of shelter residents. Acacia wants to highlight the need, not just for housing placement services, but making sure we bring a trauma informed lens to the shelter system and ensure there is appropriate funding and space to bring on-site mental health / behavioral health support to assist traumatized NYers stabilize.

Acacia supports the Streamlining and expansion of access to supportive housing, including but not limited to streamlining the referral process, increasing access for families to include all household member as a head of household (including children), and Acacia recommends reducing the chronicity component in family and portions of the individual supportive housing programs as there is not enough access for couch surfing, doubled-up, and newly homeless families with special needs.

In addition to administrative facilitation and continued collaboration with supportive housing providers, and the unhoused referents, Acacia wants to highlight the importance of ensuring city contracts and funding adequately support the staffing needed in order to provide the supportive housing. Post-pandemic providers are experiencing more and more challenges in finding staff, which impacts placement and housing stability in the populations served. High-needs households, and family housing, cost significantly more to staff and rates have not kept up with the current rental or human capital market.

In regard to reducing the risk of returning to shelter, Acacia supports expanding housing stabilization services but notes it should be for all low-income properties and wants to significantly highlight the importance of adequate funding and support for low-income affordable housing tenants. What little social service set aside there is in new developments is not enough to entice workers to accept positions, nor capacity to understand the new tenant population's need (many of whom are from homeless set asides). Education for the voucher holders, and landlords, of CityFheps, and other subsidy programs, should be frequent and mandatory annually. Acacia has found many residents who do not understand how or with whom to maintain the vouchers.

Chapter 3: Create and preserve affordable housing

Acacia deeply supports the goal to accelerate and increase capacity for new housing citywide, encouraging a wider range of unit sizes and types, and the conversion of vacant hotels to supportive and affordable housing. Acacia urges the city prioritize the importance of utilizing and supporting not for profits and not for profit developers in the creation of new

housing, as it leads to mission driven, sustainable, quality driven supportive and affordable housing with tenant and community centered ownership.

Acacia supports the intent to prioritize “people over parking” in transit rich zones and suggests transportation, such as shuttles, be an allowable expense in Affordable Housing Operating Budgets to better support and increase public transportation access for seniors and disabled individuals in properties that are outside transit rich zones.

Chapter 4: Improve the health and safety of New Yorkers

Recognizing Housing as a Social Determinant of Health and the understanding that Housing is Healthcare, Acacia greatly appreciates the blueprint’s clear emphasis on improving the health and safety of New Yorkers through our housing stock.

Chapter 5: Reduce administrative burden

Acacia deeply supports the intent to reduce administrative burdens experienced by developers and operators of supportive and affordable housing, and for tenants in crisis seeking housing. We support the work to streamline Section 8 processes at HPD and NYCHA and recommend expanding the timeframe and breadth of the documentation to support tenants and providers in meeting the multilayered eligibility and documentation requirements of affordable housing. Acacia is a member of HSU, SHNNY, and Live On, and a representative of a comprehensive network of Hispanic lead not for profits and properties and seeks to be a resource in this endeavor.

Additional recommendations:

The city needs to make government and not for profit employment more marketable for better job retention and growth in human capital, otherwise there is low succession planning and sustainability. HPD, DSS, supportive housing providers, affordable housing property management companies and many more are struggling to recruit and retain talent. Competitive wages and employee wellness programming are just the start and if we do not find a way to get the future generations and leaders invested in positions such as these, we are going to face significantly higher sustainability problems then we are currently grappling with.

Acacia, in partnership with Live On, recommends the city increases the reimbursement rate for SARA services, as \$5,000/unit is not enough to provide sustainable and quality, trauma-informed social services support to seniors. Acacia also recommends that the SARA social service contract eligibility be expanded to Senior Housing properties with low to no fiscal ability to support social services to seniors as they age in place. Many original senior providers had city contracted state contracts which require mandatory staffing and services but have not had contract increases in over a decade.

And lastly, Acacia supports the United for Housing call for a \$4 Billion annual investment to fund a comprehensive supportive and affordable housing plan.

Thank you for this opportunity to submit comments on Housing Our Neighbors: A Blueprint for Housing and Homelessness.

For questions on this written testimony, please contact Lorraine Coleman, Senior Vice President, at LColeman@basicsinc.org.



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Testimony Before the New York City Council Housing and Buildings Committee Regarding Oversight “Housing Our Neighbors” plan

July 1, 2022

Thank you to Committee Chair Sanchez and members of the Housing and Buildings Committee for the opportunity to testify today. My name is Emily Goldstein, and I am the Director of Organizing and Advocacy at the Association for Neighborhood and Housing Development (ANHD).

About the Association for Neighborhood and Housing Development (ANHD)

ANHD is one of the City’s leading policy, advocacy, technical assistance, and capacity-building organizations. We maintain a membership of 80+ neighborhood-based and city-wide nonprofit organizations that have affordable housing and/or equitable economic development as a central component of their mission. We bridge the power and impact of our member groups to build community power and ensure the right to affordable housing and thriving, equitable neighborhoods for all New Yorkers. We value justice, equity and opportunity, and we believe in the importance of movement building that centers marginalized communities in our work. We believe housing justice is economic justice is racial justice.

Housing Our Neighbors Plan Background & Overview

For many years, ANHD has advocated for the City to move away from the problematic affordable housing unit count goals of past housing plans. That metric led to a focus on so-called affordable housing solutions that just chased after numbers instead of prioritizing the needs of struggling New Yorkers. Instead, we should be focusing on the outcomes our communities need – ending homelessness, preventing displacement, eliminating rent burdens, and ensuring safe, healthy housing for all. We appreciate that Mayor Adams has set forth a housing plan that takes a new approach, and sets aside the unit count goal model of the past several mayors. We believe this creates an opportunity to focus instead on the human impacts of our housing policies, with metrics that better correspond to the outcomes that matter most.

We also applaud the Administration for incorporating the full spectrum of housing, from homelessness to NYCHA to tenant protections to homeownership in the Housing Our Neighbors blueprint. Neither our movement nor our government can afford to keep treating housing issues as though they exist in their own separate silos, nor can achieving ambitious goals like ending homelessness be seen as the responsibility and purview of just one agency.

However, the plan published by the Administration does not lay out clear and transparent policies, metrics, and timelines. These are essential for accountability, and for evaluating progress and success. Doing away with unit counts as the goal should not and need not mean a lack of clarity on the Mayor’s commitments nor a lack of ability for the Council and the public to evaluate success towards concrete goals. Some metrics to consider in evaluating the

success of this (or any) housing plan are: reduction in rent burdened and extremely rent burdened households; reduction in homelessness; increased homeownership access for low income and especially BIPOC families; reduction in households experiencing health and safety dangers in their homes; matching of affordability levels of the city's term sheets to New Yorkers' needs; and, crucially, elimination of racial disparities in all measures of housing access, safety, and security.

Homelessness

We commend Housing Our Neighbors' inclusion of all five shelter systems to streamline our homeless set-aside unit referral process so we can move homeless New Yorkers into permanent housing faster, as homeless advocates and non-profit developers of affordable and supportive housing have pushed for. We also support the goal of delivering 15,000 supportive housing units two years ahead of schedule, but to end homelessness we need concrete and measurable goals to end homelessness backed by deep investments in housing development and preservation.

Land use, public land, and housing development

ANHD supports using targeted zoning, land use, and development policies to create more affordable housing throughout the city, particularly in neighborhoods that are not producing enough today. These changes include supporting the creation of Accessory Dwelling Units, converting vacant hotels to affordable and supportive housing, and rezoning under-utilized government-owned land for deeply affordable housing. However, zoning and policy changes to promote more and more varied residential development must be rooted in the principles of land use equity to ensure a more just distribution of density and investments, and to empower communities that have not had a say in planning their futures.

Any citywide zoning change to allow greater square footage for affordable housing must be crafted with a laser focus on developing 100% deeply affordable housing. Any development of public land must maximize public benefit and reflect local needs and should be implemented by non-profit, mission-driven developers and community-based organizations. Additionally, public investments in quality-of-life improvements in areas of the city that have not received key amenities and services must not be traded for new, primarily market-rate density.

We also support a comprehensive approach to housing development that includes diverse and innovative housing typologies and models such as single-room occupancies, shared housing, shared equity cooperatives and community land trusts. We are also happy to see a commitment to lowering construction costs through regulatory reforms, innovative new building techniques, and streamlined agency processes. However, streamlining and innovation alone is not sufficient – these measures must be accompanied by robust investments in deeply affordable housing preservation and development, including staff capacity at city agencies.

We are excited to see a commitment to revamping the Neighborhood Pillars Program with a downpayment assistance fund to support the acquisition of properties by non-profits and M/WBEs, including ANHD members, to redevelop and preserve as affordable housing. To be successful, any revamp of Neighborhood Pillars needs to be accompanied by a serious funding commitment. We are also encouraged to see the blueprint's prioritization of M/WBE and

BIPOC-led non-profit mission-driven developers. This stated priority must be accompanied by clear metrics, such as a percentage of HPD capital commitments.

Tenant rights

The housing plan rightly draws the connection between housing and health. We applaud the focus on proactive enforcement to ensure that tenants have safe, healthy homes, and the commitment to bring proactive harassment cases in housing court to protect tenants' rights. Far too often, tenants live with health and safety violations for years, navigating inspections and housing court dates while their apartments continue to deteriorate. The Administration must work with community organizations and tenant leaders to identify the gaps and flaws in the city's inspection and enforcement models, and should increase and enforce penalties to landlords who endanger their tenants health and well-being with repeated violations.

ANHD members have been participants in the Partners in Preservation program in the neighborhoods where it was piloted, and we will be glad to see it expanded. But the Administration's plan gives insufficient attention to successful programs such as Right to Counsel that came directly out of grassroots organizing efforts. Far more resources are needed to fund tenant organizing and legal assistance, increase staffing at HPD and other agencies, and aggressively pursue preservation options that center the interests of tenants including transfer of ownership to non-profit, mission-driven developers and options for transition to cooperative ownership models.

Homeownership

We applaud the Mayor's plan for recognizing the importance of homeownership for low and moderate-income and BIPOC New Yorkers, including doubling down payment assistance funding and expanding HomeFix. At the same time, we are concerned about a continuation of race-neutral policies to promote homeownership that do not explicitly address racism, redlining, and discrimination. New York City needs to create targeted programs for people of color to access and maintain homeownership, create a more equitable tax structure, and expand discrimination enforcement to test for fair lending violations and appraisal bias. We also need a more concerted focus on housing counseling, anti-displacement, and foreclosure prevention for the same populations.

Conclusion

The Administration has highlighted their outreach to a wide range of stakeholders in developing the Blueprint they released. We urge both the Administration and the Council to turn to the expertise of those members of our communities most directly impacted by homelessness and housing insecurity to develop specific policy solutions, funding targets, and measures of success that fill in the vague areas of the released Blueprint.

ANHD looks forward to working with the City Council and the Administration to ensure that our city's housing policies, programs, and investments address the needs of our communities, and especially that they center improvements to the housing conditions and stability of those new yorkers most impacted by the homelessness and affordability crisis our city faces.

If you have any questions or for more information, please contact Emily Goldstein at emily.g@anhd.org.



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Testimony on the Adams Administration's *Housing our Neighbors* Plan

Submitted to the City Council Committee on Housing and Buildings

July 1, 2022

Sean Campion, Director of Housing and Economic Development Studies, Citizens Budget Commission

Thank you for the opportunity to testify on Mayor Eric Adams' *Housing our Neighbors* plan. I am Sean Campion, the Director of Housing and Economic Development Studies at the Citizens Budget Commission (CBC), a nonpartisan, nonprofit think tank and watchdog devoted to constructive change in the finances, services, and policies of New York State and New York City.

My testimony will focus on two points.

1. The plan rightly concentrates on improving the quality and efficiency of housing-related service delivery; however, success will depend on specifying the operational changes needed to do so and then diligently managing their execution; and
2. The plan also rightly acknowledges the need to increase housing production to help address the city's affordability crisis; however, the ability to increase production will depend on planning for growth and modifying zoning to facilitate that growth. Currently, neither of these critical actions are sufficiently fleshed out in the plan.

First, *Housing our Neighbors* appropriately focuses on getting management basics right. The plan correctly starts with the New York City Housing Authority (NYCHA), which requires both new funding to rehabilitate developments and management reforms to become a more effective, efficient, and accountable property manager. The plan also pledges to fill vacant affordable units faster, ensure rental housing vouchers get utilized, prevent households from becoming homeless, reduce the amount of time spent in shelter, and make it easier and faster to place households into permanent housing. Ensuring that the City's programs and services for housing and homelessness function effectively and expeditiously is crucial.

These are all welcome commitments, but implementation is key to getting stuff done. Without identifying and implementing strong management and accountability systems, the plan will not succeed. The City should identify the specific operational and policy actions needed to achieve these goals. It then should identify responsible parties, set implementation milestones and performance metrics, and create and implement a management accountability process to track and manage progress.

The plan promises a revised set of indicators in the next Mayor's Management Report. We urge the City to publish a portfolio of resource and performance metrics it will use to manage and that will allow the public to monitor the plan's progress. Our policy brief [Track to Have Impact](#) recommended that the City use metrics for inputs, processes, outputs, effectiveness, quality, efficiency, and outcomes, which can be used to monitor progress and identify underperformance where course correction is needed.

Importantly, many of these goals could be accomplished without significant additional spending. Some may require hiring to fill vacant positions, but by appropriately allocating some of the City's over 20,000 vacancies and placing a greater emphasis on effectiveness, efficiency and outcomes, the City should be able to implement its plan within the record levels of City capital and operating funding already available for housing.

Second, the new housing and homelessness plan correctly identifies an "undersupply of housing" as contributing to the affordability and homelessness crisis. CBC documented the City's anemic rate of housing production in [Strategies to Boost Housing Production in the New York City Metropolitan Area](#) and recommended that the City plan and zone for growth. Without identifying and implementing the specific steps needed to accomplish this, the plan likely will not be sufficiently successful.

While committing to producing affordable housing, the City's plan does not set a unit goal, a departure from the housing plans of previous Mayors. Rather than solely measuring the City's production or preservation of affordable units, the City should instead set goals for total housing production (inclusive of both income-restricted and market-rate units), the net growth in housing units citywide, and the net change by community district. [One estimate](#) found that the City would need to double annual production to meet current and future housing needs.

Then, the City needs to facilitate and encourage that production. Some of the operational changes referred to above would help, but the City also needs to change its zoning to allow for that growth. The proposed Zoning for Housing Opportunity text amendment is a good, important first step, but it alone will not generate enough housing to meet the immense need for all types of housing in every neighborhood of the city. Doubling production will require broad-based rezonings to increase as-of-right development capacity in every neighborhood.

Affordable housing production is also only one piece of the housing policy toolkit. While increasing the supply of affordable units is critical, the City, State and federal governments address the demand side, as well, by subsidizing household incomes, primarily through rental housing vouchers and other household subsidies and through workforce development programs. Voucher support unfortunately is falling more and more on the City, when it first should be a federal obligation, and to a lesser extent, the State's. Fortunately, there has been some progress on voucher funding at the State level.

The City should track and publish outcome metrics, such as the share of rent burdened households or the homeownership rate for various groups, to monitor the effectiveness of both demand- and supply-side policies.

Finally, CBC identified other needed changes to make New York "[a city that says yes](#)" to more of all housing types across the city, including speeding up development approvals; better balancing citywide needs and local concerns; and reforming the property tax system, building and construction codes, insurance laws, and the Multiple Dwelling Law, in order to make housing less expensive to build and operate.

Thank you for the opportunity to testify.

The Only Way to Build What We Need: NYC's Construction Imperative

Sean Campion

New York Daily News

June 10, 2022

If New York is to be an affordable place to live for the diverse populace it needs to thrive, it must be, to paraphrase Mayor Adams, “[a city that says yes](#)” to more of all housing types across the city. That starts with a holistic, growth-oriented housing plan that quantifies needs and sets goals for the entire housing market, not just affordable. It then requires zoning for that growth — changing zoning broadly, across the city, to increase as-of-right development capacity to ensure the housing plan is realized quickly and cost-effectively.

New York's need for more housing at all income levels across the entire city is immense. Consulting firm AKRF estimates that New York City [needs 560,000 more housing units by 2030](#) to meet existing needs and future population growth. This would require permitting more than 50,000 units annually — twice as many as issued in recent years. New York's development has sorely lagged its needs, with [fewer permits for housing units issued per resident](#) than nearly every other large city — 40% fewer than San Francisco, half as many as Boston, and just over one-third as many as Washington, D.C..

“Yes” was not the City Council's answer to the recently withdrawn One45 project. Much needed affordable and market rate housing unfortunately will now not be developed. But the path to solving the problems and balancing the city's needs exists.

To double production, the city's housing plan should quantify current and future housing needs — for all types of housing, for all income levels and across all neighborhoods. More affordable housing, while sorely needed, is not enough. Perpetuating the shortage of market-rate housing will continue to drive up rents throughout the city, affecting what all New Yorkers pay for housing.

Since implementation is key to getting stuff done, the plan should set ambitious but achievable production goals, identify needed operational and policy actions and responsible parties, set implementation milestones, and commit to tracking publicly both the process and results.

To succeed, several changes must support the housing push.

First, basic operations must improve. This includes speeding up approval times for zoning certifications, building permits and certificates of occupancy; filling affordable apartments more quickly; and ensuring rental housing vouchers get utilized. Much of this relies on hiring and retaining staff, which should be possible [given the city's 22,000 vacant positions](#).

Second, the city needs to zone for growth. The current zoning code simply does not allow enough development in the right places to meet housing demand.

Citizens Budget Commission research found that under current zoning, [only 20% of the city's residential lots have enough capacity](#) to make it worthwhile to develop, and even fewer in higher density zoning districts that, according to the Furman Center, [generate a disproportionate share](#) of the city's new housing units.

Adams' proposed Zoning for Housing Opportunity begins the right approach. It would increase the development opportunities by granting bonuses for affordable housing, easing restrictions on studio apartments, duplexes, commercial conversions and reducing minimum parking requirements. While a good first step, it will not unleash the potential required to meet New York's needs. Broader upzoning to increase allowable building sizes will still be needed to provide enough density to meet an ambitious production target.

Third, New York needs to balance its need for growth with local concerns, including stability. This starts by ensuring that the housing plan balances citywide needs among various neighborhoods and guides citywide zoning changes that set the right framework.

All neighborhoods need as-of-right zoning capacity to increase. Elected officials and community representatives should contribute ideas for how best to make space for growth. Incorporating local concerns into a citywide plan can also reduce the need for uncertain and contentious discretionary approvals that too often generate hyper-local opposition and put pressure on elected officials to reduce density or extract public benefits.

Furthermore, the land-use decision-making process should be improved so that local representatives have a strong voice but do not hamper the city's ability to meet its stated goals. CBC's forthcoming work on land use will offer options to accomplish this, including allowing the Department of City Planning to fast-track projects that it certifies as advancing the city's strategic planning goals, which ideally would already be designed to balance needs. It also will offer options that would require Charter reforms, such as the ability to appeal City Council-rejected zoning changes to a body of citywide elected officials or increasing the number of votes required to overturn City Planning Commission approvals.

Finally, while these steps will allow major progress, ultimately, changes still are needed to make development of all housing types across the city financially feasible. This requires property tax reform and the right tax and other incentives to encourage mixed-income development.

There is no miracle cure to solve New York's affordability crisis. But we'd better get started trying.



Testimony of
Coalition for the Homeless
on
Oversight -- *Housing Our Neighbors: A First Look at the Mayor's Housing Plan*
presented before

New York City Council Committee on Housing and Buildings

by
Jacquelyn Simone
Policy Director
Coalition for the Homeless

July 1, 2022

Thank you for the opportunity to testify on the City’s *Housing Our Neighbors* plan.¹ While the plan includes some laudable goals for addressing many of the problems encountered by homeless New Yorkers, which were developed in collaboration with people with lived experience, more action and investment is needed to actually reduce homelessness. Mayor Adams must dramatically expand the supply of permanent and supportive housing for homeless New Yorkers and extremely low-income households – which takes far bolder housing investments than are included in this plan. The time for incremental change has long since passed.

Far Greater Investments Needed to Address Homelessness

Despite a number of commendable aspects of the housing plan outlined below, the Adams administration must make far bolder investments in order to actually end mass homelessness and housing instability. Mayor Adams’ plan clearly states that homelessness is a housing issue, but disappointingly fails to commit the resources needed for additional production targeted specifically to house homeless and extremely low-income households. To tackle the housing crisis, the City must create at least 6,000 new apartments per year for homeless households and an additional 6,000 new apartments per year for households with extremely low incomes (less than 30 percent AMI).

The Adams administration’s failure to articulate clear housing production goals for homeless and extremely low-income households suggests that the City will merely continue the egregiously inadequate affordable housing production levels of the prior administration – levels that clearly have not made a dent in the crisis. *Housing Our Neighbors* itself points to the inadequacy of New York City’s housing production levels, stating: “Although housing construction picked up in the 2000s, a lot less housing is being built today than during the first three-quarters of the 20th century, adding too few units to keep up with job and population increases. New York City produces significantly fewer new units per capita than many other major cities across the country.”² And yet, inexplicably, the housing plan does not propose increasing housing production beyond current rates.

The situation is indeed bleak: New York City continues to experience near-record homelessness fueled by the affordable housing crisis, with more than 50,000 people sleeping in shelters each night and thousands more sleeping on the streets.³ Hundreds of thousands of additional households – disproportionately Black and Latinx – are on the brink of homelessness as they struggle to pay exorbitant rents. As highlighted in our recent brief, *Housing Affordability: The Dire Housing Crisis for Extremely Low-Income New Yorkers*, the number of apartments renting for under \$1,500 per month (in 2021 dollars) fell from 1.6 million in the early 1990s to just under one million by 2021, while the number renting for \$2,300 per month or more grew during the same period from fewer than 90,000 apartments to more than a half-million, an unsustainable trajectory.⁴

¹ <https://www1.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Housing-Blueprint.pdf>

² See page 18: <https://www1.nyc.gov/assets/home/downloads/pdf/office-of-the-mayor/2022/Housing-Blueprint.pdf>

³ <https://www.coalitionforthehomeless.org/facts-about-homelessness/>

⁴ https://www.coalitionforthehomeless.org/wp-content/uploads/2022/05/Housing-Affordability-Brief_June-2022.pdf

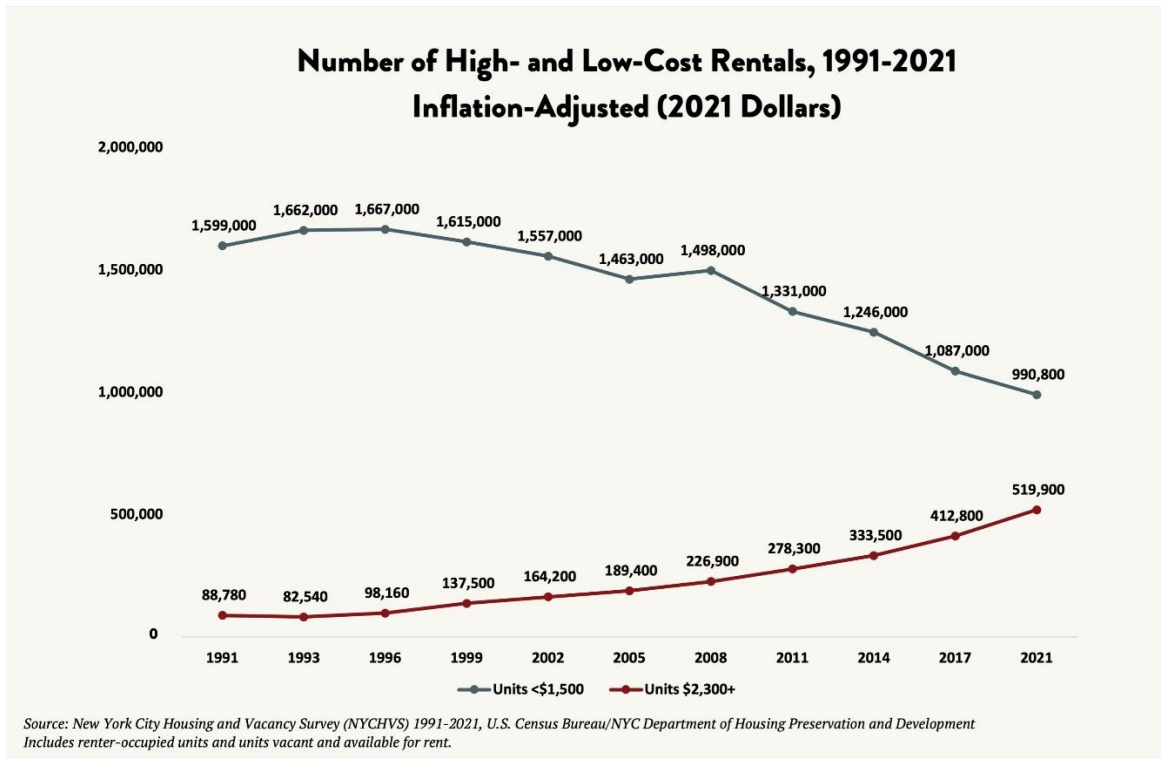


Image Description: A graph labeled “Number of High- and Low-Cost Rentals, 1991-2021 Inflation-Adjusted (2021 Dollars).” The vertical axis lists numbers 0 to 2,000,000 in increments of 500,000. The horizontal axis lists each year the New York City Housing and Vacancy Survey findings were published between 1991 and 2021. A gray line shows the number of low-cost rental units for under \$1,500, and a dark red line shows the number of high-cost rental units for more than \$2,300. The number of low-cost units shows a decrease over time, with a value of 990,800 in 2021, and the number of high-cost units shows a steady increase, with a value of 519,900 in 2021.

The brief summarizes alarming data from the 2021 Housing and Vacancy Survey⁵:

As a result of these disparities in the rental market, a disturbingly large number of NYC tenants are shouldering unsustainable rent burdens – too often, just one missed paycheck or unexpected expense away from homelessness. In 2021, more than half of NYC renters (53 percent, or just under 1 million households) were rent burdened, meaning they paid more than 30 percent of their incomes toward rent, and one-third (32 percent, or just under 600,000 households) were severely rent burdened, paying more than half of their incomes for rent. Of these severely rent-burdened households, nearly 400,000 were individuals and families with incomes below \$25,000 per year, 343,000 were single individuals, 233,400 were foreign-born, 186,000 included an older person, 132,000 included a person with a disability, and 115,000 included a child. Unsurprisingly, rent burdens were almost universal for those with the lowest incomes: Among those with household incomes of less than \$25,000 per year who did not live in public housing or report having a housing voucher, 85 percent were severely rent burdened, and an additional 7 percent were moderately rent burdened. Further, among those who were severely rent burdened, 17 percent reported missing one or more rent payments in the past year, and two of every five such households were still behind on their rent when they were surveyed.

⁵ <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/2021-nychvs-selected-initial-findings.pdf>

This is a matter of racial justice, with 36 percent of all households headed by a Black or Hispanic New Yorker having been severely rent burdened in 2021, compared with 28 percent of those headed by a White New Yorker and 29 percent of those headed by an Asian New Yorker. Without robust investments in truly affordable housing, these racial disparities will deepen as many renters of color grapple with housing precarity and the very real risk of becoming homeless. These data starkly show that inadequate policies and a failure to target housing resources toward the lowest-income New Yorkers have worsened the affordability crisis for the most vulnerable renters.

Number of Severely Rent-Burdened Households

Household Income

< \$24,999	393,600
\$25,000-\$49,999	154,700
\$50,000-\$99,999	44,090

Race/Ethnicity

Asian Non-Hispanic	82,870
Black Non-Hispanic	130,700
Hispanic	190,100
White Non-Hispanic	187,100

Nativity

Foreign-Born	233,400
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Household Characteristics

Single Person	343,000
1+ Older Adult	185,800
1+ Person with a Disability	132,300
1+ Child	114,800

Citywide	598,600
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*Source: New York City Housing and Vacancy Survey (NYCHVS) 2021,
U.S. Census Bureau/NYC Department of Housing Preservation and Development*

Given the scale of the affordable housing crisis, the City must radically transform its housing policies rather than continuing to tinker around the edges. To start, Mayor Adams must mobilize City agencies to create at least 6,000 new apartments per year for homeless households and an additional 6,000 new apartments per year for households with extremely low incomes. This would be an ambitious but necessary increase above current production levels, particularly if the administration follows through on its plan to expand eligibility for homeless set-aside apartments beyond people sleeping in Department of Homeless Services shelters. For context, throughout the eight years of the de Blasio administration, the City financed only about 2,100 units per year on average for homeless households and just 4,100 units per year for extremely low-income households, consisting primarily of preservation units rather than

newly constructed units.⁶ The prior administration’s stubborn refusal to align their housing plan with the reality of mass homelessness meant that near-record numbers of New Yorkers languished in shelters and on the streets at the same time Mayor de Blasio touted the record production of allegedly affordable housing. Mayor Adams must learn from the mistakes of the prior administration by significantly ramping up the production of housing for homeless and extremely low-income New Yorkers.

However, rather than committing to bolder housing production goals, *Housing Our Neighbors* lacks any specific metrics or production targets. Mayor Adams has rightfully noted that the prior administration was overly focused on hitting topline production and preservation goals, but he has misrepresented advocates’ criticism of his predecessor by refusing to articulate any metrics by which the success of this new housing plan can be measured. To be clear, the Coalition for the Homeless and the other advocates who collaborated on our multiyear House Our Future NY campaign were critical of the de Blasio administration for focusing on overall “affordable” housing production targets that did not reflect the actual needs of the poorest New Yorkers.⁷ We never suggested that the City should eliminate all production targets, but rather that it should focus its production on housing for people who are homeless or extremely low-income.

This omission of production targets for people with the lowest incomes is particularly troubling given the inadequate capital budget for housing passed a day prior to the release of the housing plan. As a mayoral candidate, Adams had committed to at least \$4 billion annually for housing capital, which is the minimum necessary to achieve deeper levels of affordability to help the lowest-income New Yorkers. The adopted budget, however, falls short of this promised amount, leaving those most in need of housing assistance treading water while both rents and the costs of production skyrocket. Touting an increase over past budgets is not enough when those budgets were woefully inadequate. New York City needs to commit at least \$2.5 billion annually for the next five years to create 6,000 apartments for homeless households and 6,000 apartments for extremely low-income households per year to meaningfully reduce homelessness and housing insecurity. Similarly, the rest of the Fiscal Year 2023 adopted budget does not include the major investments in housing and homelessness necessary for the administration to follow through on many of the reforms proposed in *Housing Our Neighbors*. This disconnect between the housing plan and the budget suggests that the administration will not fully or quickly implement these housing reforms.

Beyond the lack of housing production targets, *Housing Our Neighbors* is also light on details regarding homelessness prevention efforts, such as how the City will handle the crisis playing out in housing court following the end of the eviction moratorium. The Coalition for the Homeless and many other advocates fought hard for New York City’s first-in-the-nation right to counsel in housing court, but legal services providers are struggling to keep up with the volume of cases. The City must use every available resource to ensure that tenants have access to legal representation in housing court and make additional investments in upstream prevention, such as expanding access to CityFHEPS for more people at risk of homelessness. We hope the administration will detail a more in-depth homelessness prevention plan soon.

Furthermore, the Adams administration’s continued criminalization of unsheltered homeless New Yorkers, while not highlighted in *Housing Our Neighbors*, is not only inhumane, it is contrary to the

⁶ <https://www1.nyc.gov/site/hpd/about/the-housing-plan.page>

⁷ <https://www.coalitionforthehomeless.org/event/house-our-future-ny/#About>

plan's stated goals of reducing homelessness. As we testified in May, the aggressive encampment sweeps push homeless New Yorkers further from services and housing by dislocating people and breaking the trust that trained outreach teams work hard to build.⁸ People on the streets should instead be offered immediate placement in permanent housing, and in the interim they should be connected to safe, low-barrier shelters with single rooms. We call on Mayor Adams to recognize the dignity and humanity of those who will continue to feel safer sleeping on the streets until they can obtain permanent housing by ceasing the cruel and counterproductive sweeps that merely criminalize the most vulnerable among us.

Housing Our Neighbors Includes Several Promising Reforms

Even with these shortcomings, it is important to acknowledge that the Mayor's plan includes several important reforms that will help reduce administrative burdens and connect people to stable housing more quickly. The administration deserves credit for giving people with lived experience of homelessness a seat at the table during the development of the housing plan, and for incorporating many of their suggestions into the final blueprint. Too often, the people who are most directly impacted by policies are not included in the creation of those policies, and their valuable contributions and ideas are ignored. We hope the administration continues to offer meaningful opportunities for directly impacted people to contribute and that those opportunities are accessible to as wide a swath of homeless New Yorkers as possible, including homeless people with disabilities and those who do not speak English.

Housing Our Neighbors is also notable in that it presents a unified plan for homelessness and housing, including public housing. These issues have historically been siloed by prior administrations, with separate plans and inadequate coordination across City agencies. These disjointed plans led to unambitious initiatives that did little to reduce mass homelessness in New York City, and that failed to align housing resources with the goal of helping New Yorkers move out of shelters and off the streets. By recognizing that homelessness is a housing issue, the Adams administration is signaling an intent to have better coordination across agencies and a commitment to target housing resources toward the goal of reducing homelessness. Similarly, incorporating NYCHA into the housing plan shows that the vital resource of public housing will not be treated as an afterthought, but rather as an essential source of affordable housing. The release of a unified housing and homelessness plan is an important first step, and we will closely monitor whether the administration follows through on its promise of interagency coordination and targeting its housing resources to New Yorkers with the greatest needs.

The housing plan includes several reforms that we look forward to exploring further with the administration. Crucially, the blueprint suggests eliminating administrative burdens that keep people homeless longer. Although we await further details regarding how these changes will be implemented, it is an encouraging sign that the administration is committed to cutting red tape and burdensome paperwork that frustrate homeless New Yorkers and deprive them of ready access to housing opportunities. Likewise, the announcement of a working group to address barriers to housing for undocumented New Yorkers is long overdue.

The administration also acknowledges that commonly cited shelter census figures mask the full scale of homelessness by excluding runaway and homeless youth, some survivors of domestic violence, people with HIV, and people sleeping in shelters under the Department of Housing Preservation and

⁸ https://www.coalitionforthehomeless.org/wp-content/uploads/2022/05/CFTH_LAS_Testimony_Unsheltered_Homelessness_5-3-22.pdf

Development. We support legislation that would require more transparent, comprehensive reporting on the shelter census across various agencies. We further support opening up housing resources to all homeless New Yorkers, provided that the administration simultaneously invests more to expand the universe of available housing resources so that homeless people are not competing with each other for a limited pool of permanent housing, as discussed above. The housing plan also proposes to invest in high-quality shelters, which should help improve many of the poor shelter conditions described in *New York at a Crossroads*, our *State of the Homeless 2022* report.⁹

We are also grateful that the administration has committed to streamlining supportive housing placements and accelerating the NYC 15/15 supportive housing pipeline by completing the 15,000 pledged units by 2028, two years ahead of schedule. However, given the scale of the need, we urge the City to make even greater investments to complete the program by 2025 and to ensure that supportive housing is adequately funded to provide the robust services needed by many who qualify for this type of housing.

Finally, we are pleased to see the administration's commitment to addressing the prison-to-shelter pipeline, specifically through stronger anti-discrimination protections. Landlords and brokers are currently able to reject prospective tenants on the basis of an arrest or conviction history, and due to systemic racism in the criminal legal system, this is often used as a proxy for racial discrimination. Denying people access to housing on this basis prolongs homelessness and makes reentry that much more challenging because people need housing stability in order to get back on their feet. Until New York City passes a bill fully banning discrimination based on arrest or criminal history for housing applicants, thousands of New Yorkers – especially Black and Latinx New Yorkers – will face perpetual punishment and struggle to secure the stable housing they need. We thank the administration for supporting anti-discrimination protections, and we look forward to working with the Council and the administration on the swift passage of strong Fair Chance for Housing legislation.

We thank the Council for the opportunity to testify today, and for your steadfast commitment to ending homelessness and housing insecurity.

About Coalition for the Homeless

Coalition for the Homeless: Coalition for the Homeless, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: Permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-

⁹ <https://www.coalitionforthehomeless.org/state-of-the-homeless-2022/>

training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen, which usually distributes 800 to 1,000 nutritious hot meals each night to homeless and hungry New Yorkers on the streets of Manhattan and the Bronx, had to increase our meal production and distribution by as much as 40 percent and has distributed PPE and emergency supplies during the COVID-19 pandemic. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: "The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter." The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless single adults. Pursuant to the decree, the Coalition serves as court-appointed monitor of municipal shelters for homeless single adults, and the City has also authorized the Coalition to monitor other facilities serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by The Legal Aid Society and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws. During the pandemic, the Coalition has worked with The Legal Aid Society to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure WiFi access for students in DHS and HRA shelters, as well as *Fisher v. City of New York*, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.



Thank you to the New York City Council's Committee on Housing and Buildings for holding an oversight hearing on the newly released Mayor's housing plan, *Housing Our Neighbors: A Blueprint for Housing and Homelessness*.

My name is Oksana Mironova and I am a housing policy analyst at the Community Service Society of New York (CSS). We are a leading nonprofit that promotes economic opportunity for New Yorkers. We use research, advocacy, and direct services to champion a more equitable city and state.

We have been closely tracking New York's housing landscape for decades. According to our [analysis of the initial findings of the 2021 Housing Vacancy Survey](#):

- Asking rents increased by 34 percent above inflation between 2017 and 2021.
- Since 2014, income necessary to afford the median asking rent has gone up by 74 percent, up to \$110,000. Wages increased by only 16 percent during that time.
- Vacancy rates in low-rent apartments were 0.9 percent; they were 12.6 percent in high-rent apartments.
- Rent regulation is effective at preventing rent gouging and displacement: The 2019 Housing Stability and Tenant Protection Act (HSTPA) saved 15,670 apartments from deregulation and kept rent in 37,040 apartments roughly \$300 lower than they would have been otherwise.
- Housing conditions are worsening, even as rents are rising. One example: rodent infestations were reported in almost a quarter of NYC buildings.
- While conditions are generally worse in lower-rent apartments than higher-rent housing, conditions in public housing are particularly dire, with a plurality of public housing residents experiencing three or more maintenance problems.
- 26 percent of families with kids are living in overcrowded conditions, with immigrant households facing higher levels of overcrowding than U.S.-born households.

With data showing how dire the situation is for low-income tenants across the city, we offer the following comments on Mayor Adams' housing plan:

An Integrated Housing Plan

We commend *Housing Our Neighbors* for bringing together affordable housing, homelessness, and public housing in one plan, and encouraging collaboration between the myriad of agencies that work on housing issues in New York City. We have long called for the integration of homeless services, affordable housing development, and the preservation of New York's largest source of permanent and deeply affordable housing (NYCHA). This plan is a step in the right direction.

Resources, Not Rhetoric

While the plan rightfully acknowledges a problematic hyperfocus on quantifying development in previous administrations' housing plans, it does not offer any accountability measures or transparency into how the outlined goals will be achieved. Judging the plan's success by its ability to move people from homelessness and precarity into affordable housing and stability is, indeed, the right goal – but the administration can put forward metrics to assess their success or failure in that goal without falling into the pitfall of arbitrary unit counts.

The city's latest budget has already hamstrung the promises made in *Housing Our Neighbors*. It implemented drastic cuts to a range of social service programs, and failed to substantially increase housing capital spending beyond inflation, breaking a promise made by the Mayor when he was on the campaign trail.

Our housing crisis will not be solved with only administrative changes and roundtables exploring affordability challenges. We need a substantial commitment of political will and public money to address the root causes of housing instability.

Eviction

As the city begins implementing *Housing Our Neighbors*, New York City's housing courts are buckling under a backlog of eviction filings. In the Bronx, judges used to hear one case every 30 minutes in their Right to Counsel intake part; now they hear two cases every 15 minutes. This is an impossible position for both tenants and legal services organizations.

Housing Our Neighbors includes a few notable programs that will help curb unjust evictions, including proactive inspections of buildings where harassment may be occurring, increased capacity to bring harassment cases against bad landlords, and an expansion of HPD's Partners in Preservation program. However, it does not mention one of the most effective tools in the city's toolbox for lowering eviction rates: Right to Counsel. New York was the first city in the country to implement a Right to Counsel (RTC) law.

Following the implementation of RTC, we worked closely with the Right to Counsel Coalition to advocate for Local Law 53, which requires the City to work with tenant organizers to educate tenants about RTC. It was supposed to go into effect in November 2021, but Local Law 53 was not implemented. The city is now out of compliance and the law needs to be implemented immediately. Right to Counsel is extremely effective at keeping people housed, but it does not work if tenants do not know to take advantage of it. Trusted, neighborhood-based groups are the key to getting information to tenants facing eviction.

Homelessness and rental assistance

We were glad to see a commitment in *Housing Our Neighbors* to help New Yorkers in shelter move into permanent housing faster, ease income verification procedures for affordable housing applicants, and address source of income discrimination.

The city's own rental assistance program, CityFHEPS, has the potential to effectively address housing instability and homelessness, but there are a number of administrative and enforcement obstacles preventing the program from functioning at full capacity. As part of administrative reforms to the program, the city must:

- Expand eligibility to more households, such as to families where everyone is undocumented, who often have the longest shelter stays.
- Reform bureaucratic processes to make sure that the City and shelter staff quickly process applications and that minor errors no longer result in month-long delays or outright denials.
- Eliminate unnecessary rules, such as the utility allowance and rent reasonableness rules.
- Combat discrimination by rebuilding the City's source of income discrimination unit and making sure that it actually enforces the rights of CityFHEPS households.
- Improve code enforcement by ensuring that oversight agencies regularly conduct thorough inspections, and that they have the capacity and expertise needed to enforce necessary repairs.

Preservation, development, and social housing

We were glad to see a commitment to social housing development and conversions in *Housing Our Neighbors*. This includes continued HPD support for nascent community land trusts (CLTs), leveraging CLTs to stabilize private owners in financial distress, and expanding the Zombie homes pilot.

For CLTs and limited-equity cooperatives to be effective, city agencies have to move beyond pilot studies and commit to social housing conversions and development on a bigger scale. The city can achieve this by:

- Abolishing the tax lien sale, and replacing it with an alternative tax collection system that stabilizes rental buildings facing tax foreclosure by turning them into social housing.
- Passing the Community Opportunity to Purchase Act (COPA), with a priority for social housing development.
- Targeting public land for social housing development.
- Expanding city funding for social housing models.
- Incorporating measures of permanent affordability and resident control into HPD's term sheets.

Thank you for the opportunity to testify. If you have any questions about my testimony or CSS's research, please contact me at omironova@cssny.org.

As a long standing member at Cooper Square Community Land Trust (CLT) and now on This and is Ours(TLIO) CLT, I know this is the deeply affordable housing New York City needs to provide deeply affordable housing. Below are some points I believe will help support this effort:

1. Prioritize people over parking (page 60): Utilize NY CHA, NYPD and other City parking lots for affordable and supported housing. TLIO has identified the NYPD Parking Lot on East 5th Street and NYCHA parking lot on East 6th Street.
2. Prioritize disposition to CLT's of underutilized City-owned land or buildings for deeply affordable housing.
3. Prioritize disposition of troubled HDFC's to CLT's
4. Fund CLT's with development and operational funds.
5. Allow CLT's and HDFC's to set aside some of their operating income into a special Tenant Reserve Fund, allowing them to accumulate enough funding to lower their affordability level or provide a one-shot deal for tenants in distress (job loss, or medical).
6. Pass and fund COPA.
7. Wherever possible provide for elevators in HDFC buildings under 7 stories. The Mayor highlights CS CLT as a success story in terms of affordability. However, because of their affordability, tenants don't move out. As they age, seniors in the upper floors become virtual prisoners in their homes. Cooper Square has been recognized as a Naturally Occurring Retirement Community
8. Pass and fund COPA
9. Convert vacant hotels into affordable or supportive housing

Testimony Re: Mayor Adams “Housing Our Neighbors” Plan

Boris Santos, Treasurer of East New York CLT
June 30, 2022

I am the Treasurer of the East New York Community Land Trust (ENYCLT), a non-profit that consists of a collection of just over 30 volunteer residents from ENY and Ocean Hill Brownsville that formerly incorporated in December 2020. I want to first and foremost thank the City Council for putting this hearing together on Mayor Adams’ housing plan which will heavily influence the way public subsidies are utilized for development in the next 4 years (and possibly more). In putting this testimony together, we wanted to respond to each section of the plan that was relevant in advancing the mission of our CLT, to combat speculation and advance community ownership, while bearing in mind the challenges that we as a young CLT face with existing City programs.

“Support Community Land Trusts” Section of *Housing Our Neighbors*

The Mayor’s plan calls for supporting CLT’s through several strategies. Through this testimony, we want to add further concrete feedback, further information on City funding streams/program, and next steps for the Mayor and City Council in each of those strategies.

Technical Assistance and Operational Support for CLTs

To date, the funding stream that has best supported the operations of CLTs has been NYC Council’s CLT Initiative funds that gets allocated to a dozen or so CLTs through HPD. This funding stream is pivotal given that the purpose of the funds is flexible for the CLT movement. We can cover personnel costs, costs associated with our projects and work, and even for acquisition of private sites (which is an area where CLTs face a big challenge; to which I’ll touch on more in this testimony). For FY23, the ENYCLT along with other advocated for the doubling of this funding stream from \$1.5 million to \$3 million. We hope to see this doubling realized in FY24 as “technical assistance and operational support” for CLTs is best accomplished through this stream (for now). We are disheartened that this **was not achieved for FY23**. This stream was also not mentioned by the Mayor’s plan and we hope to get his full support for this funding increase (again, for the next fiscal year!).

Identify Public Sites that are Suitable for Transfer to CLTs

The ENYCLT has identified public sites that it is looking to develop mixed-use facilities on. Both are under the jurisdiction of HPD: One located on Sutter between Linwood and Elton Streets, where we look to develop close 50-units of condo/coop ownership with a community facility and open space, and another located on the northeast corner of Blake Ave and Hinsdale St, where we are hoping to develop 80 rental units with a community facility and open space. We have written about these two sites in our [Land Report](#) and our [Black Paper](#) which can be found on our website. Beyond these two sites there are small public sites that the CLT is currently working to acquire along with other small private sites to take advantage of the State’s new [Legacy Cities Program](#), the term sheet regarding this funding stream was just recently extended to NYC. We are hoping to tap into it along with the City’s Open-Door Program to realize a small-scattered site approach. We

demand that the City support the acquisition of these public sites by the ENYCLT especially given that we are doing the relevant predevelopment work.

Lastly, the CLT is leading visioning sessions this Summer and Fall to plan for NYPD sites that lie mostly underutilized in our Industrial Business Zone (IBZ). Given that this land will be used for economic development purposed and not housing, we want the push the City to support the community development of these sites, specifically by also making available subsidies for that purpose and also by supporting the transfer of these sites to the ENYCLT. The City stated in its plan, “we must now utilize other government-owned land to maximize housing opportunities for extremely and very low-income households. Sites owned by other city agencies can be leveraged to provide new affordable housing paired with upgraded public amenities”. The same is true for underutilized vacant public land that can be activated to provide our neighbors with jobs which they ultimately love to provide for housing costs; this is a high priority in East New York where unemployment remains high and educational achievement level low.

Launch New Programs and Tools to help CLTs Acquire Private Sites

We agree that the City should be launching new programs to help CLTs acquire private sites; after all, our mission at the ENYCLT is to combat speculation by removing sites out of the private market. And yet the City is coming up short in supporting us on this end. Acquiring private sites for us is difficult because:

1) We are a young CLT/non-profit and both the public and private sector present restrictions in having us acquire sites. For example, for newly created organizations that are trying to apply for discretionary funding from the City Council we cannot receive funding in excess of \$20k. Additionally, “Organizations that have not received discretionary funding from the Council within the last three fiscal years may not receive funding in excess of \$50,000 total”. This discretionary funding could allow for CLTs to acquire private sites but these restrictions, as per the [Council's Funding Policies and Procedures](#), are too onerous to have us access the funds.

2) The general challenge with all the City and State's programs is that they require us to have site control to allow for us to get any subsidies (subsidies that would cover acquisition costs). In essence, our governments are **only interested in giving money when they see the project is shovel ready**. So, we must take out a loan or resort to private fundraising to acquire sites and show the budget underwriting and that we have closed on construction costs **to only then qualify for funds that cover acquisition costs**. This must change. And I personally recognize the issue in giving out funds before a site is acquired (i.e. the City wants to ensure the site is going to be specifically developed for a set proposal and that it doesn't lie vacant whilst funds have been given for a private entity to acquire it) but this is an endeavor worth pursuing. Ultimately, if we want to be efficient at removing speculation through a private acquisition strategy, then we cannot rely on a model that says, “You CLT must find the money yourself first through this capitalist environment and purchase the site, and also have your development budget in place and ready for construction closing in order for you to get this acquisition and/or development money from us.” The astronomical value of land in NY further exacerbates us being able to acquire land without initial government support. In East NY we're dealing with rising land values because of the recent rezoning on north side of the neighborhood.

Facilitate the Acquisition and Stabilization of Distressed Homes

We support the dual strategies of achieving acquisition of sites for CLT's through the *revamping of the Neighborhood Pillars Program* and *turning zombie homes into opportunities for affordable home ownership*, which the Mayor's plan mentions. We think the City should allow for CLT's to take advantage of their Open Door Program and the State's Affordable Housing Corporation grant or other programs such as Legacy Cities and their very own zombie homes program to allow for us to reach deeper levels of affordability on the home ownership front. Where possible, these programs City and State term sheets should be layered with the Neighborhood Pillars Program and Zombie Homes to allow for CLTs to access enough capital to acquire and stabilize distressed homes. We look forward to working with the Zombie Homes unit to develop strategies to drive the acquisition and transformation of zombie homes into opportunities for affordable homeownership in CLTs.

Build More Affordable Home Ownership Options

The Mayor's plan states, "HPD will create more of these opportunities by allocating additional capital resources to Open Door projects and modifying the program to make it more flexible." To us, reforming the Open-Door Program to allow for more subsidies per unit, is one of the most immediate and impactful policy actions this administration can take on the homeownership front. A part of ENY (the Council District 42 portion) has seen the second most affordable housing development in all the City for the last decade. And yet we've only had 2 percent of the 5,246 units created be produced for home ownership. We believe that the Open-Door subsidy should be revamped to allow for a minimum of \$250k/unit in homeownership subsidy. Additionally, where the City can it should reform Open-Door to allow for affordable housing developers to layer it onto the State's homeownership subsidies (i.e. AHC grant, Legacy Cities, and the Small Building Homeownership Development Programs) to allow for us to access deeper affordability levels on the homeownership front. For example, currently, as per the term sheet of Open Door it only allows for the subsidy to be used for new construction. Although it has come to our attention that some developers are able to use it for rehabilitation, the City should explicitly state that on the term sheet. Today, the State's AHC grant can be used for new construction AND rehabilitation expenses for affordable homeownership models; this should also be true for Open Door. Open Door should ideally be a funding stream that we can tap into for any building regardless of size.

Working with Albany on Legislation to Finance Projects on CLTs

We agree that the City should be working with the State to push legislation to allow us to finance projects. We at the ENYCLT wrote the [CLT Acquisition Fund bill \(S8265\)](#) that was being considered by the State Legislature in the previous budget negotiation. We wrote the bill with the intention **to allow for CLTs across the State** to access operating and capital funds. The bill was written to create a new funding stream given the acquisition challenges we face with pricey land values in downstate and the issues we all face in covering operating gaps to sustain the initial construction housing and maintenance costs. The City should advocate for a CLT Acquisition and Operating Fund to allow us to layer additional subsidies unto the other City and State subsidies to allow for us to acquire and develop land at deeply affordable margins. This fund should also tackle the other challenges mentioned in this testimony.

We look forward to getting all these policy actions accomplished.

Thanks again,

Boris Santos



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Homeless Services United's Written Testimony for the NYC Council Housing and Buildings Committee Oversight Hearing on Mayor Adams' "Housing Our Neighbors" Housing Plan on July 1st, 2022

My name is Eric Lee and I'm the director of policy and planning at Homeless Services United. Homeless Services United (HSU) is a coalition representing mission-driven, homeless service providers in New York City. HSU advocates for expansion of affordable housing and prevention services and for immediate access to safe, decent, emergency, and transitional housing, outreach, and drop-in services for homeless New Yorkers. Thank you, Chair Sanchez and members of the Housing and Buildings Committee for holding this oversight hearing on the Mayor's Housing Plan and for allowing me to testify today.

The vision that Mayor Adams and Chief Housing Officer Katz laid out in the "Housing Our Neighbors" plan is impressive in scope and breadth. Homeless Services United is excited that for the first time, the City put forth a unified plan for homelessness and housing that incorporated the feedback of people who experienced homelessness. **The Mayor's Housing Plan is a bold vision to increase accessibility to housing within New York City, but there is much work to be done to align the plan with practice and budget.**

As Mayor Adams and Chief Housing Officer Katz stated, homelessness is fundamentally a housing problem, and the City's affordable housing priorities must encompass the needs of unhoused New Yorkers to achieve a significant reduction in homelessness.

HSU is also excited that the Mayor's Plan takes a more expansive view with regards to housing access, expanding access for people in HPD shelters to homeless set-aside units, rental assistance, and other housing resources traditionally reserved for people in DHS shelters. Eligibility for rental assistance and permanent housing should not be dependent on which City shelter system serves the family or individual. Everyone in shelter is homeless.

With regards to the metrics for this ambitious plan, HSU agrees that the City should not focus its efforts to meet a high production goal if the type of housing created does not help New Yorkers experiencing homelessness and housing instability. But to be clear, **HSU and fellow supporters of the United For Housing Campaign¹ DO WANT the City to commit to creating at least 8,000 units of affordable housing for extremely low income and homeless New Yorkers.** As Chief Katz testified at the hearing today, Capital Funding levels for Housing in the FY23 budget **does not** support a substantial ramp up in the creation of affordable housing for the coming year, and we are concerned how this will impact the Housing Plans ambitious goals to rehouse as many people as possible.

Data Reporting Needed to Establish a Baseline for the Plan

To codify the Mayor's commitment to holding other agencies accountable for housing placement goals to reduce homelessness, **we strongly encourage the Council to pass Int. 211 to track shelter exits to different types of housing, and 212-A to establish a more uniformed monthly census for people experiencing homelessness across all City-administered facilities.** Both bills should be implemented as

¹ <https://u4housing.thenyh.org/report/>



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quickly as possible, rather than the currently drafted date of March 2024. **More accurate and transparent data reporting is necessary now** to establish a baseline for the new administration to measure the implementation of the housing plan and inform forthcoming efforts to improve and realign systems and policies.

We also urge the administration to immediately implement Int. 303-A's data reporting requirements for CityFHEPS rental assistance voucher utilization. This recently passed law also has a reporting date of March 2024 which would prevent transparency about the current effectiveness of the City's rental assistance program for almost two years. More timely access to this information would both help establish a baseline prior to efforts to streamline the process, as well as possibly inform ways to improve the program or the City's housing priorities. For example, if voucher utilization for a specific household size is markedly lower than others, it could indicate the need to supplement that household size's rent levels or create more flexibility around the maximum bedroom size they qualify for to be able to secure appropriate housing. Low utilization could also indicate a scarcity of that particular housing configuration, which could inform plans for future housing developments, if we had this data sooner.

Strengthening Prevention Resources to Keep People Housed

HSU is excited to learn more about the administration's plans to target prevention efforts further upstream to resolve cases of housing instability earlier. Any efforts to expand prevention services through Homebase programs must include additional funding to ensure the initiative is successful. **Homebase providers in the Bronx and Brooklyn already report their programs are at maximum capacity, with appointments stretching six weeks out for non-emergency cases and staff struggling with extremely high caseloads of 65 to 70 households per person.** To address the disproportionately high vacancy rates and attract qualified candidates to expand capacity, **we strongly urge the City to increase funding levels for existing Homebase programs in their FY23 RFP, as well as release RFPs to create additional Homebase locations in harder hit communities when existing programs due to office space constraints cannot expand further.**

We are also interested in learning the department's plans to expand outreach and case management for emergency financial assistance to stabilize households more quickly. Right To Counsel housing court attorneys are already overwhelmed, to the point where tenants are not able to get representation for their eviction proceeding, further compounded by the Office of Court Administration's refusal to slow down the number of cases processed. To help reduce the time it takes to resolve cases at Homebase and Housing Court, **we recommend re-embedding HRA staff in Homebase programs as well as Housing Courts around the City to quickly address issues with rental assistance and public benefits.**

Strengthening Shelters and Homeless Services

HSU and our members stand ready to work with the City on conscious shelter design models to better meet the needs of people experiencing homelessness. To ensure that they City has enough shelter and safe haven capacity to meet their legal obligation to house everyone experiencing the trauma of homelessness, **the City must stop cancelling the siting of DHS shelters and safe haven programs because of NIMBY opposition.** Family Shelters currently have virtually no vacant units across the City, and without a viable development pipeline to meet the need, the City will have to resort to costly per-



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diem hotel beds which provide less on-site services. Purpose-built shelters operated by reputable non-profit providers are assets to local communities, and **we urge members of the Council to work with DHS and the administration to identify locations for new shelters and safe haven programs.**

To strengthen homeless services in shelters and other DHS programs, **DHS must reopen model budget exercises to right-size the cost of services and ever-increasing fixed costs to operate programs.**

Because nonprofit contracts do not have escalation clauses built-in to right-size rates, any time a nonprofit incurs a new cost they must file a “new needs request” with DHS to request additional funding. That request must be approved and then registered as an amendment to the contract. This is a time-consuming process and any delays in getting these costs approved have ripple effects on the fiscal viability of providers and the quality of services available to clients.

Insufficient DHS administrative funding contributes to the delays that non-profit contracted providers are experiencing with contract registration and invoice reimbursements. These delays are not insignificant, with some providers taking out private lines of credit to meet payroll for their programs with delinquent contract registrations.

We are extremely grateful to the Council and the Mayor for baselining \$60 Million in the FY23 Executive Budget for the human services workforce. While this investment can help address immediate retention and vacancy concerns, **we urge the Council to support longer term solutions proposed by the Human Service’s Council’s #JustPay Campaign²** such as establishing a comprehensive wage ladder for human services workers and instituting automatic annual cost-of-living adjustments (COLAs) on all human services contracts.

Shelter facilities conditions and security concerns are top reasons why people experiencing homelessness are hesitant to enter shelter. To ensure the City’s shelter facilities are in good repair for the families and individuals within them, **the City must maintain it’s investments in DHS’ Shelter Repair Fund and Shelter Repair Squad, both of which received cuts in the FY23 Executive Budget.** HSU is grateful to Council and the Mayor for including baseline funding for prevailing wages of DHS security guards in the FY23 Executive Budget, but as the Council’s Finance Division Report noted on the Executive Plan, there must also be funded committed for the out years. **To also address DHS shelter safety concerns, HSU recommends committing \$30 Million in funding to reinstate DHS Police Officers in DHS Adult Mental Shelters,** cut from DHS’ budget in prior years.

Streamlining Access to Housing

As Chief Officer Katz acknowledged during the press conference, New York unfortunately employs a “paperwork first approach” rather than a “housing first approach” when it comes to addressing homelessness, and we look forward to working with her office, and the Council and administration, to streamline existing policies and procedures to move people into permanent housing more efficiently.

DHS’ CityFHEPS packet review process can see applications returned multiple times for corrections, some of which might be minor formatting or clerical errors. Since DHS does not assign packets to

² <https://www.justpayny.org/>

specific DHS reviewers, every resubmission could be reviewed by someone new, leading to inconsistent expectations for packet completeness.

DHS' rental assistance units should be supplied additional funding to expand their headcount to enable a more hands-on approach to process voucher applications, minimizing the need for resubmissions and thereby shortening application processing times. By allowing DHS to staff up additional rental assistance processors, it can assign staff to shepherd each application through the process, reducing the number of resubmissions per application and the overall length of time to attain housing.

Shelter staff also need designated contacts within rental assistance units to reach out to when they have questions or issues with applications. Currently providers flag only the most egregiously delayed cases for senior DHS or HRA staff. While we greatly appreciate their help resolving cases, it is not a scalable solution for the thousands of households waiting in shelter. Provider staff try to self-limit how many requests they flag for their contacts at DHS and HRA, lest they overwhelm them, but this means so many more households' applications are not getting addressed as quickly as they can.

This summer, DSS is planning to roll out the new "Current" System to streamline processing CityFHEPS and other rental assistance applications. DHS also recently announced its "100 Days of Housing" Initiative for DHS Shelter providers. To make this initiative as successful as possible and enable shelter staff to meet the higher targets set by the Department, we strongly urge DSS to postpone rollout of the new system until they can fully address functionality concerns discovered during the pilot. Currently shelter and Homebase pilot programs report having to do double entry, submitting paper and electronic CityFHEPS application packets because the new system is not fully functional yet. Technical glitches and switchover from the previous "Home" system to "Current" could see housing applications get lost in the shuffle, resulting in real-life delays moving families and individuals out of shelter. To make sure that nonprofit staff are well versed with the new system, DSS should provide real-time live support to answer questions and problem-solve complicated applications to avoid the need to resubmit housing packets multiple times.

HSU has the following policy recommendations to improve the efficacy of rental assistance vouchers:

- **HSU supports [Int. 229](#) to prohibit DSS from deducting a utility allowance** when calculating the maximum monthly rent DSS provides to an owner or landlord on behalf of households with rental assistance vouchers.
- **Potential Legislation to Explore:**
 - **Ensuring the full value of rental assistance vouchers are offered to apartment seekers**
 - **Prohibit the Department of Homeless Services from conducting "rent reasonableness" tests** prior to allowing leasing with rental vouchers on units priced at or below allowable payment standards set by the applicable rental assistance program. Such tests erode the value of vouchers and make searching for apartments nearly impossible as voucher holders have no clear guidance on what the department will or will not deem "reasonable" given how variable the rental market can be.

- **Ensuring apartment seekers are able to utilize rental assistance programs**
 - **Tenants and apartment seekers should be apprised of their rights when attempting to use a rental assistance program.** The City should be obligated to create and distribute know your rights materials explaining the leasing process and program rules so voucher holders can successfully navigate the program
 - If a voucher holder and landlord have submitted all required paperwork to enter into a lease agreement using a rental assistance program to the appropriate authority, the City must commit to processing a lease and payments within 30 days as they currently do with the FHEPS program. Should the department take longer than 30 days to enter into a lease agreement through no fault of the landlord or voucher holder, **the City shall pay the landlord an additional month's rent to hold the unit for every whole or partial month that the package continues to pend prior to move in.**
 - Just as tenants are afforded a right to an attorney in housing court, apartment seekers should be entitled to an attorney if they are being discriminated against due to their source of income or other protected status when seeking housing. The City should establish a right to counsel for apartment seekers facing discrimination. The Citizens Commission on Human Rights' (CCHR) Source Of Income (SOI) Unit saw its headcount slashed in the FY23 budget to 12 staff members, to protect all voucher holders Citywide. **By legislating a Right To Counsel for SOI discrimination, the Council could ensure this Unit be expanded to protect the rights of tenants.**
- **Expanding Eligibility for CityFHEPS rental assistance vouchers**
 - **Lift the maximum income limits for initial eligibility** from 200% of the Federal Poverty Limit (FPL) **to 50% Area Median Income (AMI)** to allow the "working poor" to be able to afford rent.
 - **Remove the work requirement for households in shelter.** NYC's unemployment rate is double the national average, and a work first approach ensures households remain in shelter longer, compounding the trauma of homelessness and driving up shelter costs. Currently shelter residents must work a minimum of 30 hours a week to qualify for CityFHEPS but if a single adult works as little as 4 additional hours at minimum wage, their income would be over the 200% FPL limit.
 - **Expand eligibility to include households that lack legal status.** Currently households without status are categorically ineligible for CityFHEPS and have some of the longest lengths of stay in shelter because they lack the housing resources available to their fellow New Yorkers who do have status.
 - **Remove the 90-day minimum length of stay requirement in DHS or HRA shelter, to be eligible for CityFHEPS and ensure residents of all City shelter systems qualify.** Perpetuation of the fallacy that access to housing is a draw to shelter must stop. Making people wait in shelter 90 days to prove they need a rental assistance voucher does little more than increase length of stay and cost



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of shelter. Housing first is a national best practice and should be adopted in New York City across all five of its shelter systems

- **Remove the shelter history requirement for households trying to access CityFHEPS in the community.** Housing vouchers should be provided to everyone at the risk of homelessness, not just those that already experienced the trauma of homelessness at least once before.
- **Make permanent the temporary waiver in the CityFHEPS rule which accepts a verified rent demand letter instead requiring a housing court proceeding.** As the eviction moratorium demonstrated, verified rent demands are sufficient proof of housing instability, and this change allows the household to access CityFHEPS earlier, allowing prevention providers to stabilize their housing further upstream.

The City's "Housing Our Neighbors" housing plan is a bold vision to address the homelessness and affordable housing crises, but it will take key investments in housing production and City and non-profit staffing, as well as a commitment to change established policies and innovate how City agencies operate and collaborate with providers and each other. Homeless Services United and our members stand ready to partner with the City Council, Mayor and City agencies to make this innovative plan a success and help all New Yorkers have a place to call home.

Thank you for the opportunity to testify. If you have any questions, please email me at elee@hsunited.org



**Testimony of The Legal Aid Society Before the New York City
Council Committee on Housing and Buildings**

**Oversight - “Housing Our Neighbors”: A First Look at the
Mayor’s Housing Plan**

July 1, 2022

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I. INTRODUCTION

Thank you, Chairperson Sanchez and members of the Committee on Housing and Buildings for the opportunity to testify today on behalf of The Legal Aid Society (LAS or the Society).

The Legal Aid Society, the nation’s oldest and largest not-for-profit legal services organization provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel. LAS’s law reform representation for clients benefits more than 1.7 million low-income families and individuals in New York City and the landmark rulings in many of these cases have a State-wide and national impact. With the largest eviction defense practice in the country and longstanding experience representing homeless New Yorkers, LAS has unique expertise in housing matters. LAS has served as counsel in a series of cases establishing a legal right to shelter, a shelter allowance and housing vouchers for the homeless, from *Callahan v. Carey* to *Jiggetts v. Grinker* and *Tejada v. Roberts*. LAS helped pass New York City’s source-of-income discrimination law in 2008 and has represented numerous clients facing discrimination because of their use of a voucher and successfully advocated last year for the increase in City Family Homelessness and Eviction Prevention Supplement (“CityFHEPS”) voucher amounts.

II. HOMELESSNESS

Housing Our Neighbors

Housing Our Neighbors includes laudable goals for addressing many problems encountered by homeless New Yorkers. It contains several important reforms that will help reduce administrative burdens and connect people to stable housing more quickly. However, more action and investment is needed to actually reduce homelessness. Mayor Adams must dramatically expand the supply of permanent and supportive housing for homeless New Yorkers and extremely low-income households and invest in rental assistance – which requires far bolder investments than are included in this plan.

Justice in Every Borough.

Housing Our Neighbors' Promising Reforms

Housing Our Neighbors includes laudable goals for addressing many problems encountered by homeless New Yorkers.

- 1. Including People with Lived Experience:** The administration deserves credit for giving people with lived experience of homelessness a seat at the table during the development of the housing plan, and for incorporating many of their suggestions into the final blueprint. We hope the administration continues to offer meaningful opportunities for directly impacted people to contribute, including for homeless people with disabilities and those for whom English is not their preferred language.
- 2. Presenting a Unified Plan for Homelessness and Housing:** *Housing Our Neighbors* is also notable in that it presents a unified plan for homelessness and housing, including public housing. By recognizing that homelessness is a housing issue, the Adams administration is signaling better coordination across agencies and a commitment to target housing resources toward the goal of reducing homelessness. Similarly, incorporating NYCHA into the housing plan shows that the vital resource of public housing will not be treated as an afterthought but rather as an essential source of affordable housing.
- 3. Eliminating Administrative Burdens that Keep People Homeless:** Crucially, the blueprint suggests eliminating administrative burdens that keep people homeless longer. Although we await further details regarding how these changes will be implemented, it is an encouraging sign that the administration is committed to lessening administrative burdens that frustrate and deprive homeless New Yorkers of ready access to housing opportunities. Likewise, the announcement of a working group to address barriers to housing for undocumented New Yorkers is long overdue.
- 4. Acknowledging Shelter Census Figures Mask the Scale of Homelessness:** The administration also acknowledges that commonly cited shelter census figures mask the full scale of homelessness by excluding certain groups of people. We support legislation that would require more transparent, comprehensive reporting on the shelter census across various agencies. We further support opening up housing resources to all homeless New Yorkers, provided that the administration simultaneously invests more to expand the universe of available housing resources. The housing plan also proposes to invest in high-quality shelters, which should help improve many of the poor shelter conditions described in our *State of the Homeless 2022* report.¹
- 5. Committing to Streamlining Supportive Housing Placements and Accelerating the NYC 15/15 Pipeline:** We are also grateful that the administration has committed to streamlining supportive housing placements and accelerating the NYC 15/15 supportive housing pipeline by completing the 15,000 pledged units by 2028, two years ahead of

¹ *State of the Homeless 2022 New York at a Crossroads*, Coalition for the Homeless (March 2022), <https://www.coalitionforthehomeless.org/wp-content/uploads/2022/03/StateofThe-Homeless2022.pdf>.

schedule. However, given the scale of the need, we urge the City to make even greater investments to complete the program by 2025 and to ensure that supportive housing is adequately funded to provide robust services.

6. **Supporting a Shelter Allowance Increase:** We are very pleased to see the administration spotlighting the need for an increase in the public assistance shelter allowance. As the report points out, increases are long overdue. The shelter allowance for a single adult has been \$215 since 1988. The shelter allowances for households with children have not increased in nearly 20 years, providing for just \$283 for a family of two and \$400 for a family of three. Apartments are simply not available to rent for these amounts. We agree that increasing the shelter allowance to adequate levels will “provide New Yorkers with greater stability and reduce the risk of homelessness.”
7. **Committing to Address the Prison-to-Shelter Pipeline through Fair Chance Housing Protections:** Finally, we are pleased to see the administration’s commitment to addressing the prison-to-shelter pipeline, specifically through Fair Chance for Housing protections. Until New York City passes a bill fully banning discrimination based on arrest or criminal history for housing applicants, thousands of New Yorkers – especially Black and Latinx New Yorkers – will struggle to secure the stable housing they need.

Far Greater Investments Needed to Address Homelessness

Despite these commendable aspects of the housing plan, the Adams administration must make far bolder investments in order to actually end mass homelessness and housing instability.

1. ***Housing Our Neighbors* fails to Commit to Additional Housing Production Targeted to Homeless and Extremely Low-Income Households.** The plan clearly states that homelessness is a housing issue, but egregiously fails to commit to additional housing production targeted specifically to homeless and extremely low-income households. To tackle the housing crisis, the City must create at least 6,000 new apartments per year for homeless households and an additional 6,000 new apartments per year for households with extremely low incomes (less than 30 percent of the Area Median Income (AMI)). Mayor Adams must ramp up the production of housing for homeless and extremely low-income New Yorkers.
2. ***Housing Our Neighbors* lacks any specific metrics or production targets.** The housing plan does not propose increasing the housing production beyond current rates. This omission is particularly troubling given the inadequate capital budget for housing passed. New York City needs at least \$2.5 billion annually for the next five years to create 6,000 apartments for homeless households and 6,000 apartments for extremely low-income households every year to meaningfully reduce homelessness and housing insecurity. Similarly, the rest of the Fiscal Year 2023 adopted budget does not include the major investments in housing and homelessness necessary for the administration to follow through on many of the reforms proposed in *Housing Our Neighbors*.

Justice in Every Borough.

3. ***Housing Our Neighbors* fails to address homelessness prevention efforts in detail.** *Housing Our Neighbors* is light on details regarding homelessness prevention efforts, such as how the City will handle the crisis playing out in housing court following the end of the eviction moratorium. The City must use every available resource to ensure that tenants have access to legal representation in housing court and make additional investments in upstream prevention, such as expanding access to CityFHEPS for more people at risk of homelessness. We hope the administration will detail a more in-depth homelessness prevention plan soon.
4. **The Administration should support a shelter allowance at a level adequate to prevent homelessness.** As noted above, while we applaud the administration's support for a shelter allowance increase, the report falls short of committing to an adequate shelter allowance, merely indicating that the administration will support an increase. Pending state legislation, A.8900 (Rosenthal)/S.8632 (Kavanagh), would increase the shelter allowance based on the need of the tenants up to 100 percent of the HUD Fair Market Rent for the relevant social services district. Nothing short of this will truly help prevent homelessness. Increasing shelter allowances without ensuring that they are adequate will not prevent evictions. If anything, they will enrich landlords while continuing to leave tenants vulnerable to eviction. We hope we can count on the administration to support this crucial legislation.
5. **The Administration's criminalization of unsheltered homelessness is contrary to the plan's stated goals of reducing homelessness.** Lastly, the Adams administration's continued criminalization of unsheltered homelessness, while not highlighted in *Housing Our Neighbors*, is contrary to the plan's stated goals of reducing homelessness. The aggressive encampment sweeps push homeless New Yorkers further from services and housing by dislocating people and breaking the trust that trained outreach teams work hard to build. People on the streets should instead be offered immediate placement in permanent housing, and in the interim they should be connected to safe, low-barrier shelters with single rooms. We call on Mayor Adams to recognize the dignity and humanity of those sleeping on the streets by ceasing these cruel and counterproductive sweeps.

III. AFFORDABLE HOUSING

Create and Preserve Affordable Housing

The Legal Aid Society strongly supports the creation of affordable housing. However, New York City's definition of affordable housing rarely meets the needs of New Yorkers, especially our clients. A Community Service Society analysis of the last administration's housing plan found that the plan's income targets did not meet the need of the most rent burdened New Yorkers,

those with incomes under 50 percent of AMI.² Indeed, the previous administration over produced units for moderate and middle-income New Yorkers while producing less than 15 percent of the units needed for very low and extremely low-income households.³ The previous administration created almost as many units for moderate income households as it did for very low-income households.⁴

The Housing Blueprint refers to the fact that over half of New York’s renters pay more than 30 percent of their income towards their rent. However, it ignores the fact that rent burden goes up as income goes down. The recently released Selected Findings of the Housing and Vacancy Survey found that 85 percent of households with less than \$24,999 in income were severely rent burdened, paying more than 50 percent of their income toward their rent.⁵ Another 8 percent of households with less than \$24,999 in income were moderately rent burdened, paying 30 percent of their income in rent. For households with between \$25,000 and \$49,999 in income, 44 percent of households was severely rent burdened and another 42 percent was moderately rent burdened. Households above the median income, earning \$50,000 to \$99,999 experienced 8 percent severe rent burden and 34 percent moderately burdened. Only a small share of households earning \$100,000 or more paid more than 30 percent of their income toward their rent. While the Housing Blueprint acknowledges that the vacancy rate for rental housing under \$1500 is less than 1 percent, it does not commit to creating housing at this rental amount. To be clear, for a household with less than \$24,999 in income, the rent is affordable at \$625 or lower. For households earning between \$25,000 and \$49,999, rents are affordable if they are under \$1250. The Housing Blueprint fails to prioritize the creation and the preservation of affordable housing for those New Yorkers who need it most, the very low income and extremely low income. Without a focus on the lowest income New Yorkers, the Blueprint cannot address New York’s housing crisis.

We support the legalization of Accessory Dwelling Units (ADU) as long as those units can be made safe for the tenants who live in them. Safety must be the paramount concern when legalizing these units. Additionally, legalizing these units provides homeowners with a significant increase in what their building is worth. Any plan to legalize ADU must protect the tenants who live in those units. Those tenant protections must include Good Cause evictions and limitations on rent increases. The Basement Apartment Conversion Pilot Program Term Sheet should be used for all of these conversions.⁶ Additionally, we support the conversion of hotels

² Sam Stein, *Assessing De Blasio’s Housing Legacy: Why Hasn’t the “Most Ambitious Affordable Housing Program” Produced a More Affordable City*, The Community Service Society (February 2021), https://smhttp-ssl-58547.nexcesscdn.net/nycss/images/uploads/pubs/Deblasio_Housing_V41.pdf.

³ *Id.*

⁴ *Id.*

⁵ Gaumer, E, *The 2021 New York City Housing and Vacancy Survey: Selected Initial Findings*, New York City Department of Housing Preservation and Development (May 2022) at 55, <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/2021-nychvs-selected-initial-findings.pdf>.

⁶ NYC HPD, Office of Development, Division of Property Disposition and Finance, *Basement Apartment Conversion Pilot Program (BACPP) Term Sheet* (May 2019), <https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/bacpp-term-sheet.pdf>.

and other commercial buildings into affordable and supportive housing if the tenant protections contained in the Housing our Neighbors with Dignity Act are included in the project.

We believe that Senior Citizen's Rent Increase Exemption (SCRIE) and the Disability Rent Increase Exemption (DRIE) are underutilized and support the effort to get the word out and help senior and disabled households to apply for rent freezes. These programs must be streamlined to ensure that households can use this important program and are eager to work with the administration to reduce the burdens of participation with this program.

We strongly support the use of the U.S. Housing and Urban Development's ("HUD") Rental Assistance Demonstration (RAD) program for the Section 202 housing developments. There are two RAD programs, one for public housing and one for HUD Housing with expiring subsidies. While RAD I, the program for public housing, promotes privatization, RAD II prevents privatization. The RAD II program has prevented thousands of units of affordable housing in New York City from receiving market rents. Section 202 housing provides desperately needed affordable housing for New York seniors. Using RAD II to preserve this housing is incredibly important.

In the past, New York City has created term sheets, affordable housing programs, tax exemptions and tax abatements to encourage the creation and preservation of safe, decent and affordable housing. What has been lacking in these programs is oversight. New York City is very good at writing big checks to developers and then forgetting to check whether the developers comply with any of the laws governing these programs. This utter lack of oversight has harmed tenants who have struggled to pay unaffordable rents and lived in deplorable conditions. It is not enough to incentivize affordable housing while allowing developers to pocket the money while tenants suffer. The Blueprint acknowledges the need for oversight and new investment into this needed function. However, we have been here before. Proof will be in creating the new capabilities to supervise and additional resources for oversight. We stand ready to work with this administration to ensure that tenants are not stranded in unaffordable and unsafe apartments.

Promote Housing Stability for Renters

We support housing stability for renters. We support lowering the rent burden for tenants. It's not clear how the Housing Blueprint intends to accomplish this.

We would like more information about the rent reporting pilot conducted at NYCHA. If the pilot was a success, the City should be transparent about the parameters of the pilot and publish results. We have concerns that unless rent burdens are significantly lowered, a rent reporting program would set many of our clients up for failure.

IV. EMERGENCY HOUSING VOUCHERS

The City should devote resources to ensuring that the Emergency Housing Vouchers (EHV) are not forfeited for failure to utilize. Such a missed opportunity would be tragic. In May 2021, HUD awarded 70,000 vouchers to various Public Housing Authorities (PHA) across the country.⁷ Of these, 5,738 went to the New York City Housing Authority (NYCHA) and 2,050 to the NYC Department of Housing Preservation & Development (HPD) for issuance to homeless New Yorkers, people at risk of homelessness, people fleeing violence. These vouchers are issued upon referral from community-based organizations and legal services providers like the Legal Aid Society and an application process.

Unfortunately, 730 or 12% of the NYCHA vouchers have been utilized to rent an apartment and 130 or 6.34% of the HPD issued vouchers have been utilized to date.⁸ Both agencies are well behind the national utilization rate of 35%.⁹ However, they are barely mentioned in the Mayor's Housing Plan and it appears there is no urgency for grasping this low hanging fruit. These vouchers will be forfeited if they are not used. They have to be used before the end of 2022. These Section 8 vouchers are a valuable resource.

At The Legal Aid Society, where advocates are participating in an intensive training process in order to submit EHV applications, our efforts to complete and submit applications for our clients has been stymied by technical issues and delays. Advocates have been unable to access the various interfaces involved in the application process and it has taken weeks – and sometimes, months – to receive technical assistance. This delay inhibits our efforts to undertake this lengthy application process and creates further demands on top of existing casework. Tenants are increasingly held in limbo while remaining at risk of imminent eviction. Through the EHV program, the City has a rare opportunity to change the lives of hundreds of tenants and it must devote resources sufficient to support this transformational project. Additional technical personnel should be assigned to support the EHV program so that tenants and advocates can receive the assistance necessary to navigate this process without undue delay.

V. CITYFHEPS

We welcome the opportunity to explore how the CityFHEPS program can significantly reduce the City's homeless population and preserving housing for those in jeopardy of eviction. The recent increase in the CityFHEPS rent levels has significantly increased the apartments participants can access. However, this gain will be most effective if changes are adopted to allow the program to be a stronger tool for allowing families and single adults to live in homes with dignity and escape the shelter system. Stable homes provide space, comfort and peace that allows families to secure work and enjoy the stability that is crucial to prosperity. Instead, CityFHEPS has been plagued with administrative delays, miscues and miscommunication that cause program participants to lose apartments.

⁷ <https://www.hud.gov/sites/dfiles/OCHCO/documents/2021-15pihn.pdf>

⁸ https://www.hud.gov/program_offices/public_indian_housing/ehv/dashboard

⁹ Id.

Although source of income discrimination is plainly illegal, even well-intentioned landlords will be discouraged from working with our clients if they must leave their apartments vacant for months without collecting rent after agreeing to lease to a CityFHEPS voucher holder. Further, as discussed below, eligibility limits prevent needy people from receiving assistance. The rent reasonableness standard and the utility allowance diminish the apartment pool. Discrimination against voucher holders makes it difficult to find apartments. Weak code enforcement keeps families in inhabitable and unsafe apartments, favors owners who fail to maintain habitability standards and undermines voucher programs with robust code enforcement. Attainable changes to the program's administration can meaningfully further its goals. They will also reduce the shelter population and the high attendant costs.

Unacceptable Delays in CityFHEPS Move-Ins

Delays in CityFHEPS are not isolated or unusual. Unfortunately, they are commonplace. Even after a landlord has agreed to rent an apartment, our clients regularly wait for up to six months in shelter while the City approves their paperwork.

The delays our clients face have been well-documented.¹⁰ Voucher holders must navigate a byzantine lease-up process in which the smallest error — a misspelled address, or an unusual broker's license — can cause weeks of additional delay. City-contracted shelter providers submit paperwork to DHS for approval, and DHS examines the deed, lease, and history of housing violations. If there are errors in the application, the City frequently rejects the application rather than seeking to fix the error itself. It may then take weeks for overworked shelter providers to correct the application and send it back. If there are additional errors that the City did not identify upon first review, the application can go back to the shelter provider again. If a client transfers shelters, the process frequently begins all over again. In practice, clients and landlords often must agree on new lease dates every month as move-in is delayed repeatedly.

The problems are a result, in part, of the relationship between City-contracted shelter providers who prepare most of the paperwork on the client's behalf, and the City Department of Homeless Services (DHS), which reviews and approves it. A CityFHEPS "package" often goes through several rounds of review, having been submitted by the shelter provider, denied, and resubmitted over the course of many months.

These delays have profound negative consequences. Clients endure months of crowded shelter conditions and homelessness while their paperwork is pending, and they are unable to pursue other housing opportunities in the meantime. While our clients are waiting for apartments, the negative effects of homelessness compound, including joblessness, mental health challenges,

¹⁰ David Brand, *Administrative Obstacles Jam Up Moving Process for NYC Shelter Residents*, City Limits (Jan. 31, 2022), <https://citylimits.org/2022/01/31/administrative-obstacles-jam-up-moving-process-for-nyc-shelter-residents/>; Chau Lam, *Spelling mistakes and clerical errors could keep many stranded in shelters under city housing program*, Gothamist (Feb. 18, 2022), <https://gothamist.com/news/spelling-mistakes-and-clerical-errors-could-keep-many-stranded-shelters-under-city-housing-program>.

familial instability, and poor living conditions. Landlords sometimes become so frustrated that they exit the process altogether, leaving prospective tenants without any options. These landlords may refuse to accept CityFHEPS in the future and discriminate against future CityFHEPS applicants, undermining the long-term viability of the program.

Our clients' experiences are disheartening. Like thousands of other voucher holders who face unacceptable delays and wait three or more months to move in even after a landlord agrees to rent to them, the following clients faced typical bureaucratic hurdles that lengthened their stay in shelter — even with the help of a Legal Aid lawyer or paralegal.

- R.K. submitted a CityFHEPS preclearance paperwork to DHS for an apartment for R.K. on the Upper East Side in March. When R.K. was violently attacked in her shelter and transferred to a different shelter for her safety, she was assigned to a different housing specialist employed by the new shelter. R.K. was unable to contact her original specialist or get any information from DHS on the status of her CityFHEPS package. The landlord was required to complete the preclearance paperwork for a second time, causing a delay of about four weeks in addition to the normal wait time.
- N.L. applied for an apartment for which the broker sought a broker's HRA fee. The broker is licensed in New York State, but lives part of the year in Texas, so his New York State license lists a Texas office address. After reviewing the broker's license, DHS denied the application because of the Texas address, even though N.L. was clearly licensed to broker apartments in New York. Only after Legal Aid contacted DHS counsel about the issue did DHS perform a supervisory review and ultimately approve the application, causing a delay of several weeks.
- A.M. applied for an apartment in a co-op building where she was to lease a unit from an individual owner who manages and rents co-op apartment units in a number of buildings in the Bronx. DHS denied the application because the entity on the building's deed — the co-op entity — didn't match the name of the owner of the individual apartment. The co-op board was nominally required to approve leases, but in practice never did. After a two-month delay and intervention by Legal Aid, DHS approved the lease.
- J.C. applied for an apartment in which the submitted package inadvertently omitted "LLC" from the landlord's name. Even though the landlord has other CityFHEPS clients and HRA has processed other applications for this landlord before, and the landlord entity's full name was readily available in public records, HRA rejected the application, requiring it to be resubmitted and resulting in extending the client's shelter stay by several weeks.

Barriers to Using CityFHEPS

The CityFHEPS program remains an important safety net for single adults and families and a ticket to independence. Unfortunately, the need for CityFHEPS is far greater than its availability.

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Numerous households that are in shelter or in danger of eviction desperately need a benefit such as CityFHEPS, but they do not qualify under current rules. Additionally, the rent reasonableness rule and the utility allowance unnecessarily prevent CityFHEPS voucher holders from accessing apartments that meet the established payment standard. They are also implemented in a manner that creates uncertainty even when a tenant has found a potential home.

Immigration Status. Many New Yorkers languish in shelter for extended periods simply because they don't meet immigration status requirements. The City of New York can extend CityFHEPS eligibility to all non-U.S. citizen New Yorkers, including those without immigration status despite restrictions in federal law that purport to limit eligibility to a limited group of so-called "qualified aliens." Current precedent supports the proposition that federal law does not preempt the City or State of New York from extending a benefit, such as CityFHEPS, to any non-U.S. citizen New Yorker. Courts have determined that Section 8 U.S.C. § 1621(d), which provides that non-U.S. citizens who are not "qualified aliens," are only eligible for state or local benefits where an "enactment of a State law after August 22, 1996 . . . affirmatively provides for such eligibility," is unconstitutional or unenforceable. *See Dandamudi v. Tisch*, 686 F.3d 55 (2d. Cir. 2012) (finding that statutes limiting certain licenses to citizens and permanent residents to be a violation of the Equal Protection clause of the U.S. Constitution). Additionally, any taxpayer challenge is unlikely to withstand the authority concluding that section 1621 creates no private right of action through which it can be enforced. Given the incredible need among New Yorkers in a range of immigration statuses, the City should embrace the expansion of CityFHEPS.

Rent Reasonableness. In June 2021, the City Council enacted Local Law 71, requiring HRA to set CityFHEPS maximum rents at the level of the "payment standard" referenced in Section 982.503 of HUD's Section 8 regulations, which in New York City is equal to 108 percent of the area Fair Market Rent (FMR). However, in December 2021, HRA adopted new rules for the CityFHEPS program, 68 RCNY 10-01, that imported two rules from the federal Section 8 program that would not otherwise apply to a City program and were not referenced in the City law. In its new rules, HRA provided that apartments that rented at the Section 8 payment standard would not be approved unless the rents were deemed "reasonable" in comparison with rents for other units in the immediate neighborhood. This procedure is mandated by HUD for Section 8 subsidies but it is not mandated by Local Law 71. The effect of the "rent reasonableness" rule is that shelter residents seeking apartments can never know in advance whether a unit they have found will be considered "reasonable", even if the rent is at or below the payment standard. These clients execute leases or rental applications, assemble documentation for HRA, and then wait weeks or months only to learn that the rent was not reasonable after all, and they have to start the search from scratch. All that time, they continue to reside in the shelter system, costing the City far more than it could ever save through the reasonableness policy. In addition, tenants in eviction cases who hope to use CityFHEPS to retain their current apartments cannot know in advance what rent amount they can agree to. These tenants must commit to a new lease at the payment standard, risking that HRA will find that amount unreasonable for their neighborhood, exposing them to eviction and shelter entry.

Utility Allowance. Similarly, HRA further narrows the range of apartments available to CityFHEPS households by subtracting utilities paid by the tenant from the published payment standard. For most apartments, in which tenants must pay their own electricity, HRA will only approve rents equal to the payment standard *minus a utility allowance* of roughly \$100; as a result, tenants are limited to apartments at below market rent. Because many landlords refuse to discount the payment standard rents by this additional amount, clients lose the opportunity to leave shelter, and the City must pay additional months of shelter costs.

Department of Social Services (DSS) Commissioner Gary Jenkins has justified this rule by pointing to federal HUD's FMR, which includes the cost of utilities in its calculation of rents. See 24 CFR 982.4 (defining "FMR" as "the rent, including the cost of utilities... as established by HUD for units of varying sizes"). But in the Section 8 program, tenants pay 30% of their income for both rent *and* utilities, while Section 8 covers the rest, including utilities; in the CityFHEPS program, tenants pay 30% of their income on rent, *plus* utilities. It makes little sense to create a rule that saddles tenants with the negative aspects of HUD's utility allowance scheme — i.e., discounting the voucher payment standard at which tenants can rent apartments by \$100 or more for utility costs — while not providing tenants a corresponding reduction in their rent share. The City should revise its rules to eliminate both the rent reasonableness and utility allowance provisions that have no basis in City law.

Source of Income Discrimination. Despite ambitious private enforcement actions and prohibitions in the City and State human rights laws, source of income discrimination, or, landlords' refusal to rent to voucher holders, remains rampant.¹¹ The source of income discrimination units at the New York City Commission on Human Rights and DSS have lost numerous staff members and are unable to keep up with the pace of landlord discrimination.¹² Our clients continue to face repeated rejections over many months because of their vouchers, or never receive responses from the landlords they have contacted. The recently approved budget includes funding for the source of income unit,¹³ but it is unclear whether this funding will support new staff positions or simply continue existing positions, and it is certainly not enough to stem the tide as rents soar and competition for apartments grows.

Recommendations

¹¹ Matthew Haag, *She Wants Well-Qualified People: 88 Landlords Accused of Housing Bias*, The New York Times (March 15, 2021), <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>; Mihir Zaveri, *Discrimination Weakens Tool for Reducing N.Y. Homelessness, Lawsuit Says*, The New York Times (May 25, 2022), <https://www.nytimes.com/2022/05/25/nyregion/ny-vouchers-homeless-discrimination.html>.

¹² David Brand, *NYC Was Set to Crack Down on Voucher Discrimination, But its Enforcement Teams Keep Shrinking*, City Limits (March 18, 2022), <https://citylimits.org/2022/03/18/nyc-was-set-to-crack-down-on-voucher-discrimination-but-its-enforcement-teams-keep-shrinking/>.

¹³ Jeanmarie Evely and David Brand, *Here's How NYC'S \$101 Billion Budget Addresses Homelessness*, City Limits, (June 14, 2022), <https://citylimits.org/2022/06/14/heres-how-nycs-101-billion-budget-addresses-homelessness/>.

In order to reduce CityFHEPS delays, the City should ensure that DHS:

- **Streamlines its review process.** This may include changes like:
 - requiring DHS reviewers to review an entire package for mistakes before sending it back to the shelter provider for corrections;
 - making it easy for shelter providers to communicate by telephone and email with DHS reviewers in order to discuss resolving issues with a package;
 - reducing the number of rounds of review for each package so that DHS must only review a package once;
 - reducing the amount of paperwork required;
 - correcting and approving packages with minor clerical errors, like an address that says “street” instead of “place”;
 - providing automatic email notifications with package updates.
- **Sets clear benchmarks for approving CityFHEPS packages.** DHS should set clear goals for move-out times for each application, and ensure that it meets those goals in facilitating moves. Shelter move-outs via CityFHEPS should never take longer than XX days from the time a lease is presented.
- **Re-trains shelter staff.** DHS should track how long the contracted shelter providers take to facilitate move-outs. Shelter providers that are the source of repeated delays must be intensively retrained.
- **Phases out contracts with shelter providers who are unable to meet move-out goals.** Frequently, delays in lease-up are due to shelter providers failing to facilitate move-outs. DHS should not agree to extend contracts with shelter providers who fail to efficiently move clients out of shelter.
- **Approves apartments that pass inspections.** If an apartment passes a CityFHEPS inspection, the tenant should presumptively be permitted to move in, regardless of whether DHS has approved all the paperwork. Unless an apartment has not passed an inspection, within 45 or 60 days a tenants’ package should be automatically approved and HRA should prepare checks to the landlord.

Commented [SW1]: What should XX be?

In order to assist more New Yorkers in need, the City should:

- **Reevaluate the three-month shelter requirement.** While a prudent needs assessment is appropriate, 90 days is far too long for residents to have to remain in shelter before they can be eligible to receive a voucher and this benchmark does not appear to serve any purpose.
- **Extend CityFHEPS vouchers** to those that do not receive public assistance.
- **Provide at least 5,000 vouchers** to those in danger of eviction to remain in their current homes, by targeting populations such as elderly rent regulated tenants who are nonetheless rent burdened.
- **Waive the work requirements** for people who receive public assistance.
- **Extend the duration of voucher payments** for 6 months to 1 year after household income exceeds eligibility limit to allow a seamless transition and prevent reentry into shelter.

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- **Provide vouchers to those without eligible immigration status** by either deeming them eligible for CityFHEPS or accessing alternative funding sources.
- **Prioritize source of income discrimination enforcement** by fully supporting the New York City Commission on Human Rights' efforts by funding systemic approaches to combatting these illegal practices, testing and rapid response.
- **Enforce habitability standards** to ensure that subsidized tenants live in safe apartments.
- **Eliminate the utility deduction** to allow tenants to rent apartments at FMR, which are the rates required by Local Law 71 and intended by the City Council.
- **Eliminate the rent reasonableness requirement** to ensure tenants are not unfairly prevented from renting apartments at or below FMR.
- **Fully fund the source of income discrimination unit at the New York City Commission on Human Rights** to ensure that voucher holders facing discrimination are able to obtain quick interventions from the NYCCHR that will allow them to secure apartments.

VI. NEW YORK CITY HOUSING AUTHORITY

We are encouraged to see that this Administration has finally included NYCHA in the City's Housing Plan – something that we have been calling on for years. We thank the Adams Administration for recognizing that issues relating to NYCHA, which impact the lives of so many New Yorkers, should be part of the City's housing plan focus, and recognizing that supporting NYCHA in its mission to provide safe, habitable housing is a key role for the City to play.

Conditions in NYCHA Public Housing

NYCHA public housing residents, together with all tenants of privately owned housing, have the right to be safe and secure in their homes. Sadly, for too long, the 600,000 New Yorkers who call NYCHA "home" have been forced to endure dire living conditions that present a threat to their health and safety and often render their homes uninhabitable.

At The Legal Aid Society, we strongly support several of the changes that NYCHA is embracing as a result of agreements made in the Monitorship Agreement between NYCHA, the US Attorney's Office and HUS. These include the Transformation Plan, Neighborhood Model for property management, NYCHA's Work Order Reform program and the creation of a NYCHA Stat Unit ("NSU").

We are optimistic that the organizational and operational changes that are being implemented as a result of these plans will have a positive impact on our client's daily lives within the development grounds and their apartments. As we know from the US Attorney's investigation into NYCHA practices, the work order system is defective- NYCHA closes out work orders even though the work has not been completed. We hear time and time again anecdotes from our clients, for example: about a painter coming to do work in the apartment before the plastering has been done- triggering the closing of a work order or additional delays in getting work done;

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and claims by NYCHA that a resident is not home at the time of scheduled work leading to the closing of a work order.

At this time, the backlog of open work orders is extremely high- with NYCHA reporting over 600,000 open work orders. Residents are waiting on average over 300 days for simple repairs to be made. No New Yorker should have to wait that long for repairs.

We fully support the Adams Administration's commitment to supporting these stated organizational changes and want to make sure that NYCHA does indeed receive any support that it needs to make them.

New York City Public Housing Preservation Trust

In June, Governor Hochul signed an historic piece of legislation creating the New York City Public Housing Preservation Trust (Trust). We thank Mayor Adams for his critical support in getting the legislation passed into law.

The Trust provides a unique opportunity for NYCHA to access greater funding to make necessary repairs to NYCHA's housing stock.

We at Legal Aid believe that one of the most important parts of the legislation is the provisions around resident "opt-in." The law provides that NYCHA cannot transfer a leasehold interest in any housing development to the Trust without a vote in favor of such transfer at each particular development.

At this time, NYCHA is starting to develop what that voting process will look like. We strongly urge the Adams Administration to help ensure that the voting process is robust and inclusive. Additionally, the Administration should focus on providing support to residents so that they can be engaged to the maximum extent possible in determining the means by which their homes are restored and that the promise of safe, habitable and stable housing will continue.

RAD/PACT

NYCHA has committed to using its RAD/PACT platform to preserve 62,000 units of its public housing stock under the RAD/PACT process. In the Housing Plan, the Adams Administration has stated its intention to help amplify resident voices in the capital projects process.

We urge this Administration and NYCHA to replicate the resident "opt-in" voting requirement process that is part of the Trust legislation for all future RAD/PACT conversions. Each tenant of record within NYCHA should be able to make an informed decision as to how their housing is restored, not only those that are being offered preservation under the Trust.

VII. HOUSING DISCRIMINATION

Prohibiting Housing Discrimination on the Basis of Arrest or Criminal Record

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The Legal Aid Society is encouraged by the proposal in the Mayor's housing plan to prohibit housing discrimination on the basis of arrest or criminal record. The use of screening based on criminal record makes it more difficult for our clients leaving jail or prison to find housing and avoid long-term homelessness.

Discrimination on the basis of arrest or criminal record takes a disproportionate toll on New Yorkers of color. This is in part because the gross disparities in New York's criminal justice system: Of the 34,143 inmates under State custody on January 1, 2021, 50 percent were African-American and 24 percent were Latino,¹⁴ yet the State's general population is just 17.6 percent African-American and 19.3 percent Latino.¹⁵ Of the 4,389 average daily inmates in City custody, 56 percent were African-American and 33 percent were Latino,¹⁶ even though the city's population is only 24 percent African-American and 29 percent Latino. The result is that Black and Latino New Yorkers are much more likely to have arrest or criminal records, and be barred from housing because of landlord criminal background checks. Moreover, it is well-recognized that arrest records are not evidence of misconduct, and landlords' bars against prospective tenants who have not even been convicted of crimes is unacceptable.¹⁷ When landlords use discriminatory arrest and criminal background checks, they are overwhelmingly denying New Yorkers of color the benefits of secure housing.

Landlords' reliance on arrest and incarceration records is a major driver of homelessness. Of the 9,300 people released from State prisons to New York City in 2014, 23 percent of them went directly into the City shelter system; in 2017, 54 percent of the people released to New York City, or 4,122 individuals, entered the shelter system.¹⁸ A 2006 study of 7,000 individuals in the City's public shelter system found that nearly a quarter had been incarcerated in the previous two years. For many of them, the primary barrier to achieving stable housing was their criminal record. Moreover, people experiencing homelessness are at increased risk of recidivism and encounters with law enforcement: Those who have experienced homelessness make up more

¹⁴ State of New York Dept. of Correction and Comm. Supervision, *Under Custody Report: Profile of Inmate Population Under Custody on January 1, 2021* (Jan. 2021),

<https://doccs.ny.gov/system/files/documents/2022/04/under-custody-report-for-2021.pdf>

¹⁵ United States Census Bureau, *New York Population Estimates* (Sept. 10, 2020),

<https://www.census.gov/quickfacts/NY>

¹⁶ *NYC Department of Correction at a Glance, Information for first six months of 2021*, Department of Correction, https://www1.nyc.gov/assets/doc/downloads/press-release/DOC_At_Glance_first6_months_FY2021-030921.pdf

¹⁷ See, e.g., *Schwartz v. Bd of Bar Examiners*, 353 U.S. 232, 241 (1957); *United States v. Berry*, 553 F.3d 273, 282 (3d Cir. 2009); *United States v. Zapete-Garcia*, 447 F.3d 57, 60 (1st Cir. 2006).

¹⁸ Courtney Gross, *The New York prison-to-shelter pipeline*, Spectrum News NY1 (Feb. 27, 2018), <https://www.ny1.com/nyc/all-boroughs/politics/2018/02/27/ny1-investigation-more-inmates-released-upstate-prisons-going-into-nyc-shelter-system>; Jacquelyn Simone, *Today's Video: The New York Prison-to-Shelter Pipeline*, Coalition for the Homeless (Feb. 28, 2018), <https://www.coalitionforthehomeless.org/todays-video-new-york-prison-shelter-pipeline/>

than 15 percent of the national jail population, and are about 10 times more likely to be in jail.¹⁹ Law enforcement that criminalizes homelessness, including subway patrols and other police encounters, further fuels a cycle of homelessness and involvement with the criminal justice system. When landlords are permitted to discriminate on the basis of arrest or criminal records, they exacerbate the city's homelessness crisis at a time when we must make it easier for New Yorkers to find housing, not harder.

Legal Aid supported Intro 2047-2020, which would have prohibited housing discrimination in rentals and sales on the basis of arrest record or criminal history by reducing barriers to permanent housing for a large subset of people currently languishing in shelters and on the streets. **We would urge the Mayor to adopt last year's City Council legislation Intro 2047.** Unlike so-called "Ban the Box" bills, which allow employers to take criminal history into account, Intro 2047 would have prohibited any inquiry into criminal background at any time in the application process.

VIII. HEALTH AND SAFETY

Improving the Health and Safety of New Yorkers

The Mayor's Housing Blueprint is right to identify the expansion of healthy, safe and habitable housing as a necessary factor in combating the chronic health disparities that exist in New York City. Housing is a potent determinant of health and it is increasingly a public health focus.²⁰

The Legal Aid Society has the following comments and suggestions regarding particular aspects of Chapter Four:

Technology and Data Collection

HPD's systems should be updated to streamline the inspection process and provide more effective code enforcement. The Plan provides for an investment in technology to allow HPD to better serve the public. In addition to making adjustments to functions that primarily serve property owners, such as annual property registration and certifications of corrections, HPD should provide expanded and more efficient access to tenants, who rely on HPD's code enforcement division to address unsafe conditions in their homes.

HPD should develop a text- or email-based notification system that would inform tenants of the date of their housing inspection and notify them when the inspector is on the way. Presently, a tenant who reports an unsafe housing condition to 311 has no way of knowing when an HPD inspection will take place; many tenants only find out that an inspection was scheduled and

¹⁹ Greg A. Greenberg and Robert A. Rosenheck, *Jail Incarceration, Homelessness, and Mental Health: A National Study*, Psychiatric Services (Feb. 2008), <https://homelesshub.ca/sites/default/files/Greenberg.pdf>.

²⁰ James Krieger & Donna L. Higgins, *Housing and Health: Time Again for Public Health Action*, Am. J. Pub. Health 758 (May 2002).

attempted when they return home to a notice on their apartment door. Providing tenants with advance notice of an inspection will allow HPD's Housing Inspectors to operate more efficiently. It also increases the likelihood that hazardous conditions will be identified and cited in an expeditious manner.

We also suggest that HPD add greater nuance and detail to its violation coding system, as this would allow HPD to more effectively combat the housing conditions that lead to disparate health outcomes in lower-income neighborhoods and communities of color. HPD violation descriptions are often vague, leading tenants, landlords, and judges to speculate about a condition and how best to address it. Violations must also be updated to better reflect modern housing stock and rental norms. For example, a non-working stove or refrigerator may not have been a condition within a landlord's purview in the past, but it certainly is in New York City today, where major appliances are included with the vast majority of rental housing.

Improve and Expand Existing HPD Resources

HPD should better utilize existing systems to provide for more effective enforcement of the Housing Maintenance Code. HPD's Emergency Repairs Program ("ERP") provides essential assistance to tenants faced with egregious emergency conditions, such as utility shut offs due to landlord neglect or malfeasance. ERP should be adjusted to address conditions in a more comprehensive manner, rather than concentrating on the most obvious and imminently dangerous emergency conditions that have been cited as class "C" violations. For example, a recurrent mold condition may not appear immediately dangerous, but can have devastating impacts on health, including triggering asthmatic episodes.²¹ ERP should engage contractors to do mold remediation where the condition has been cited and work is either not performed or performed in a manner that does not prevent the condition from recurring. Similarly, ERP should engage contractors to perform integrated pest management in affected units with recurrent pest conditions, such as sealing holes and eliminating water sources and pest harborage.²² HPD should also coordinate with the DOMH's Healthy Neighborhoods Program, which combats asthma triggers such as mold and mice and cockroach infestations. Currently, this program only takes referrals from health care providers for patients who have been diagnosed with persistent asthma. At this point, much damage has already been done by the person's condition. HPD and DOMH should instead take a proactive approach and offer to refer households with asthma triggers and additional risk factors, such as young children or elderly occupants. This will increase the odds that problems are addressed before the occupants develop asthma due to the conditions.

²¹ U.S. Env't Protection Agency, *Mold and Health*, <https://www.epa.gov/mold/mold-and-health>.

²² Despite the Housing Maintenance Code's requirement that integrated pest management be used, and the law's explicit statement that the application of pesticides is not enough to address a pest-related violation, we consistently find that landlords respond to a violation by simply sending an exterminator to spray pesticides and put down glue traps. As a result, tenants are forced to live with dangerous conditions for an extended period of time.

In addition, the Alternative Enforcement Program (“AEP”), which monitors apartment buildings with many Code violations by conducting frequent inspections and making repairs, should be expanded. AEP can be an effective means of compelling repair work, as building owners must address many conditions in order to exit the program and avoid substantial charges and fines. HPD designates buildings for AEP only once per year, at the end of January. Given the serious nature of the many conditions that qualify a building for AEP and how quickly a building can fall into neglect, HPD should expand participation in this program and designate buildings at least twice per year.

HPD’s Litigation Department should develop its cases in coordination with tenants, who are often unaware that HPD is taking legal action related to their homes. The Litigation Department should also build staff capacity to file more 7A proceedings and to litigate these cases aggressively.

Finally, HPD should review its processes related to vacate orders and emergency relocation services. These services should involve coordinating with other City agencies to ensure that tenants displaced due to vacate orders have adequate temporary accommodations in or close to their community. Currently, tenants who have been displaced (often by a traumatic event such as a fire) may be offered a single accommodation option in a location over an hour away from their community and employment. As a result, many tenants are forced to reject the offer, throwing them into unstable housing or homelessness.

IX. CONCLUSION

Thank you for the opportunity to provide feedback on the Mayor’s Housing Plan. The Society looks forward to continuing to work with the Adams Administration as well as City Council to increase access to high-quality, safe, and affordable housing for all New Yorkers.

Respectfully Submitted:

Judith Goldiner
Attorney in Charge
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Making New York a better place to age

**New York City Council
Committee on Housing and Buildings
Chair, Council Member Pierina Sanchez**

July 1, 2022

Oversight - "Housing Our Neighbors": A First Look at the Mayor's Housing Plan.

Thank you for the opportunity to testify.

LiveOn NY's members include more than 100 community-based nonprofits that provide core services which allow all New Yorkers to thrive in our communities as we age, including older adult centers, home-delivered meals, affordable senior housing with services, elder abuse prevention, caregiver support, NORCs, and case management. LiveOn NY is proud to host our Affordable Senior Housing Coalition, which works with our non-profit members and partners to address the significant need for affordable senior housing. With our members, we work to make New York a better place to age.

First and foremost, LiveOn NY is deeply appreciative of the release of the Mayor's new housing plan, created under the leadership of Chief Housing Officer Jessica Katz, Department of Housing Preservation and Development (HPD) Commissioner Adolfo Carrión, Department of Social Services (DSS) Commissioner Gary Jenkins, and New York City Housing Authority (NYCHA) Chair and Chief Executive Officer Gregory Russ, among others. The release of the plan signals to New Yorkers an understanding of the dire nature of today's housing crisis and a commitment to taking meaningful action to address such a plan. LiveOn NY is appreciative of the collaborative spirit that went into the creation of the plan, and was pleased to have the opportunity to give feedback early in the process around the ways in which a housing plan could better support all New Yorkers as we age. Evidence of this collaboration, we are particularly pleased to see the plan is inclusive of all types of housing in New York, namely both housing under the purview of NYCHA, as well as that developed through HPD.

In advance of further articulating the aspects of the plan in which LiveOn NY is most supportive of, the following offers further background on why such a plan is so critical to address the affordable housing crisis as acutely experienced by older New Yorkers.

Background

Today, more than half of older renters are rent-burdened, as are a third of older homeowners. Further, roughly 2,000 older New Yorkers are living in homeless shelters, a number that is expected to triple by 2030 without significant intervention. LiveOn NY's own research has found that there are more than 200,000 older adults languishing on waiting lists for affordable housing through the HUD 202 program, each waiting for 7-10 years on average for a unit to become



available. This challenge is mirrored by the thousands of applications that come flooding in each and every time a new affordable senior housing lottery opens on Housing Connect.

This crisis is particularly acute for older adults as many rely on fixed incomes, making it difficult to afford the rent while other costs rise. Further, much of the City's housing infrastructure is inadequate to accommodate an older adult's health and mobility needs, with 70% of the City's housing stock only navigable by at least one set of stairs. In addition, NYCHA is a well-known provider of affordable housing for low-income older adults, and yet in many situations for many older tenants living in NYCHA, their living experience is plagued by poor ventilation systems, broken elevators, leaking roofs, and recurring mold.

It is critical we address this crisis, as New York is aging rapidly and research shows that the majority of older adults would prefer the opportunity age in their community, surrounded by the networks of support built over a lifetime. Moreover, we're *all* aging, and we all have a stake in ensuring there are affordable options to call home throughout the lifecourse.

Response to the Housing Plan

Chapter 1: Transform NYCHA

1. In addition to supporting the overarching goals of transparency, resident decision-making, and partnership, LiveOn NY is also appreciative of the effort to reform work orders within NYCHA to create a more efficient and effective system for repairs. Recognizing that this system extends beyond the residential units, **LiveOn NY encourages that attention also be paid to improving work order processes initiated by community-based organizations offering services within NYCHA facilities.** Community-based organizations operating within NYCHA buildings, such as older adult centers, are critical resources for NYCHA residents and the community at-large. These spaces must also be considered when updating work order processes or should be funded directly to address maintenance concerns considered outside the purview of the authority.

Chapter 2: Addressing Homelessness and Housing Insecurity

1. In addition to supporting the overarching goals to better measure homelessness, and serve those experiencing homelessness, **LiveOn NY also supports the goal to streamline and expand access to supportive housing and combat source-of-income discrimination.**

Chapter 3: Create and Preserve Affordable Housing

1. First and foremost, **LiveOn NY deeply supports the primary goal to “accelerate and increase capacity for new housing supply citywide.”** We look forward to partnering



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with the Administration to determine ways to lower costs and accelerate the pace of production, as outlined in this section.

2. **LiveOn NY deeply supports the intent to utilize zoning to encourage a wide range of housing types.** Within our membership, we have seen the power of diverse housing types, for example, the Project FIND Woodstock Hotel represents one of the first examples of how an SRO can come to provide stable housing, and offer services such as Older Adult Center, to aging New Yorkers over the course of decades. Within this section, we specifically support: the intention to legalize Accessory Dwelling Units (ADUs), which offer incredible opportunities for caregivers to live close by to care recipients; the conversion of vacant hotels into affordable housing; and leveraging zoning to “allow greater square footage for affordable housing for everyone who needs it.”
3. Given our research, *Paving the Way for New Senior Housing*, which first identified the opportunity to develop affordable senior housing on underutilized HUD 202 parking lots, **LiveOn NY wholeheartedly supports the intent to “prioritize people over parking,”** particularly in transit-rich neighborhoods.
4. **LiveOn NY supports the continued prioritization of creating new community spaces within affordable housing,** and is appreciative of the new older adult center facilities built to date, such as that included in the newly developed WSFSSH Tres Puentes and the SAGE Stonewall House. Beyond this, we recommend a deeper partnership with agencies such as the Department for the Aging (DFTA) to analyze where community facilities would be best incorporated into future housing developments in order to serve an emerging population of older adults or to offer an updated older adult center where the current space may no longer prove sufficient.
5. **LiveOn NY supports the plan to “partner with H+H to create a nexus between housing and health,”** as well as to **expand broadband access through affordable housing.** By prioritizing institutional land such as hospitals in particular, the City will reflect an understanding of the connections between health and housing and a commitment to treating housing as the social-determinant of health that it is.
6. **LiveOn NY deeply supports the clear focus on meeting the housing needs of older adults and people with disabilities.**
 - a. **Within this, we support the work to facilitate automatic enrollment in SCRIE and streamline application and recertification processes for eligible households.** Currently, LiveOn NY offers a Benefits Outreach Program, which supports hundreds of older New Yorkers in applying for benefits each year. Through this work we recognize the opportunity to address under-utilization of benefits such as SCRIE by removing barriers in the application processes.
 - b. **LiveOn NY also supports accelerated production of supportive housing, including that for older adults. We encourage the Administration to also**



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prioritize the acceleration of lighter touch housing built for older adults, as developed through the Senior Affordable Rental Assistance (SARA) program. The SARA program offers a unique opportunity for non-profits and partners to meet the needs of older adults who may not require the level of services provided in supportive housing, but would greatly benefit from some level of support in order to foster aging in place while preventing isolation.

- c. **We support the intent to aid federally assisted properties serving older adults, particularly those with expiring benefits, as well as to explore innovative ways to leverage social services dollars to better serve the continuum of needs that exists across aging New Yorkers.** Given the outsized impact that housing can have on reducing healthcare spending, we are particularly supportive of the intent to work with the State, and through the 1115 waiver, to improve services.

- 7. **LiveOn NY supports the effort to prioritize M/WBE and non-profit projects in the HPD pipeline.**

Chapter 4: Improve the Health and Safety of New Yorkers

- 1. **Recognizing housing as a social determinant of health, LiveOn NY greatly appreciates the blueprint's clear emphasis on improving the health and safety of New Yorkers through our housing stock.** From fire safety, to lead, to asthma, to climate change, we appreciate the holistic approach to utilizing housing as a springboard for creating healthier communities.

Chapter 5: Reduce Administrative Burden

- 1. **LiveOn NY deeply supports the intent to reduce administrative burden experienced both by developers of affordable housing and tenants seeking to secure affordable housing.** Specifically, we are supportive of the work to streamline Section 8 processes at both HPD and NYCHA, and in other forms and evaluations related to affordable housing. LiveOn NY and our Affordable Senior Housing Coalition seeks to be a resource in this endeavor, with the shared goal of reducing administrative burden to more expeditiously renting up projects developed through the City's housing programs.

Additional Recommendations

To build on the foundation laid in the housing plan, LiveOn NY recommends the following core principles be adopted, funded, and prioritized by this Administration. Much of the following amplifies recommendations collectively advocated for by the United for Housing Coalition,



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which includes more than 80 organizations that have come together around a set of bold but attainable recommendations to address the housing crisis in our City.

1. **While appreciative of the initial affordable housing capital investments outlined in the FY23 budget, LiveOn NY continues to believe it is time to double down in our investment in affordable housing.** Given this, we support the United for Housing led call for a \$4 billion annual investment to fund a comprehensive affordable housing plan.
2. **While recognizing that a diversity of metrics will be critical to implementing a housing plan, with units but one component, we continue to call for a minimum target of 1,000 new units of affordable senior housing with services per year.** This must be part of a total target to construct no fewer than 8,000 new units of housing dedicated to serving extremely low income and homeless households annually. As waitlists and limited housing stock pose an acute challenge for older New Yorkers, a considerable investment and consistent unit targets per year will be critical to paving a pathway out of this crisis.
3. It is currently unclear the extent to which the agencies that intersect with this plan are fully staffed as a result of the FY23 budget. Given the historical concerns around staffing, particularly as a result of previous hiring freezes and PEGS, **LiveOn NY continues to recommend that the City put forth the full resources necessary to quickly and robustly staff HPD and its sister agencies to ensure all affordable housing goals can be met.**
4. **LiveOn NY also recommends the City increase the per unit reimbursement rate for SARA services from \$5,000 per unit, to \$7,500 per unit, allowing for increased staff to more adequately address social isolation and significant case assistance needs.** This increased reimbursement rate would make services better available to support an aging and formerly homeless tenant population, in turn enabling more older New Yorkers to age in place and avoid institutionalization.

Thank you for the opportunity to testify.

*Testimony provided by Katelyn Andrews, Director of Public Policy and External Affairs at LiveOn NY
For questions, please email kandrews@liveon-ny.org*

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of



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community-based service providers.

LiveOn NY is also home to the Reframing Aging NYC Initiative, part of the national Reframing Aging Initiative aimed to counteract ageism and improve the way policymakers, stakeholders, and the public think about aging and older people. LiveOn NY also administers a citywide outreach program and staffs a hotline that educates, screens and helps with benefit enrollment including SNAP, SCRIE and others, and also administers the Rights and Information for Senior Empowerment (RISE) program to bring critical information directly to seniors on important topics to help them age well in their communities.

**NYSFAH Testimony before the Committee on Housing and Buildings
New York City Housing Plan**

30 June 2022

Thank you, Chair Sanchez and other members of the Housing and Buildings Committee for the opportunity to participate in today's hearing regarding Mayor Adams's Housing Plan.

NYSFAH is the trade association for New York's affordable housing industry statewide. Its 400 members include for-profit and nonprofit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSFAH's members are responsible for the vast majority of the housing built across the City and State that uses federal, state and local subsidies and incentives. Founded in 1998, NYSFAH is the nation's largest affordable housing trade group.

Housing Plan Overview

The Adams Housing Plan is a unified strategy to tackle the issues of affordable housing, public housing, and homelessness. This plan devotes a record \$32 billion in capital to the housing crisis. Additionally, this plan focuses on tackling process and management issues that have hamstrung the City for decades.

- **NYSFAH supports** the Mayor's approach and calls on him to make the reforms necessary to **fully staff HPD** and to deliver affordable housing on time and on budget.

Capital Budget

This plan devotes a total of \$32 billion to be spent in capital across NYCHA, HPD/HDC, and DHS. This figure includes \$22 billion in budget commitments plus \$10 billion to be leveraged by Public Housing Preservation Trust for the first tranche of 25,000 NYCHA units.

- This is a record amount of capital for New York City.
- This level of expenditure is vital to maintain the current rate of housing production because rapidly inflating construction costs and maintenance costs mean that HPD has to spend more money to get the same housing.
- Furthermore, developing deeply affordable housing, a major priority of the Council, requires exceptionally robust subsidy due to the lower rents associated with such units.
- **NYSFAH supports** the robust level of capital commitment in this plan.

Zoning and Land Use

A critical part of the housing plan is the City of Yes zoning text amendments, particularly Zoning for Housing Opportunity. This proposal would make senior housing-level floor area ratio and height available for all affordable housing, as well as removing expensive parking requirements. Taking a project through ULURP is costly and highly uncertain.

- Even 100% affordable projects are frequently killed either before or during the land use process.
- The prospect of a rezoning is enough to cause many developers to abandon an otherwise viable site.
- **NYSFAH supports** the City of Yes, and we urge the Council to approve the zoning text amendment as it will directly enable the creation of thousands of units of affordable housing on an as-of-right basis, sparing the Council bruising land use battles.

Truth Telling

What gets measured gets done. Heretofore, the City has misreported the number of homeless shelter residents in the city, excluding families that are homeless for purely economic reasons. Fudging these numbers meant that New Yorkers were never told the true scale of the homelessness crisis.

- The Adams administration has committed to releasing the actual number of homeless individuals and families in the city's shelter system.
- By ripping the band-aid off, the Mayor is being honest with voters, and he should be lauded for this. The administration and Council can now create policy based on the true scale of the housing crisis.
- **NYSFAH supports** the disclosure of the true number of homeless in NYC.

Efficiencies

This plan includes major reforms to improve the efficiency of the various agencies involved in tackling the housing crisis. NYSFAH supports these reforms, with a few highlights listed below:

- **Income Verification.** A recent CHPC report detailed how it takes approximately one year to lease up an affordable building, in spite of the tens of thousands of applications each building received. One of the reasons for this is that HPD was re-verifying the incomes of every single applicant, a redundant step that delayed the process immensely. Effective with this housing plan, HPD will switch to an audit system instead. Removing this unnecessary step will speed the leasing process, make better use of capital and expense dollars, and get New Yorkers into homes faster.
- **Section 8.** With three major steps, the City is dramatically simplifying how New Yorkers get rental assistance. First, the City is killing the absent parent form, a demeaning process that forced individuals applying for Section 8 to list any absent parents that would not be residing in the household. Second, HPD is moving the Section 8 briefing online, dramatically speeding the process. Finally, the City is killing paper forms and moving to a digital application system, which will make the process much easier for vulnerable New Yorkers who probably do not have printers and scanners at home.
- **NYCHA Neighborhood-based Maintenance.** NYCHA has a centralized maintenance system, which is a supremely inefficient system. A plumber might be

dispatched first to a sink repair in Brownsville, then to a shower leak in Queens, resulting in huge amounts of travel time. In a welcome move, NYCHA is changing to a neighborhood-based maintenance system, which will speed repairs across the portfolio.

- **NYSFAH supports** these major efficiency improvements, and we call on HPD and the mayor to **make further efficiency improvements** to deliver affordable housing on time and on budget.

Remedy Staffing Shortfalls

However, capital funding is only part of the story. HPD has an enormous number of vacant positions.

- Fully 20% of the positions in the Office of Development sit unfilled. The legal division in charge of closings has a much higher vacancy rate.
- This has meant that the development pipeline has actually stopped for some types of construction, with closings being postponed due to inadequate capacity.
- Some of this is due to hiring freezes that have only recently been relaxed, but another major problem is inadequate pay for staff who can double their money in the private sector.
- **NYSFAH recommends** that HPD raise pay dramatically for attorneys and project managers in order to fully staff up and get the housing pipeline moving.

End OMB Overreach

Much of the problem of inadequate pay is that HPD, in spite of being one of the nation's largest housing agencies, cannot make independent decisions regarding how much to pay employees.

- During the peak of COVID, OMB took control of many agencies' budgets. OMB has been forcing HPD to bring on new employees at the minimum salary for whatever title they are being considered. For attorneys, this is barely above \$60,000. To put this in housing terms, that is 50% AMI for a family of three. With this level of pay, only attorneys fresh out of law school would even consider taking the job.
- Furthermore, OMB is re-underwriting affordable housing deals after HPD has signed off. This is redundant, unnecessary work that delays development and makes our homelessness crisis worse.
- **NYSFAH recommends that OMB let HPD manage its own expense and capital budgets.** This year's budget is a record in size and is more than 50% larger than the budget of a decade ago.

Streamline Building and Land Use

During the housing plan formulation, NYSFAH recommended that each mayoral agency that has a role in the affordable housing pipeline have a dedicated staff member whose primary duty is to expedite approvals for affordable housing projects. The City's Chief Housing Officer could

then convene these individuals, in addition to key officials from HPD, HDC, and City Planning, on a periodic basis to address pipeline delays.

- The City is adopting a version of this recommendation in the form of the Building and Land Use Approval Streamlining Task Force, or BLAST.
- For instance, the Fire Department typically takes four months to review a set of plans for compliance with fire code. DOB is powerless to expedite this process. BLAST should tackle this unnecessary delay.
- **NYSFAH supports** the creation of the BLAST task force, as it can address many unnecessary delays that slow the delivery of affordable housing to the most vulnerable New Yorkers.

Thank you again for the opportunity to testify today; I welcome any questions or comments you may have.

Contact: Jolie Milstein, NYSFAH President and CEO, at jmilstein@nysafah.org and (646) 473-1208.



Open New York Testimony before the Committee on Housing and Buildings on the Mayor's Housing Plan

July 1st, 2022

Thank you Chair Sanchez and members of the Committee on Housing and Buildings for the opportunity to respond to Mayor Adams' recently released housing plan.

My name is Logan Phares and I serve as the Political Director of Open New York. Open New York is an independent, grassroots, pro-housing organization. We are working to bring about a New York that is affordable for all who wish to live here, including those who wish to stay in neighborhoods they already call home. We realize this vision by advocating for abundant, affordable, and quality housing.

New York City is in the midst of a profound housing crisis, generations in the making. Home ownership opportunities are out of reach for most New Yorkers. At any given time during the last decade, more than half of New York City households were rent-burdened. Today, rents are even higher than they were prior to the pandemic, with only 23% of New Yorkers making enough income to even afford the median rent in the city.

From 2010 to 2020, NYC's population grew at double the rate that we built more housing. There aren't enough homes for everyone who lives or wants to live in New York. This gap is the biggest driver of the skyrocketing home and rental costs: more homebuilding has fallen desperately behind levels that are needed to lower or even stabilize prices.

We believe the roots of this crisis are entirely political—New York's overly strict zoning laws prevent us from building the housing we need. As such, we were excited to hear just how the Mayor plans to use his political power to address our housing emergency in his highly-anticipated housing plan.

First, we'd like to point out that there is a lot to like in this plan. Throughout the plan, it is clear that the Mayor and his Administration recognize that the city's lack of housing is the root of the housing crisis. To put it simply, we don't have enough homes for the people who live here or want to live here. That drives up prices, forces people to overcrowd into smaller apartments, and knocks too many out of homes entirely.

In addition, the Mayor clearly knows that there is no silver bullet to addressing our housing shortage, and that many factors together have collectively caused housing costs to skyrocket. As such, we are very happy to see a variety of policies proposed to address different but exacerbatory issues, looking to address rising construction costs in addition to outdated rules that prevent new and more affordable types of housing. Even small code changes from allowing



mini-splits on facades to single-stair buildings could significantly lower the construction costs that are later passed off to tenants and prevent the deepest levels of affordability.

As for regulatory reform, the Mayor proposes updating codes to allow for more diverse housing across the city through micro apartments, single room occupancy units (SROs), and accessory dwelling units (ADUs). Allowing for more diverse housing options has the potential to go a long way toward creating more affordable options for New Yorkers. We were especially excited to see the Mayor's plan call for reforming New York's outdated parking requirements, which drive up rents and housing costs while taking up space that could be used to create more units.

All that said, given the scale and urgency of the housing and affordability crisis, we feel the Blueprint leaves much to be desired. It lacks transparency, timelines, or metrics necessary for tracking progress. Most alarming is the lack of a general target for housing production. Certainly the number of units should not be the *only* measure of success, but it ought to be one of them, and this plan lacks other important metrics as well. Without these necessary details about how the plan should be implemented and measured, it leaves our dedicated City agencies ill-equipped to tackle our housing crisis head-on.

Another area of concern is the plan's dependence on a forthcoming housing-focused text amendment, one of three, which was later announced would not be proposed until 2024. To be clear, changing our city's zoning resolution does take time, but the Mayor must share his plans to create new housing over the next two years. There are clear steps the Administration can take while preparing the text amendment. He should support and propose neighborhood rezonings in those communities that have not done their fair share of building. He should instruct the Department of City Planning to create and enforce Community Board housing targets.

A true "City of Yes" includes these obvious steps. Addressing our housing emergency can't wait any longer

New York City has always flourished through new housing creation, and this plan indicates an awareness that our city will never fully thrive until everyone can afford their rent or fulfill their dreams of home ownership. In order for New Yorkers – present and future – to say 'yes' to living in New York City, we must do everything we can to open up pathways to new home creation and recognize this moment as a historic opportunity to build housing to benefit the city as whole.

We look forward to working with the Administration and the Council to create the housing our city so desperately needs. Thank you for your time and consideration.

Logan Phares
Political Director, Open New York
lphares@opennewyork.city



Testimony to the New York City Council's Committee on Housing and Buildings

Oversight: Housing Our Neighbors: A First Look at the Mayor's Housing Plan

Friday, July 1, 2022

Prepared by:

MJ Okma, Senior Manager of Advocacy and Government Relations

Good afternoon, Chair Sanchez and members of the Committee on Housing and Buildings. My name is MJ Okma and I am the Senior Manager of Advocacy and Government Relations at SAGE, the country's first and largest organization dedicated to improving the lives of LGBTQ+ older people.

SAGE has been serving LGBTQ+ elders and HIV-affected older New Yorkers for over four decades. With the support of the New York City Council, we provide comprehensive social services and community-building programs through our network of LGBTQ+ older adult centers across the City along with extensive virtual programming, and services for homebound LGBTQ+ elders and older New Yorkers living with HIV. We also made history for our City in 2020 and 2021 when SAGE and our developer partners opened New York's first LGBTQ+ welcoming elder housing developments: Stonewall House in Brooklyn and Crotona Pride House in The Bronx.

Aging alone can be wrought with challenges, including social isolation and diminished income. For LGBTQ+ older people, however – many of whom have experienced stigma and discrimination throughout their lives as a direct result of their sexual orientation and/or gender identity – the deck is stacked against them, and they are more likely to struggle financially.ⁱ LGBTQ+ people face disproportionate rates of discrimination and poverty, including a shared history of community trauma involving both interpersonal and systemic discrimination. This has impacted LGBTQ+ elders in a myriad of ways around disparate health outcomes and unequal access, in particular around housing.

In New York City, housing challenges are particularly acute. Countless LGBTQ+ older people find themselves priced out of the neighborhoods in which they have lived for years due to rising rents and financial insecurity as they age. Unless effectively addressed, this housing crisis among LGBTQ+ older people will only worsen as the LGBTQ+ elder population doubles and more “out” LGBTQ+ people age into their retirement years. In fact, research estimates there are between 2.5 and 4 million LGBTQ+ older adults in the United States – and this population will double by 2030.ⁱⁱ Yet today, there are less than 500 units of affordable housing in existing LGBTQ+ welcoming complexes nationwide.

To avoid discrimination, many—34% of LGBTQ+ older people and 54% of transgender and gender nonconforming older people—fear having to re-closet themselves when seeking elder

housing.ⁱⁱⁱ This may be why 90% of LGBTQ+ older people are extremely, very, or somewhat interested in LGBTQ+ welcoming elder housing.^{iv} Lack of access to affordable housing is exacerbated by the current real estate and eviction crisis in the City, which has been magnified by the disparate impact of COVID-19 on elders' safety, support networks, and economic stability.

These challenges compound for transgender elders and LGBTQ+ elders of color. Only one out of five homeowners in New York State is a person of color (even though people of color comprise one-third of New York's overall population), and African American/Black, Asian American and Pacific Islander, and Hispanic/Latino people over the age of 50 are twice as likely to be paying over half their income on housing.^v As a result, older New Yorkers of color generally, and LGBTQ+ older adults of color more specifically, have less access to safe, affordable housing and mobility options compared to white New Yorkers.

SAGE's research report, *Out and Visible*, found that 13% of LGBTQ+ older people and 25% of transgender older people reported experiencing housing discrimination on the basis of their sexual orientation and gender identity, respectively.^{vi} Additionally, 24% of LGBTQ+ older people of color report experiencing housing discrimination on the basis of race or ethnicity, as compared to 18% of non-LGBTQ+ older people of color.^{vii} LGBTQ+ elders' struggles with financial stability and housing security are pronounced in New York City – as older New Yorkers generally struggle to find stable, affordable housing. Roughly 2,000 older New Yorkers are living in homeless shelters; without meaningful intervention, that number will triple by 2030.^{viii} There are also more than 200,000 older adults on waiting lists for affordable housing in New York City, illustrating the severity of this need.^{ix}

Unless effectively addressed, this housing crisis among LGBTQ+ older people will only worsen as the population of both older New Yorkers and out LGBTQ+ elders continue to grow.

The release of Mayor Eric Adams' new housing blueprint—created under the leadership of Chief Housing Officer Jessica Katz, Department of Housing Preservation and Development (HPD) Commissioner Adolfo Carrión, Department of Social Services (DSS) Commissioner Gary Jenkins, and New York City Housing Authority (NYCHA) Chair and Chief Executive Officer Gregory Russ, among others—displays a deep commitment to take meaningful action to address the housing crisis. SAGE is deeply appreciative of this blueprint and the opportunity to provide feedback. Right now, the unique needs of LGBTQ+ elders are not explicitly named in this blueprint, though many of the reforms it outlines would benefit LGBTQ+ elders, including the recommendations to eliminate bureaucratic barriers that limit the creation of affordable housing and complicate the process of housing placements.

In order best improve LGBTQ+ older New Yorkers' access to housing SAGE suggests the following additional steps:

- Fund the creation of affordable and affirming housing for LGBTQ+ older adults.
 - In addition to the blueprint's goal of accelerated production of supportive housing, SAGE also recommends the acceleration of housing devolved through

the Senior Affordable Rental Assistance (SARA) program, which currently funds NYC's first two LGBTQ+ welcoming affordable elders housing developments: Stonewall House in Brooklyn and the Crotona Pride House in The Bronx.

- SAGE also supports LiveOn NY's recommendation for the City to increase the per-unit reimbursement rate for SARA services from \$5,000 per unit, to \$7,500 per unit, allowing for increased staff to more adequately address social isolation and significant case assistance needs, which is partially important for serving LGBTQ+ elders who face disproportionate rates of discrimination and poverty.
- Fund LGBTQ+ cultural competency training for housing providers throughout New York City.
- Increase funding and access to LGBTQ+ friendly support services in residential settings and NORCs (naturally occurring retirement communities).
- Explore options to fund 24-hour security for SARA-funded elder housing developments that cater to communities where residents are at higher risk of anti-LGBTQ+, racist, and anti-immigrant violence.

Thank you, Chair Sanchez, for your leadership and for providing me with the opportunity to testify. SAGE deeply values our partnership with the City Council and Mayor Adams and looks forward to working together to ensure our housing plan supports the unique needs of our City's LGBTQ+ elders.

MJ Okma, Senior Manager for Advocacy and Government Relations, SAGE
mokma@sageusa.org

ⁱ AARP NY, "Disrupting Disparities: Solutions for LGBTQ+ New Yorkers 50+," January 2021 <https://aarp-states.brightspotcdn.com/ca/eb/c2353b1e45b3a7fa0f15991c47a6/disparities-lgbtq-full-final-spread-v4.pdf>

ⁱⁱ Choi, S. and Meyer, I. (2016). LGBTQ+ Aging: A Review of Research Findings, Needs, and Policy Implications. The Williams Institute, UCLA School of Law.

ⁱⁱⁱ AARP NY, "Disrupting Disparities: Solutions for LGBTQ+ New Yorkers 50+," January 2021 <https://aarp-states.brightspotcdn.com/ca/eb/c2353b1e45b3a7fa0f15991c47a6/disparities-lgbtq-full-final-spread-v4.pdf>

^{iv} Id.

^v New Economy Project, "Disparities in Economic Security for New Yorkers of Color 50 and Older," October 2017 <https://www.neweconomynyc.org/wp-content/uploads/2018/02/Disparities-in-Economic-Security.pdf>

^{vi} Robert Espinoza, "Out and Visible: The Experiences and Attitudes of Lesbian, Gay, Bisexual and Transgender Older Adults, Ages 45-75" 2014 <https://www.sageusa.org/wp-content/uploads/2018/05/sageusa-out-visible-lgbt-market-research-full-report.pdf>

^{vii} Id.

^{viii} Id.

^{ix} Id.



**Testimony to the New York City Council
Committee on Housing and Buildings
Oversight: “Housing Our Neighbors”
Submitted by the Supportive Housing Network of New York
July 1, 2022**

Hello Chair Sanchez and members of the Housing and Buildings Committee. My name is Rebecca Sauer and I am the Director of Policy and Planning at the Supportive Housing Network of New York. The Network is a membership organization, representing over 200 nonprofits statewide who develop, own, and operate supportive housing. Supportive housing is deeply affordable housing with onsite, voluntary social services for people who have experienced homelessness and who have the greatest barriers to obtaining and maintaining housing – those living with a serious mental health diagnosis, people who use substances, youth aging out of foster care, veterans, survivors of domestic violence and others.

[Housing Our Neighbors](#) departs from previous housing plans by focusing on impacted people, systems, and processes over a set unit target. The Network is encouraged to see the extent to which people with lived experience of homelessness were incorporated into the creation of the Housing Blueprint and looks forward to seeing that continue in this administration.

We are also pleased to see so many bold proposals to maximize affordable and supportive housing development and to streamline the process of accessing supportive housing. We look forward to working with the City and our member organizations to identify and implement high-impact streamlining solutions.

The Network has been vocal about the 10% vacancy rate in supportive housing. We have seen this administration take the problem seriously over the last few months, beginning to make strides to reduce vacancies. Memorializing this problem and the goal of a low vacancy rate in the Housing Blueprint is a very important step forward. We hope to see both vacancy rates and the time it takes to fill vacant units in the Mayor’s Management Report, as this will be an important benchmark against which to measure future success.

We applaud the administration’s unprecedented commitment to report on the census for all homeless systems, which will increase the official count of homeless New Yorkers by approximately 15%. We believe this is a vital step toward reckoning with the true scope of the homelessness crisis. Many of the homeless New Yorkers who need supportive housing utilize systems that are not included in the current DHS reporting - such as HASA transitional housing, domestic violence shelters, and young adult shelters.

While we are pleased that the Housing Blueprint included a commitment to accelerate supportive housing production, we believe it is important to adjust the NYC 15/15 program in order to make that goal a success.

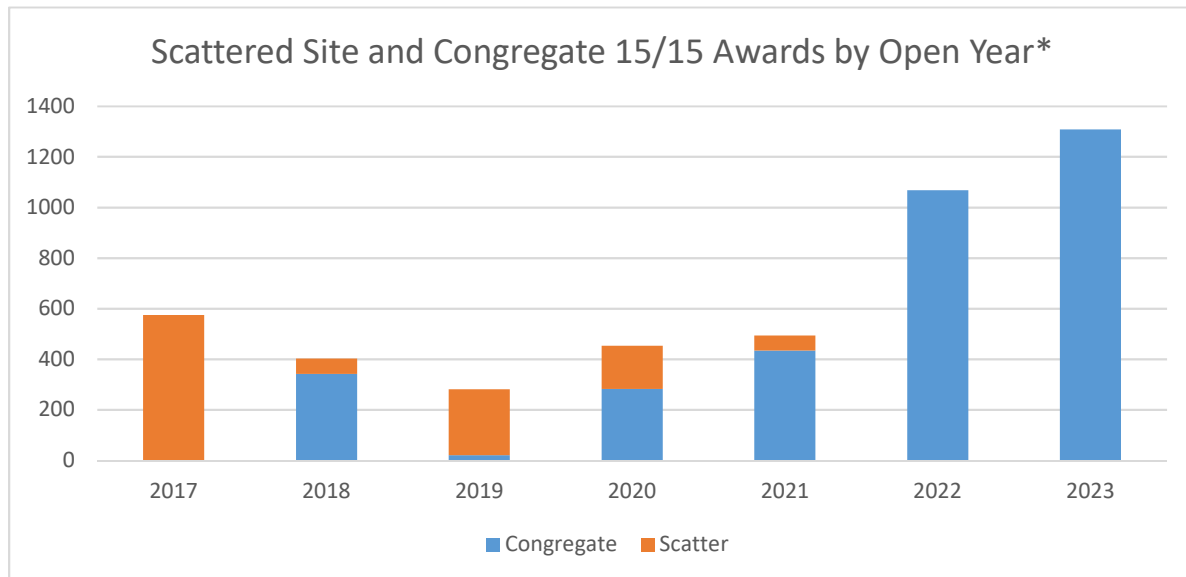


The City's current supportive housing initiative, NYC 15/15, is creating 15,000 units of supportive housing over 15 years. Launched in 2017, the commitment is split 50/50 between newly developed single site residences (otherwise known as "congregate") and scattered site supportive housing (private apartments in which mobile services are delivered).

The single site program is showing strong signs of success, but the scattered site program is not working. In order to respond to the demand for the program, and to maximize production in the pipeline, the Network believes the City should reallocate the NYC 15/15 program from a 50/50 split to a 75/25 split, in favor of single-site development. The new allocation should be reflected in updated RFPs and plans for HPD capital.

The open RFP for the congregate component of the NYC 15/15 program includes 7,500 units. 5,285 units of those, or 70%, have already been awarded. According to the Network's internal tracking, 1,161 of those homes are already open, with about 1,600 more in construction. This is fantastic progress, made despite setbacks due to Covid and agency staffing. However, the strong demand for the congregate program also means that the current RFP could be depleted in 2-3 years.

Meanwhile, the scattered site program has only awarded 17% of its target units. NYC 15/15 scattered site started with some initial interest in its first year, but has faltered significantly in the last five years. This is due to the stagnant contract rates and social service rates far below those available to congregate programs. (For example, for a single adult program social service funding for NYC 15/15 congregate is \$17,500 and for scattered site it is only \$10,000). Nonprofit providers are unwilling to take on new scattered site contracts while their existing scattered site programs – from previous supportive housing initiatives – are so underfunded that they are actually losing money. The model is actually more costly to operate than congregate because it requires extensive travel, constant negotiation and interaction with multiple landlords, and identifying community resources in multiple neighborhoods. Lastly, scattered site programs do not add new affordable housing stock to the City, as congregate programs do.



**Because of the nature of scattered site, there is no guarantee of new 15/15 scattered site awards in 2022 and 2023. As the above chart illustrates, there are congregate projects that are currently in the development pipeline, projected to open in 2022 and 2023.*

As you can see from the chart above, the NYC 15/15 program is already producing congregate units at the needed rate of 750 units per year. If the congregate RFP is not rightsized to meet the demand for the program, it could be completely depleted in the next 2-to-3 years, risking the forward momentum of the pipeline. Formalizing a new NYC 15/15 allocation of 75% congregate in the program's RFPs and including it in plans for HPD capital will be an important complement to the City's laudable goals, as outlined in *Housing Our Neighbors*.

Thank you for the opportunity to testify.



University Neighborhood Housing Program Housing Connect Testimony

UNHP was disappointed to see the lack of discussion around the NYC Housing Connect program in Mayor Adam's Housing Plan. The program receives a single mention in the entirety of the Housing Blueprint in the section discussing strategies to reduce administrative burden. While cutting down on the time it takes to rent units through the lottery is important, there are many larger issues with the program that need to be seriously considered and addressed.

In this testimony, we will discuss our perspective on the Housing Connect program as a HPD Housing Ambassador as well as a non-profit affordable housing developer. Additionally, we have included testimony from Bronx residents who have experience with the program. Through this document, we hope to highlight the importance of and need for meaningful reform of the Housing Connect program. As the centralized portal to get New Yorkers affordable housing, the Mayor's plan must prioritize it as such.

UNHP's direct service arm, the Northwest Bronx Resource Center (NWBRC), became an HPD Housing Ambassador in 2017. Since then, the NWBRC has helped more than 1,790 applicants, representing 3,456 household members, send in over 13,378 Housing Connect applications. However, few of those that we help have been able to get an apartment through the lottery - as far as we know, only 16 people have been selected.

In order to better understand why people from our neighborhood were not able to secure housing through this program, we conducted a survey regarding their experience with Housing Connect. We then compiled these results alongside additional research regarding how the program is working into a series of two blog posts on our [website](#). Overall, we found that residents had a fairly negative opinion of the program. They were frustrated by the lack of truly affordable apartments in the lottery and their low odds of being selected for them. Additionally, those who were lucky enough to be selected for an interview found the quick turnaround time to produce the many required documents onerous.

The opinions of survey respondents were borne out by the research into the units and application rates within the program - few extremely and very low-income apartments are made available, and they tend to receive the largest number of applications making the odds of being selected extremely low. For instance, between 2017 and 2019, 83% of units available via Housing Connect in the Northwest Bronx had AMI requirements above 40%, which is too high to meet the needs of neighborhood residents. For context, program users at the NWBRC have household income below \$30,000. Frustratingly, the units being developed in the Northwest Bronx are far out of reach for many residents who simply want access to affordable housing in their communities.

Our research and experience showed that helping Bronx residents submit thousands of applications was not having the meaningful impact we wanted - few were securing affordable housing while the majority were left feeling extremely frustrated. In response to this, we formed a tenant working group where those engaging with the lottery could come together, discuss their experiences, and determine a strategy to advocate for improvements to the program. So far the working group has been a positive and informative experience both for us and the tenants involved. After a series of meetings where members were able to discuss their experiences and think through how they connect with larger issues in the program, we facilitated a meeting with City Council member Pierina Sanchez where tenants were able to share both their experiences and their insights into how the program could be improved.



Through this collaborative work, we have landed on two main ideas for how the Housing Connect program could be meaningfully improved.

- I. First, there is simply a need for more deeply affordable units. As discussed above, the majority of units included in the lottery are geared towards those making 51% AMI and up; Bronx residents, on average, simply do not make this much. More needs to be done to both produce affordable units and to ensure that more of these units are available to households under the 40% AMI level, as well as to those who already live in the community board where the development is located.
- II. Next, there needs to be more support for those engaging in the program, specifically around issues of access. There is a stark digital divide in the city - Bronx neighborhoods have some of the highest rates of households without broadband access as was shown in a 2019 [report](#) by the Comptroller's office. Support is needed so that low-income households, people of color, and seniors are not left behind because of technological inequities. Libraries could play an important role here, as they are a known and accessible source of resources throughout the city, during the initial application and selection process. Specifically, we believe that the City should fund well-trained staff at local library branches to support households in accessing and understanding the online application via library computers.

In an effort to incorporate the voices of Bronx residents we work with, we have included testimony from two clients of the NWBRC below. We have also included additional information about the issues presented in our meeting with City Council member Pierina Sanchez, including quotes from members of the Housing Connect working group.

Beyond our work with those applying to the Housing Connect lottery, we have also recently gained experience with renting up apartments in our own buildings through the portal. UNHP has been involved in the development of affordable housing in the Bronx since our inception in the '80s. Due to the repositioning of one of our projects, we are now required to fill vacancies through the lottery. We have been shocked at both the length of time it takes to lease out apartments through the program and the costs of the required marketing process. The experience of renting up units through the lottery and the issues we encountered spurred us to join a Leasing Committee of other like-minded developers facilitated by the Association for Neighborhood Housing Development (ANHD). The Committee is focused on identifying the issues with the lottery process and developing recommendations for how HPD can make improvements. In short, the Committee is recommending the incentivization and requirement of more deeply affordable housing through tax benefits, increased transparency - through the publishing of data - about how long it takes to lease units through the program, and a reduction of the high marketing costs required to meet program stipulations.

Testimony From Marilu Garcia

Thank you for this opportunity to submit testimony to the NYC Council as you review the Mayor's Housing Plan. I have issues using technology and have asked UNHP to submit this testimony for me electronically.

I have lived in the Bronx for 20 years. I live on the first floor of an apartment building on Jerome Avenue and 183rd Street. I am an US Airforce veteran, disabled and my poor health and need to use oxygen limits my mobility. I am in desperate need of a new apartment due to poor conditions in the building, safety concerns and other problems in the building that affect my health. Even with Section 8, finding an affordable, safe and well-kept apartment is very difficult.



I am mainly writing about the construction of new affordable housing and the online affordable housing lottery, Housing Connect. The buildings built in the Bronx are not affordable for the people that live in the Bronx. I participated in a few virtual meetings with other Bronx apartment seekers and we all agreed that when we look to apply the majority of apartments are for people in special programs or for those with incomes above \$50,000. If the building is being built in the Bronx it should be affordable to the people who live there.

I also feel that more needs to be done to make applying for apartments easier. I struggled to create a Housing Connect account for about a year for a number of reasons. I am not that good with using technology. I have a tablet and a smartphone but I could not create the application myself. I reached out to UNHP for assistance, but due to my mobility issues and the need to work remotely during Covid, I was unable to create the account. I continued to work with UNHP to finally overcome some of those problems and get an account created but still need an apartment.

I am not the only one in need of housing that has difficulty with online systems for a variety of reasons – including lack of internet and ability to navigate online applications. More needs to be done to help people apply for housing. At the meeting I went to with other Housing Connect users, people also shared the need for ongoing help when they were notified that an application had been accepted. Recently I went to the library in my neighborhood for help renewing my Section 8 certification. I think having in-person assistance in local libraries for Housing Connect and online applications would go a long way to help people who are struggling with this system.

Thank you again. It is my hope that more will be done to make applying for apartments easier for the disabled and those with technology issues, to make in person help widely available especially in low income neighborhoods and that going forward newly built apartments will truly be for lower income people like myself.

Marilu Garcia
Mlgarcia10468@aol.com
Bronx, NY 10453
July 1, 2022

Testimony From Milagros Salazar
(translation provided below)

Mi nombre es Milagros Salazar, soy residente del Bronx y desde el 2017 usó el portal de Housing Connect para buscar un apartamento propio. Trabajo a tiempo completo y ganó un ingreso de \$27,300 al año. He sometido múltiple loterías, y de éstas sólo dos han sido respondidas y de estas dos, tuve una sola entrevista. Después de ir a la entrevista y someter todos los documentos requeridos, mi aplicación fue rechazada porque al analizar mi ingreso anual, supuestamente la compañía determinó que por solo menos de \$100 excedí los requisitos. En este apartamento la renta sería entre \$450-\$580 y como prueba en los documentos que someti había una carta que confirma que actualmente pago \$700 en renta mensual en la habitación donde vivo. Y siempre estoy puntual en este pago. Es decir que podría pagar esta renta. En la segunda aplicación que se comunicaron conmigo era para el 3er edificio del mismo complejo donde fui entrevistada, pero esta vez fui descalificada porque mi dirección no estaba dentro del área aprobada, lo cual no había sido un problema hasta entonces. No comprendo, si este edificio está en el mismo lugar del anterior y yo aun vivo en la misma dirección. Después de estos rechazos me sentí



muy frustrada, ya que sentí que en ambas ocasiones que me negaron no fueron suficiente y clara, aunque satisfactoriamente yo llene cada requisito, a tiempo como exigen en los 10 días.

Además cada apartamento exige un ingreso alto o es exclusivo para personas mayores. En conclusión llevo 5 años en HC, solicitando en toda parte para lo que calificó en mi ingreso para una persona y aun no tengo una vivienda.

Gracias por la oportunidad de compartir mi testimonio,
Milagros Salazar (ingreso anual \$27,300)
millosalazar85@gmail.com
Bronx, NY 10468

My name is Milagros Salazar, I am a resident of the Bronx and since 2017 I have used the NYC Housing Connect portal to search for an apartment of my own. I have submitted multiple lotteries, and of these only two have been answered and of these two, I had only one interview. After going to the interview and submitting all the required documents, my application was rejected because when analyzing my annual income, the company supposedly determined that for only less than \$100 I exceeded the requirements. In this apartment the rent would be between \$450-\$580 and as proof in the documents that I submitted there was a letter confirming that I currently pay \$700 in monthly rent in the room where I live. And I am always punctual in this payment. That is, I could pay this rent. The second application that I was contacted for was for the 3rd building in the same complex where I was interviewed, but this time I was disqualified because my address was not within the approved area, which had not been a problem until then. I don't understand if this building is in the same place as the previous one and I still live at the same address. After these rejections I felt very frustrated, since I felt that on both occasions that they denied me they were not clear enough, although I satisfactorily fulfilled each requirement, on time as required in the 10 days.

In addition, each apartment requires a high income or is exclusively for the elderly. In conclusion, I have been in Housing Connect for 5 years, requesting everywhere for what qualified in my income for a person and I still do not have a home.

Notes from the Housing Connect Working Group's Meeting with Pierina Sanchez

Below is additional information about the working group's experiences with and opinions of the Housing Connect program that were shared in the June 21st meeting with Bronx City Council member Pierina Sanchez.

- I. There are not enough units for low income families and individuals.

This is the largest frustration expressed in the meetings. Many of the income ranges for available buildings in the Bronx are well above 80% of AMI – not affordable for Bronx residents. Dawn, one of the members of the working group, has been looking for an apartment on Housing Connect for the last three years. She shared that she is working and earns \$44,000 and is seeking a one bedroom apartment. She is very frustrated about the lack of apartments for her income range: *"Is it supposed to be affordable housing? The listed income is ridiculous."*

- II. There are not enough low income units available in the Bronx.

For the most part, Bronx housing seekers want to remain in the Bronx – close to doctors, schools, family and institutions they have used. The CB preference helps Bronx residents stay in their community. When Bronx



residents see units set aside for higher income earners it feels like what is being built in their community is not for them. As the below quotes express, it feels unfair.

“Why are they building all these buildings where the guidelines make it look like it’s affordable but it is not and too difficult to get in.”

“I don’t think I’m ever gonna get a call from housing connect. It would be nice to get called but I don’t think it’s gonna happen for me. Housing connect only accepts shelter people and people with a high income.”

III. The online application is too difficult for people to navigate, track and follow up.

Many people in the Bronx do not have access to technology for a number of documented reasons - no internet access, lack of skills, age, and language barriers. While UNHP and other unpaid housing ambassadors work with residents – it in no way meets the demand for assistance. In our meetings, people discussed the idea of having a Housing Connect assistant in NYC public libraries to help people apply, understand the process, and upload documents if selected.

“The people who design these sites need to think of the elderly who can’t navigate the internet very well. I’m not elderly but if I had a hard time - imagine what they go through. Also, no one from any city agency was able to explain how to navigate the site. They had a hard time too. I found out by trial and error.”

From Juan, a Spanish speaker: *“Lots of the materials are only in English, we don’t have good enough internet to always access within the set timeframe.”*

IV. The process is too slow.

Many people who are seeking housing are in desperate situations. The Housing Connect process is slow. Neighborhood safety, lack of affordability, room renting, and poor building conditions drive the desperation

“I need a place for me and my daughter. I have to leave where I’m at and I wanted to be in a safe neighborhood. God knows I’m doing everything I can.”

V. For those selected the interview process is confusing, non-transparent, and difficult.

The frustration continues for people who are selected for an interview - some receive denials for unexplained reasons and many have technical difficulties uploading required documents.

“It’s horrible! I wish there was better service and I wish people took the time to review applicants info before making decisions.”

“I was selected for a unit and moving forward with the process, but then the unit was given to a person from a shelter.”



**Written Testimony
New York City Council
Committee on Housing and Buildings
Oversight Hearing- “Housing Our Neighbors”: A First Look at the Mayor’s
Housing Plan
July 1st, 2022**

**Submitted by Nicole McVinua, LMSW
Director of Policy, Urban Pathways**

Thank you for the opportunity to submit written testimony on behalf of Urban Pathways regarding the oversight hearing on the “Housing Our Neighbors” plan to address housing and homelessness.

Urban Pathways is a nonprofit homeless services and supportive housing provider. We assist single adults through a unique combination of street outreach, drop-in services, Safe Havens, extended-stay residences, and Permanent Supportive Housing. We also offer a wide range of additional programming to meet the needs of our clients, including our Total Wellness Program, Consumer Advocacy Program, and UPwards Employment Program. Urban Pathways serves over 3,900 New Yorkers in need annually.

Urban Pathways is very pleased to see the wholistic approach being taken by the Mayor and Chief Housing Officer in the “Housing Our Neighbors: A Blueprint for Housing and Homelessness” document by having a single plan to address both homelessness and housing. We agree that the homelessness crisis *is* a housing crisis, and that both issues need to be addressed in tandem.

We agree that the focus of the plan should be on creating and preserving affordable housing, including supportive housing, and are pleased to see increases in capital funding to HPD committed in the Fiscal Year 2023 Budget. We are also pleased to see it includes

the goal of increasing access to solutions that we know to be more effective for providing immediate assistance to people experiencing street homelessness than traditional shelter in the form of safe havens and stabilization beds, with \$174.6 million included in the Fiscal Year 2023 Budget to increase these services along with drop-in centers and street outreach services. We believe that increasing access to these low-barrier services will increase access to the first step of obtaining housing, especially for those experiencing chronic street homelessness.

While the overall goals of the plan are leading New York in the right direction to address the housing and homelessness crises, we also have some concerns and recommendations. **With the proposal to increase safe haven and stabilization bed services, it will be imperative for the City to properly fund these contracts.** Urban Pathways recently opened a new safe haven and, although we began the hiring process months in advance, we have had a very difficult time fully staffing the program. **Across the organization, we are experiencing a staffing crisis with a 30% staff vacancy rate, and organizations across the city are facing the same challenges.** We appreciate the \$60 million human services workforce investment in the Fiscal Year 2023 budget, but we will need a substantially greater investment to raise staff wages in order to be competitive in our hiring. The poverty-level wages on these contracts, with essential functions including maintenance and kitchen staff starting at just \$15/hour is dismal. Case Manager positions below \$45,000 annually is completely inadequate and does not match the extremely difficult work performed or the qualifications of our staff who have at least a bachelor's degree. These shortcomings in DHS contracts make it extremely difficult to hire and maintain qualified employees, and will prohibit providers from bidding on RFPs.

We are glad to see that the City plans to pursue regulatory reforms related to developing affordable housing. **There are a number of regulatory challenges that add significant time to an affordable housing and/or supportive housing project, leading to significant increases to project costs.** Increased costs make it harder to develop affordable housing and disincentivizes doing so. Some key steps in the process, such as getting drawings reviewed and approved, can take up to eight months, which essentially adds upwards of a year to the project. In order to get more affordable and supportive housing developed, the City must make the process to do so easier. This also includes the process for siting a location, which is onerous and delays projects from moving forward. **In addition, if the City wants to increase its stock of affordable housing over time, they must make all affordable housing projects permanent.** Making deals with developers

that end the life of affordable housing after several decades or when the rent reaches a certain amount will lead to a continuous loss of affordable housing over the long-term.

There is a significant focus in the “Housing Our Neighbors” plan on helping New Yorkers move into shelter faster and reducing administrative silos and burdens. We wholeheartedly agree with these recommendations, but are anxious to see the details on the changes that will be implemented. We have been working with a coalition of community organizers and service providers to advocate for administrative changes to CityFHEPS that could be changed by the administration, including:

- **Remove the 90-day rule.** At the press conference held on June 14, 2022 announcing the housing blueprint, Chief Housing Officer Katz announced that the “four month rule” was being eliminated so that a person entering shelter would no longer have to be in the shelter system for four months before they could begin the housing application process. However, **the current Rules of the City of New York regarding rental assistance still clearly states that a person must have resided in the shelter system for 90 days before they can apply for a CityFHEPS voucher**, (which becomes about four months when you add the additional month in takes for someone to move through assessment to placement). This must be eliminated in alignment with the plan.
- **The elimination of the rent reasonableness test and elimination of the utility allowance**, which both restrict households from utilizing the full amounts of their vouchers and limits their rental options within an already tight market.
- **Clarify and expedite application and preclearance processes.** Currently there are no clear contacts and people experiencing homelessness face delays in reviewing applications to get the voucher, as well as processing preclearances, inspections, and packets to move into an apartment. These delays can to apartment losses if the unit cannot be held, as well as frustration on behalf of apartment seekers and our staff assisting them.
 - Packets should be assigned to a single worker at HRA so that there is consistency in the review process and a clear contact.
 - Packets should be reviewed within 30 days to prevent loss of the unit and prevent loss income on behalf of the landlord who is holding the unit for the voucher holder.
- Ensure timely payments to landlords so they continue to cooperate with the CityFHEPS program.

Another huge barrier that New Yorkers seeking housing with vouchers of all kinds face is source of income (SOI) discrimination. **While we see that addressing source of income discrimination is included in the housing plan, we are deeply concerned by the lack of investment in the Commission on Human Rights' SOI unit in the FY23 Budget.** While the housing blueprint states that previously cut funding was recently restored to the SOI unit, **it appears that the budget line for the six SOI discrimination investigators previously allocated to HRA was simply moved to the Commission on Human Rights' SOI unit, which will not provide any additional investigators.** Recently there were no staff working in this unit at all due to under resourced staff leaving following PEGS and budget cuts. There must be a robust SOI unit at CCHR to investigate discrimination against households searching for housing and enforce source of income protections afforded by City and State laws.

Lastly, **we want to see metrics provide measurable outcomes, and provided transparently and in a timely manner, that can be used to improve the client experience in a timely fashion.** A bill signed into law this week, Intro. 303-A, will require data to be tracked and reported that shows the effectiveness of the CityFHEPS vouchers. Unfortunately, it only requires a report to be provided once per year and the bill does not go into effect until March 31, 2024. While the data to be tracked will be effective in letting us know how many households are able to use and stay housed with CityFHEPS, the long wait time until implementation and lengthy timeframe between reports will not effectively provide performance transparent performance metrics to enable to the City to improve systems and the client experience in real time, in line with the plan goals.

Thank you for the opportunity to provide testimony. We look forward to partnering with the City to ensure the “Housing Our Neighbors” plan is effectively implemented and affordable housing is made accessible to all New Yorkers who need it.

For questions or more information, please contact:

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**Testimony to the New York City Council Committee on Housing & Buildings
Oversight – Housing Our Neighbors: A First Look at the Mayor’s Housing Plan
July 1, 2022**

Introduction and Thanks:

My name is Patrick Boyle and I am the Assistant Vice President for Public Policy for Volunteers of America-Greater New York (VOA-GNY). We are the local affiliate of the national organization, Volunteers of America, Inc. (VOA). I would like to thank Chair Sanchez, as well as the other members of this Committee, for the opportunity to submit the following testimony.

About Us:

VOA-GNY is an anti-poverty organization that aims to end homelessness in the New York area by 2050 through housing, health and wealth building services. We are one of the region’s largest human service providers, impacting more than 11,000 adults and children annually through 65 programs in New York City, Northern New Jersey, and Westchester. We are also an active nonprofit developer of supportive and affordable housing, with a robust portfolio of permanent supportive housing, affordable and senior housing properties—with more in the pipeline.

Housing Our Neighbors:

We want to thank Mayor Adams and his housing team, including Chief Housing Officer Jessica Katz, Commissioner Alfonso Carrion, President Eric Enderlin and Commissioner Gary Jenkins, as well as all the staff, for the work they put into the creation of the Housing Our Neighbors plan. In particular, we applaud the Administration for including the voices of a wide range of stakeholders in the process, especially the emphasis on New Yorkers with the lived experience of homelessness.

At VOA-GNY, we believe that ending homelessness by 2050 in the New York area is achievable. To accomplish it will take widespread policy change, process improvements and better coordination – all backed by robust and dependable resources.

As one of the largest homeless service providers in the region, as well as a nonprofit developer of permanent housing, we wanted to call out a few specific sections of the document for further emphasis.

Vacancies and Lease-Up: As with many supportive housing providers in the City, we have a serious issue with vacancies across our portfolio, driven in large part by the slow pace of referrals. Currently, VOA has 199 vacancies across our 7 SRO supportive housing properties, which is unsustainable. To add to the frustration, as an operator of transitional housing, we have

many clients who are in desperate need of the permanent housing we provide, but rules prevent us from moving them across our housing types. Regarding lease-up, on recent affordable projects we have found a process beset by delays and overly complicated compliance rules. We applaud the focus in the plan on these interconnected problems and encourage steps to greatly expedite the process of getting families in need into permanent housing.

Improving the Shelter Experience: As operators of transitional housing, including intake shelter, safe haven and other temporary housing for various populations, our team sees firsthand both the great and growing need for beds and the many areas of improvement that are needed. We support the focus on modernizing and improving our shelter infrastructure, and are excited by plans for a shelter predevelopment fund for nonprofits. The substandard physical condition and serious capital needs of many sites that nonprofits like VOA-GNY operates is unfair to the residents and needs to be matched by resources moving forward.

Health and Housing: The link between health outcomes and housing options is a well-established policy concept, but for our clients, it is a daily reality. From the mental health traumas of long shelter stays and housing insecurity, to the importance of close geographic ties to medical providers, to the higher rates of asthma among individuals in substandard housing conditions, the need to tie health outcomes to housing policy is vital. This plan takes the right steps in that direction.

Homeownership: The mission of VOA-GNY is a goal of ending homelessness through housing, health and wealth services. Too often, wealth is an underrepresented aspect of our policymaking. But with the legacy of redlining, institutional racism and lack of access to opportunities still with us today, closing the wealth gap needs to be a main pillar of any housing plan. We are encouraged to see a plan call out this racist legacy and announce steps to bolster affordable homeownership programming.

Resources:

To be effective, the smart policy goals of Housing Our Neighbors need to be matched by resources, including capital and operational funding and agency staffing. The recently enacted New York City Budget for Fiscal Year 2023 included necessary additional funding for safe haven and stabilization beds, street outreach units, affordable housing capital, HASA SROs and CityFHEPS. Crucially, it also included a \$60 million Cost-of-Living Adjustment (COLA) for human service workers, including those like ours in the homelessness and housing fields.

We thank the Administration and the Council for these investments. Future budgets will have to do even more, particularly with respect to #JustPay for these government contracted workers. Poverty wages for this sector will mean that organizations do not have the staff and resources to execute the work on the ground—placing clients in permanent housing, staffing our supportive buildings, providing mental health services—needed to reach our shared goals.

Again, thank you to the Chair and other members of the Committee for the opportunity to provide this feedback. We look forward to partnering with all those fighting to end homelessness in this City.

Respectfully submitted by:
Volunteers of America - Greater New York
135 West 50th Street, 9th Floor
New York, NY 10020



DA HOMELESS HERO

LET'S PUT THE POVERTY PIMPS OUT OF BUSINESS

Good Morning to all of you who are here on the first day of July Homeless Rights Month. To the distinguished body of City Council members, the chair of of The Committee on Housing and Buildings, and committee members, most of whom I know personally and who I consider friends, I thank you for allowing me to join you today to give testimony in regards to Housing Our Neighbors, a Blueprint for Housing and Homelessness.

Housing Our Neighbors is truly a game changing document that will forever be etched in history as one of the greatest initiatives to come forth from the leadership of this City and it's beautiful citizens, myself included. As our Mayor Eric Adams said, the blueprint reflects "the hard-won wisdom and lived experience of hundreds of New York City's leading experts on housing – including homeless and formerly homeless New Yorkers, NYCHA residents, advocates and academics, and individuals who design, build, and operate housing of every kind."

Jessica Katz, our city's Chief Housing Officer says of the blueprint, that it "rewrites the rules of what a housing plan is by asking New Yorkers experiencing homelessness to advise on how city programs could help better serve their needs. The Mayor, our Chief Housing Officer, Deputy Mayors, DSS, HPD, and other Commissioners have done a great job in sourcing ideas on what this blueprint should entail by engaging a diverse group of stakeholders, all of whom have helped design this blueprint to House Our Neighbors. I would hope we keep that in mind as we review, critique and offer feedback in the coming days and weeks.

Now what do I have to say? Let me briefly speak to the critics, the mischief makers, the naysayers, and the haters. You attacked the plan by saying it didn't go far enough when in fact, this plan has gone further than any previous administration in terms of funding, in terms of range, in terms of cooperation between city agencies and various stakeholders, and in terms of bringing the voices of people directly impacted homelessness into the conversation. How dare you speak out against the work, the

sacrifice and the tremendous input of those who have lived this life of homelessness and housing instability.

I don't care if you're anti-Eric Adams, anti-Black and brown leadership, anti-women leadership, and anti-change. I don't care if you are simply trying to justify your existence as a nonprofit, advocate or activist, you should never use your privilege and platforms to diminish the work, contributions and impact of those of us who are homeless and formerly homeless. It is time for us to finally have a seat at the table, a voice in the discussions and a hand in the decision making. This is where you have gone wrong for too long; thinking you know what's better for us than we do.

I grew up in foster care since the age of two, started experiencing homelessness at the age ten, and was permanently discharged into the streets at the age of twelve. I know what it's like to sleep on those streets. This is why I will never advocate to keep people in the streets, on the subways and in encampments. It's inhumane to live like that. So my focus is in seeing people housed and this Housing Our Neighbors blueprint is the way we can do that.

Respectfully, as a descendant of enslaved people, who suffered 400 plus years of oppression in this country, I feel the presence of generational trauma when confronted with the notion that we who are impacted by systemic, structural, and institutional racist policies, need you to be our voice and define our agenda. Had you been in these roundtable discussions you would've seen impacted people sharing their pain, their trauma, their experiences in an effort to help others avoid what they've had to go through after decades of dysfunction. We were invisible before but we're not invisible anymore. We were voiceless before but now we had a voice. We stood outside City Hall but we now have a seat at the table in City Hall and you should respect that.

We are in a crisis. If we don't address it now, then we as a City will suffer. We need all hands on deck. I ask you, City Council members, to please work as one to commit to ending homelessness. You represent communities across this City and your leadership is so vital to us all. **We need you** to work with the Mayor, his agencies and all of us. Cancel the previous **Mayor's** plans to build more shelters. We don't need that, we need housing. Let's securely **house** those who are housing insecure.

City Council, I want you **all to** give the shelter providers and nonprofit orgs a heads up and let them know they gotta change their business model. Tell them, no more shelters, we need housing. Close those congregate death traps. With this Housing Our Neighbors blueprint we can begin to dismantle this homeless-shelter industrial complex. Let's put the poverty pimps out of business.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 7/1/22

(PLEASE PRINT)

Name: Shams Dabwala

Address: 152 W 124th St, NY, NY 10027

I represent: (Self)

Address: _____

**THE COUNCIL
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Date: 1 Jul 2022

(PLEASE PRINT)

Name: James Lloyd, NYSAAH

Address: _____

I represent: _____

Address: _____

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Appearance Card

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Date: 7/1/2022

(PLEASE PRINT)

Name: Ryan A. Murray

Address: _____

I represent: HRA

Address: 150 Greenwich Street - 42nd fl

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Name: Brendan McLaughlin

Address: Deputy Commissioner, Police Strategy

I represent: HPD

Address: _____

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Name: Ahmed Tigni

Address: 100 Gold Street

I represent: NYC HPD

Address: _____

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Name: Kim Darga, Acting Deputy Commissioner

Address: Office of Development & Planning

I represent: Housing Preservation & Development

Address: _____

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Date: _____

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Name: Brian Homan

Address: 90 Church Street NY, NY

I represent: NYCHA

Address: _____

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Date: _____

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Name: Adolfo Carrion Jr.

Address: _____

I represent: Commissioner, NYC Dept. of Hsg Preservation

Address: & Development

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Date: _____

(PLEASE PRINT)

Name: ANN MARIE SANTIAGO Deputy Commissioner

Address: 100 Gold St HPD

I represent: _____

Address: _____

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Date: _____

(PLEASE PRINT)

Name: Jessica Katz

Address: City Hall

I represent: Mayor's Office

Address: _____

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Date: 7/1/22

(PLEASE PRINT)

Name: Molly Park, First Dep. Commissioner

Address: _____

I represent: DHS

Address: _____

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Name: Eva Trimble, EVP Strategy & Innovation

Address: NYCHA

I represent: _____

Address: _____

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(PLEASE PRINT)

Name: KATELYN ANDREWS

Address: 49 W. 45th ST., 7th FLOOR

I represent: LIVEON NY

Address: _____

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