## RICK D. CHANDLER, P.E. COMMISSIONER NEW YORK CITY DEPARTMENT OF BUILDINGS

### HEARING BEFORE THE NEW YORK CITY COUNCIL COMMITTEES ON HOUSING & BUILDINGS AND FINANCE ON THE FISCAL YEAR 2018 EXECUTIVE BUDGET May 11, 2017

Good afternoon, Chairs Williams and Ferreras-Copeland and members of the Housing & Buildings and Finance Committees. I am Rick Chandler, Commissioner of the New York City Department of Buildings. I am joined by First Deputy Commissioner Thomas Fariello, Deputy Commissioner of Finance and Administration Sharon Neill, and other members of my senior staff.

The Department's role in supporting the City's economy cannot be overstated. By enforcing construction laws, we facilitate job creation, spur the development of affordable housing and uphold high standards in energy efficiency – while adhering to our principal mandate to promote the safety of everyone who lives, works and builds in our City.

I am pleased to be here to discuss with you the Department's Fiscal Year 2018 Executive Budget and how it not only allows us to provide critical services to protect the safety of the public and facilitate development, but also supports our bold initiative to transform the Department. As you know, our *Building One City* plan is fundamentally reforming the Department to enhance public and worksite safety, reduce wait times and delays, and modernize all aspects of the Department to meet the needs of the largest and most complex city in America.

The Fiscal Year 2018 Executive Budget allocates approximately \$184 million in expense funds to the Department. Of this, approximately \$132 million are for Personal Services (PS), funding 1,664 budgeted employees, and \$52 million are for Other Than Personal Services (OTPS).

The Executive Budget provides \$26 million in additional funding for seventy-seven new staff positions and other initiatives. This includes \$1.3 million to fund forty temporary positions to support Build it Back work, \$2.3 million to fund twenty-eight inspectorial positions, \$500,000 to fund five positions providing technical support, and \$300,000 to fund four positions providing administrative support. Finally, the Executive Budget includes \$21.7 million for contractual services.

The Department is a revenue producing agency. The revenue forecast for the Department is approximately \$283 million, which does <u>not</u> include more than \$45 million in penalties collected each year resulting from Department-issued violations adjudicated before the Office of Administrative Trials and Hearings.

Some highlights of Fiscal Year 2016 construction activity follows:

- 2,931 New Building applications were filed with the Department, a less than 2 percent decrease from the prior fiscal year.
- 90,192 Alteration applications were filed with the Department, a nearly 2 percent increase from the prior fiscal year.
- The Department issued 109,277 initial construction permits, a 5 percent increase from the prior fiscal year.

- The Department issued 52,244 permit renewals, a 17 percent increase from the prior fiscal year.
- Finally, an important sign of future new building activity is initial demolition permits. In
  Fiscal Year 2016 the Department issued 1,922 demolition permits, a 2 percent increase
  from the prior fiscal year, which shows construction activity throughout the City has
  shown little sign of abating.

### **Streamlining Department Processes**

As mentioned in my Preliminary Budget testimony, the Department has made significant progress in improving service to our customers, all while facing a scale of construction perhaps unparalleled in the City's history.

Wait times for first plan reviews have shown tremendous improvement, with the average number of days to complete first plan reviews for New Building and Major Alteration applications down to five days in April, and under one day for Minor Alteration applications.

Additionally, there has been significant improvement in wait times for development inspections. Wait times for inspections of general construction work are down to under three days in April, and wait times for elevator and boiler inspections are less than four days, a service level not reached in the Department's history.

Our response to complaints has shown significant improvement from last year and continues to show monthly improvement in Fiscal Year 2017. Priority "A" complaints are responded to well within our twenty-four hour target. "A" complaints capture violating conditions that if

occurring, present an immediate threat to the public and include unsafe demolition, building instability and improper egress.

Priority "B" complaints are now responded to within twenty-five days, a 50% improvement from April of last year, and well within our forty day target. "B" complaints capture violating conditions that if occurring, while serious, do not present an immediate threat to the public. These include excessive debris, cracked retaining walls, and tampering with posted notices.

With the support of the Mayor and City Council, the Department continues to make significant investments in staffing and technology to quicken the pace of our reviews and provide the filing community with the guidance they seek in a consistent and transparent manner. The Department's authorized budgeted headcount has increased by 496 new positions since Fiscal year 2015 representing an increase of 42%. These positions have provided the Department with additional staff to support inspections, technical and plan exam functions, and administrative functions.

The Department continues making headway on the long-term process of redesigning its online presence, with a new public-facing web interface called DOB NOW that will replace the antiquated Building Information System (BIS) and seamlessly interface with our other technological initiatives. When completed, this new system will allow customers to conduct all transactions online, including filing applications, making payments, checking the status of their projects and having virtual interactions with staff. Last summer we launched DOB NOW for plumbing and sprinkler applications. Since then we have added standpipe applications and façade compliance filings.

Mandating that all compliance filings for facades be filed through DOB NOW represents a huge step forward for the industry and our staff. Having far greater clarity and access to data points about facades across the City, both individually and in the aggregate, provides a tremendous convenience for the filing community, and most importantly, contributes greatly to public safety.

The Department also launched the Public Portal for DOB NOW. The Public Portal allows the public online access to information on filings submitted through DOB NOW and as it is expanded, will provide information in a far more integrated and user-friendly fashion than can currently be found in BIS. Boiler compliance filings are scheduled for release on August 14<sup>th</sup> and antenna and curb cut applications will be released this summer as well.

Concerning our Construction Codes, the Department is not only embarking on its periodic revision of the City's Construction Codes, we are also moving forward with creating two entirely new codes.

The Construction Codes in their current form, which include the Building, Plumbing, Mechanical, and Fuel Gas Codes, were adopted in 2008 and were comprehensively updated in 2014, with the intent that they be periodically updated to ensure our codes incorporate the latest technologies and national standards along with local modifications to fit the City's dense urban environment.

Following the Mayor's direction to simplify the codes to make compliance easier, the Department has also kicked off a research effort with the goal of developing recommendations for a code to specifically address work on existing buildings. Currently when performing

construction in an existing building, one or all of a myriad of local and State codes need to be adhered to. An Existing Building Code will improve ease of use by consolidating all the requirements in one place.

Finally, to address the need for regulation on waterfront properties, the Department is undertaking an effort to develop code requirements for waterfront structures. While current Construction Code and national code requirements address building construction generally, current regulations do not specifically address design and construction requirements for waterfront structures such as piers, wharves, and sea walls, which serve as the foundation for new building construction on water.

### **Public Safety Enhancements**

Last week was Construction Safety Week, during which the Department participated in a number of events including hosting our annual Build Safe | Live Safe Conference. Hundreds of construction professionals attend Department-led seminars where they learn about the latest accident trends and best practices for improving safety. Department staff also distributed thousands of multi-lingual educational fliers at construction sites throughout the City as part of our *Experience is Not Enough* campaign.

Earlier this year, I testified before this Committee on a package of legislation that seeks to improve safety on construction sites. The Department supports many of the proposals outlined in those bills, several of which are now law, and looks forward to further discussion with the Council on these bills while we continue to explore new solutions, including enhanced required training for construction workers.

In recent months, the Department has implemented a number of initiatives to help reduce construction accidents throughout the City. The Department has hired 140 inspectors. The Department has more than quadrupled penalties for the most common safety lapses at construction sites. These penalties are now \$10,000 for each violation, with a maximum of \$25,000 when certain aggravating factors are present.

Given the preponderance of accidents that occur on sites of fewer than ten stories, last August the Department increased supervision on construction sites by requiring Construction Superintendents to be present at more sites under ten stories. Construction Superintendents are required to inspect all work daily and keep a detailed log of the conditions they observe. They are required to promptly correct any unsafe conditions and notify the Department of any accidents. Due to this action, approximately 2,300 additional higher-risk construction sites citywide are required to have this enhanced supervision. Yesterday, the Mayor signed Intro. 1448-A which codifies this requirement in the law, and I thank this Committee for working with the Department to enhance safety on construction sites.

The Department is more aggressive in its discipline of "bad actors". We have significantly enhanced our information technology and data analytics capabilities, improving our ability to target resources where the greatest risk exists and to identify bad actors. Additionally, we work regularly with each of the District Attorney offices, and routinely make referrals of construction professionals who warrant criminal investigation. Just yesterday, I joined the Brooklyn District Attorney in announcing the indictment of a contractor whose actions resulted in the death of one individual. In addition, Department staff provided technical and other support in a case that just resulted in Brooklyn landlord Herman Epstein being sentenced this week to three to six years in prison for bribing building inspectors.

In 2016 we issued 56,289 violations, a 23% increase from 2013, and over \$128 million in penalties. We are also issuing stop-work orders at a higher rate. In 2016 we issued 8,840 stop-work orders, a 37% increase since 2013. Stopping work for a period of time can result in a bigger monetary loss to a contractor than even the most significant penalties. Additionally, the Department conducts proactive enforcement sweeps in areas where significant construction is occurring or where there has been a spike in accidents.

We are also regularly seeking to suspend or revoke the licenses and registrations of professionals who work unsafely and put their lives and the lives of others at risk. In 2016 the Department revoked or suspended the licenses of eleven individuals or corporations, and twenty design professionals either surrendered their filing privileges or had them revoked.

The Department is also targeting its outreach to the most vulnerable populations within the construction industry, namely workers on small buildings and day laborers. In partnership with day laborer organizations, the Department is providing safety awareness seminars throughout the five boroughs on safe construction practices during scaffold and excavation work, two of the areas with the greatest risk. We welcome the Council's participation in this effort.

While we are pleased with our progress thus far, there is more work still to be done. We thank the Council for its support and look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.

Thank you for your attention and the opportunity to testify before you today. I welcome any questions you may have.



## City of New York DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT 100 GOLD STREET, NEW YORK, N.Y. 10038 nyc.gov/hpd

MARIA TORRES-SPRINGER
Commissioner

## TESTIMONY OF THE COMMISSIONER OF THE NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT TO THE NEW YORK CITY COUNCIL COMMITTEE ON FINANCE JOINTLY WITH THE COMMITTEE ON HOUSING AND BUILDINGS ON THE MAYOR'S FISCAL YEAR 2018 EXECUTIVE BUDGET

### THURSDAY, MAY 11, 2017—10:00AM

Good morning. I am Maria Torres-Springer, Commissioner of the Department of Housing Preservation and Development (HPD). Here with me today is Assistant Commissioner for Governmental Relations, Francesc Marti; Assistant Commissioner for Budget, Richard Johns; and Deputy Commissioner for Development, Molly Park. Thank you Chair Ferreras and Chair Williams for the opportunity to talk with the Committees today about HPD's Fiscal Year 2018 (FY2018) Executive Budget.

Before delving into the budget, I want to take a few minutes to update you on where we are in the Mayor's *Housing New York* (*HNY*) plan; discuss the Mayor's additional capital commitment for achieving even deeper affordability in the plan; and share some new initiatives underway since the preliminary hearing in March.

We continue to make excellent progress toward the goal of creating and preserving 200,000 affordable housing units in ten years under *HNY*. To date, we have financed the preservation or new construction of 63,398 affordable homes, surpassing our housing starts target each year. As you can see in the chart, we're currently only slight above target for FY2017, but we're heading into June closing season when we traditionally finance the majority of our units, so we are on track to exceed our target for this fiscal year. We are also well ahead of our target for cumulative progress toward the goal of 200,000 affordable homes.

The Mayor's Executive Budget continues to position HPD to fulfill the goals of *HNY*. As you know, from the outset of the plan, the Mayor made a significant capital investment in *HNY*. In January, he expanded that commitment.

Looking at the capital budget, this chart shows HPD's allocation over the next five years. The five-year plan totals \$5.1 billion: \$4.9 billion from the Mayor and the rest a combination of Federal HOME and Reso-A funding. Most notable is the inclusion of an additional \$1.9 billion in Mayoral City Capital funding for *HNY* through FY2024.

From the outset of the plan, we made explicit our goal of reaching more of the lowest income New Yorkers, setting targets for the first time for extremely low- and very-low income (ELI/VLI) residents. We are proud that since then, we're actually exceeding those targets for serving both extremely- and very-low income families. In part, that is because we have successfully preserved a large number of very large HUD multi-family projects with a significant share of ELI and VLI units.

While we cannot rely on similarly huge, deeply affordable preservation projects like that in the future pipeline, we now have new programs firmly in place, including our new Extremely Low-& Low-Income Affordability Program (ELLA), Senior Affordable Rental Apartments Program (SARA), and our various mixed-income programs that will help us achieve our goals.

So with that foundation in place, this past January the Mayor set new higher targets to increase the production of housing for the lowest-income New Yorkers, and committed funding to enable us to achieve those goals.

The revised *HNY* plan includes an additional 10,000 units of affordable housing for extremely low- and very low-income households earning less than 50% of the area median income (AMI)—or about \$40,000 for a family of three. As you can see, we're increasing our VLI target by 5,000 units and our ELI target by 5,000 units. These new targets bring the total ELI/VLI production to 50,000 affordable homes—25% of the total *HNY* 200,000 unit goal, up from the previous goal of 20%.

The additional \$1.9 billion will help us achieve deepened affordability through the duration of the plan, especially as we navigate the challenges ahead. We have revised our program term sheets and have been soliciting feedback from all our various stakeholders. With these changes, HPD will now incorporate units for the very lowest income households into virtually every new project. And these are separate from the inclusion of homeless set asides, so that we are effectively addressing both of these critical needs. We hope to roll these new term sheets out soon so we can put these funds to work right away.

Switching to the expense budget, the FY2018 executive plan is a little over \$1.1 billion. However, this includes about \$257 million—nearly 23%—in funding that is flowing through our budget on behalf of NYCHA. All HPD does is pass these funds through our budget, so we set

aside these NYCHA funds when talking about HPD's budget. So ignoring the NYCHA funding, HPD's true expense budget is about \$875 million for FY2018.

Of this \$875 million total, approximately \$116 million comes from City funds and about \$756 million from federal funds. That means 86% of HPD's expense budget is federally-funded. This huge proportion of federal versus City funding in the agency's budget is important, because when we seek to save City tax dollars—as we are constantly trying to do—the amount we can save is limited because so many of our programs are restricted by federal requirements.

We'll talk about the federal funding situation more in a minute, but right now I want to focus on City funding. City funding, especially City tax levy (TL), is critical for strengthening areas not otherwise eligible for federal or state grant funding. We are thankful for the important role that City resources play in our expense budget, and want to highlight several areas where new City funding will help us further strengthen our programs and services.

As you know, the Mayor has committed to 15,000 units of supportive housing over the next 15 years, including 7,500 congregate units through HPD's supportive housing program and 7,500 scattered site units through the Human Resources Administration (HRA).

To address the pressing need to create thousands more units of supportive housing, HPD has received significant funding beginning in FY2018 to support the NYC15 initiative. These funds will support staff focused on initial rental assistance applications, program participation, and other key support areas within HPD's Division of Tenant Resources (DTR). New staff will be added to accommodate the changing program size, with six new staff and \$1.5 million in the budget.

Additionally, in February the Mayor released *Turning the Tide on Homelessness*, a comprehensive plan to reduce homelessness in part by upgrading existing shelters, many of which have operated for years with insufficient capital investment and are in great need of renovation.

To help support the Department of Homeless Services (DHS) in this effort, HPD will use its real estate expertise to preserve high-quality shelters and create permanent housing for homeless households through a new Shelter Modernization program. HPD received seven staff and \$2.3 million over FY2018-2021 for this effort.

As part of *HNY*, HPD launched a multi-agency Building Opportunity Initiative to increase contracting opportunities for Minority- and Women-Owned Enterprises (M/WBE) in the development of HPD-subsidized affordable housing projects.

I'm very pleased that as part of this initiative, 52 M/WBE participants have taken HPD's M/WBE capacity building course to date, several of whom went on to be selected as part of the first RFP the agency issued exclusively for M/WBEs to develop city-owned sites. This builds on

the agency's track record of being the only Mayoral agency to receive an "A" grade for the past two years by the City's Comptroller for M/WBE spending goals.

Most recently, HPD formed the M/WBE Build Up program, which requires developers to spend at least a quarter of HPD-supported costs on certified M/WBEs over the course of design and construction of any HPD-subsidized project that receives \$2 million or more in City resources. Working with the Mayor and the Office of Management and Budget (OMB), HPD is now pleased to announce the addition of two new staff and \$680 thousand over FY2018-2021 for the M/WBE Build Up program.

By increasing the program's capacity, HPD will continue to ensure compliance and work with our development partners to maximize opportunities and grow participation by M/WBEs in HPD-financed projects. The new staff will also measure and evaluate the impacts of increased M/WBE utilization on our development projects in furtherance of the City's M/WBE goals.

The ambitious goals of *HNY* require us to rethink much of what we do, and change how we work within HPD, across agencies, and with communities. We are streamlining our business processes through innovations such as Tax Incentives Direct, eSubmit, eRentroll, and major improvements to NYC Housing Connect.

In an effort to continue to in-source critical agency functions, and to make more efficient use of capital funding, HPD is receiving 15 additional Technology and Strategic Development (TSD) staff and \$6.1 million over FY2018-2021. This funding will help HPD further improve its online services for housing applicants, owners who want to submit rent rolls or register buildings, and much more.

HPD also received nine staff and \$8.3 million over FY2018-2021 for Real Time Field Force. This initiative will improve the effectiveness of HPD's Division of Code Enforcement's inspection process by allowing code inspectors in the field to enter and access inspection data in real-time. The remote transmission of inspection data will result in faster generation of notice of violations to building owners, and will allow supervisors to quickly assign emergency inspections, improving efficiency and customer service. HPD is grateful for these new resources to support our services to deliver better building conditions in all communities.

We're also excited to share with you some of the progress we've made on current initiatives since our preliminary budget hearing in March.

HPD is committed to making sure that all New Yorkers have access to the affordable housing we are creating in record numbers. I want to thank City Council Speaker Melissa Mark-Viverito and all of you for the funding to expand our Housing Ambassadors program, which is a network of community-based service providers that New Yorkers can rely on for help in finding and applying for affordable housing. More recently, we announced the launch of the Ready to Rent: Financial Counseling for Affordable Housing program, in partnership with the financial

counseling provider Ariva, the Department of Consumer Affairs (DCA), and HPD's Housing Ambassadors. The program will provide free one-on-one financial counseling and additional assistance to those seeking affordable housing.

With Enterprise Community Partners, HPD launched a Landlord Ambassador Program to expand and formalize the unprecedented efforts underway to reach owners of small- to mid-size multifamily buildings and educate them about our affordable housing finance programs. Just this week, we designated three non-profits in northern Manhattan, central Brooklyn, and the South Bronx to help identify and support landlords with preservation and rehab needs. The non-profits will receive training and funds to hire staff and bolster operations as they work with landlords to stabilize and upgrade their buildings as well as assist multifamily property owners at risk of losing their properties through tax lien sale or in rem foreclosure. Through their efforts, the organizations will help preserve affordable housing throughout the city and equip landlords to manage their properties more effectively.

As you know, vacant land has become an invaluable asset in our city, which is why we're proud of our recent selection of development teams to build 100-percent affordable developments, through both HPD's New Infill Homeownership Opportunities Program (NIHOP) and the Neighborhood Construction Program (NCP). These programs were designed to encourage the development capacity of smaller developers with a particular focus on local non-profits. The development teams in this first round of designations include four non-profit community based organizations. The teams will lead the construction of nine buildings with a combined total of 182 units of affordable housing.

HPD has also partnered with NYCHA to create opportunities for affordable housing on underused NYCHA land. Most recently, we announced the selection of two teams to develop 100-percent affordable housing apartments for seniors and families at NYCHA's Betances Houses V and VI in the Mott Haven neighborhood of the South Bronx. NYCHA and HPD also released a list of prequalified developers to bid on a pipeline of sites identified for future affordable housing. The new process is intended to lower the costs of applying to an RFP, which can be a barrier to smaller firms, including non-profits and M/WBEs.

A few weeks ago, the City launched the public review of the East Harlem Initiative and a mixed-use, affordable housing development on the East 111<sup>th</sup> Street site. Building off of the East Harlem Neighborhood Plan, a community-based vision for the future of the neighborhood, HPD issued our East Harlem Housing Plan to lay out strategies for the neighborhood, guided by extensive community engagement. This initial blueprint charts a path forward as we work to preserve, develop, and increase access to affordable housing, while promoting economic opportunity for residents. This is the start of a long process, and we look forward to working with all our community partners to refine and implement this plan.

Our work in East Harlem, and in so many other neighborhoods, really highlights the agency's new approach to community planning. Through our Community Visioning Workshops, HPD's

planning staff have boots on the ground, engaging communities in our work in order to understand local priorities, gather ideas for future development, and enable meaningful and interactive participation from those who live, work, and have an intimate understanding of neighborhood conditions and needs.

And we are really trying to apply this approach to other parts of the agency. It was very much at the heart of changes we made to our Tenant Interim Lease (TIL) program and Affordable Neighborhood Cooperative Program (ANCP) as we look to improve and expedite the pathway to affordable homeownership for TIL residents. As we shared at the Council's oversight hearing just a few weeks ago, we introduced a new "Partners in Planning" model to better engage Tenant Associations (TA) and tenants, among other changes to improve the quality of life for TIL residents and adjust the ANCP program to match their needs. This new plan includes concrete commitments such as paying fuel costs for all TAs, ensuring that the purchase price is not an obstacle for low-income tenants, and restructuring our TIL management team. We want to thank Chair Williams and the rest of the Council for their focus on this issue.

And as a final update, I recently sent a letter to Council Speaker Mark-Viverito and Chair Williams announcing a program that will bring our enforcement staff to council districts all over the city. This summer, HPD will hold office hours in each district to address the needs of constituents seeking information about code enforcement issues, processes, and services. Staff from our Office of Enforcement and Neighborhood Services (ENS) will be present for a full-day at three councilmembers' offices each Wednesday, talking to building owners and tenants, and answering an array of questions. ENS staff will also be able to make referrals on topics such as affordable housing, foreclosures, and harassment.

Additionally, we want to again thank the Brooklyn and Bronx Borough Presidents, who contributed \$415,000 in Reso-A funding to the FY2017 current year budget, for supporting our HPD Mobile Housing Vans, which will provide services and information *to* the community *in* the community. The vans are currently being manufactured and we are working on our programming and branding of this exciting new initiative.

Now, I want to turn to the federal budget. As we mentioned earlier, the agency receives 86% of its expense budget funding from federal sources, largely through three grant programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); and several rental assistance programs, most notably Section 8. All federal revenue resources are still reflected in the FY2018 budget.

As you know, the Congress just passed a spending bill for Federal Fiscal Year 2017 (FFY17) through the end of September. Overall, this is good news for affordable housing here in New York and nationwide. There were modest increases to some programs, and the programs we were most concerned about—CDBG, HOME, and Section 8—fared well. CDBG and HOME were funded at flat rates. Section 8 had a slight increase overall, although some types of voucher programs saw slight cuts.

We are encouraged by this budget because it shows that the Congress recognizes that housing is essential all over the country. Federal investments in affordable housing have a triple bottom line—they pay dividends for the families that benefit from the programs; they bring in private investment; and they generate tax revenue and jobs that strengthen communities.

This is a modest win in the short-term, but the fight is really just beginning as the FFY18 bill poses significant threats, and will need to be passed by October 1. And in addition to facing major threats from the budget side, potential policy changes and tax reform will have serious consequences for our affordable housing work.

While fighting cuts is our first priority, I can assure you that our agency always models all risk scenarios. We are analyzing the effects proposed federal cuts would have on our programs and planning for all possible outcomes. Under all risk scenarios we run, it is always a priority to mitigate impacts on services and residents, but the magnitude of what was proposed in the President's preliminary budget would have severe and unavoidable citywide impacts across programs and agencies. So we continue to gear up for what could be an incredibly hard fight for the FFY18 budget.

What does this fight look like? We are working closely with our partners on the Hill, in the New York housing community, and around the country to elevate the good work these housing programs do for Americans and make clear the continued need for federal investment in housing not only in New York, but in every city, state, and rural area.

The need for affordable housing is a bipartisan issue that transcends geography, and we are tapping a nationwide network of coalitions and partnerships in the fight to preserve and expand existing resources. We are working in three primary areas to make the case for continued federal investment in affordable housing here and nationwide: Providing analysis on the benefits of federal programs and the impact cuts would have on New York; working with our Congressional Delegation to make sure they have all the information they need; and building coalitions with our partners nationwide to speak with one voice.

As scary as the current climate is, there are also opportunities to make things better. As a reminder, Section 8 was created under the Nixon Administration and the Housing Credit under President Reagan. Through the conversation about tax reform, we are looking for ways to advance improvements to the Housing Credit and tax-exempt bonds that would increase resources for affordable housing. There is currently bi-partisan, bi-cameral legislation to improve the Housing Credit, and we will continue to work with our partners to advocate for this reform, which would not just protect but expand this important tool.

We are also seizing every opportunity to highlight our successes, and show the impact of these tools on every day New Yorkers. Just to highlight one example, recently HPD was in Staten Island for the Mayor's *City Hall in Your Borough* week. We attended a resource fair, a Town

Hall with Councilmember Debi Rose, and toured North Shore Plaza with members of the recent graduating class of HPD code enforcement inspectors.

This 536-unit HPD-supervised Mitchell-Lama received thousands of code enforcement violations over the years for its poor living conditions. Through our various programs, this development has become a story of revitalization that vividly illustrates the role that federal programs play in preserving the quality and affordability of our city's aging housing infrastructure.

North Shore Plaza has been transformed by HPD's efforts ranging from code enforcement by our inspectors; an infusion of capital funding from HPD and HDC to finance extensive rehabilitation; and creative use of HUD's Rental Assistance Demonstration (RAD) program to secure Section 8 project-based funding, which provides long-term stability for over 500 families. And there are many more such examples that we will continue to highlight in the weeks and months to come.

I look forward to partnering with all of you as we strategize on how best to form coalitions here and in D.C.; tell our story at home and on a national stage; and position ourselves to protect the services and affordable housing that New Yorkers so desperately need and deserve. And while we fight, our important work carries on. We continue to invest in our efforts to reach the most vulnerable and lowest income New Yorkers; to increase the participation of M/WBEs in our work; and to engage communities in planning for the future of their neighborhoods, while paving the way for a more affordable city.

Thank you for your time today—I am happy to answer your questions.

## Fiscal Year 2018 Executive Budget Hearing

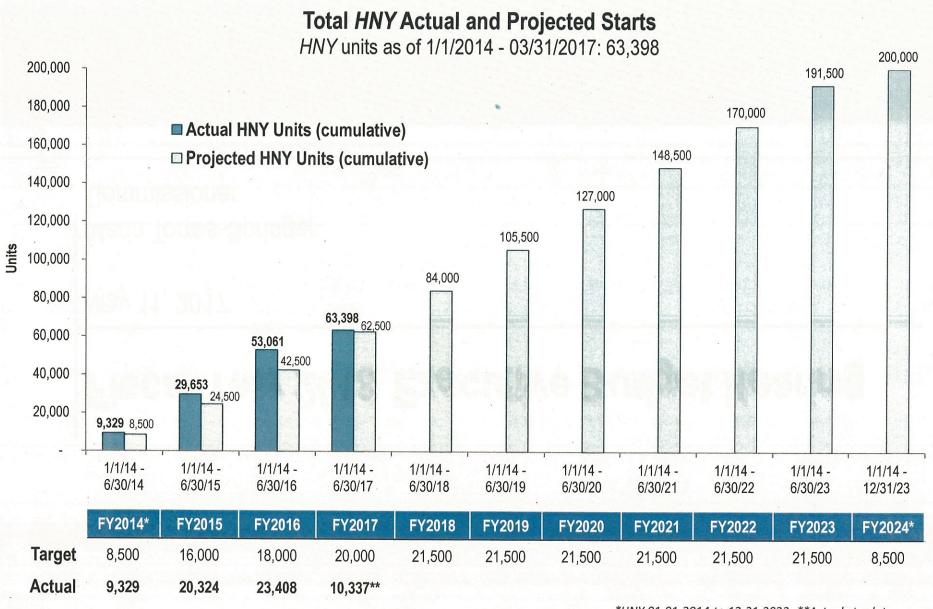
May 11, 2017

Maria Torres-Springer

Commissioner



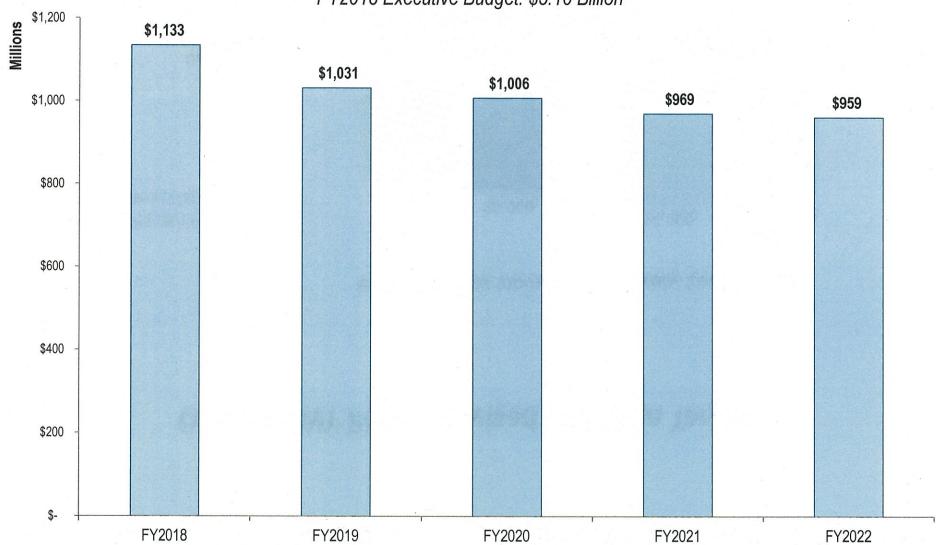
## Progress on Housing New York



## Mayor's Commitment to Housing New York

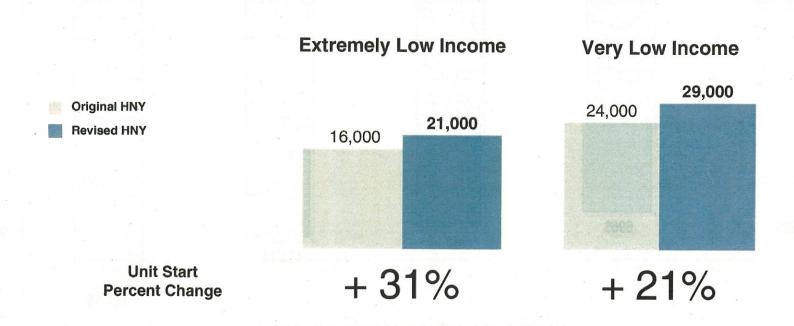
### HPD Five-Year Capital Plan, FY2018-FY2021

FY2018 Executive Budget: \$5.10 Billion



## **Building Deeper Affordability**

### Original HNY Plan v. Revised HNY Plan Targets



## NYCHA Funding Flows through HPD's Budget

FY2018 HPD Total	=	\$ 875,279,538
NYCHA Pass-Through	-	\$ 256,685,904
FY2018 Executive Plan	+	\$ 1,131,965,442

## Federal Funding Represents a Significant Portion of Budget

FY2018 HPD Total	+	\$ 875.28	Million
City Funds	-	\$ 116.14	13%
State & Other	_	\$ 3.01	< 1%
Federal Funding Sources	=	\$ 756.13	86%
Rental Assistance		\$ 493.84	56%
CDBG		\$ 140.41	16%
Disaster Recovery		\$ 112.10	13%
HOME		\$ 7.80	< 1%
Other Federal		\$ 1.98	< 1%

## Supporting the Most Vulnerable New Yorkers

### **NYC15 Rental Assistance**

- 15,000 units of supportive housing over 15 years
  - 7,500 Congregate units through HPD's Supportive Housing Program
  - 7,500 Scattered site units through HRA

### **Shelter Modernization Program**

- Support for DHS as part of the City's comprehensive plan to reduce homelessness
  - HPD will use its real estate expertise to preserve high-quality shelters and create new permanent housing opportunities
- 7 new staff and \$2.3 million phased in over next few years

## **Increasing M/WBE Opportunities**

### M/WBE Business Services Unit

- Compliance with HPD's M/WBE Build Up program
  - 2 new staff and \$680 thousand over FY2018-2021
  - 52 participants have taken HPD's M/WBE capacity building course
- Work with development partners to maximize opportunities in HPD-financed projects, increasing participation
- Measure and evaluate the impacts of agency M/WBE goals
  - Only Mayoral agency to receive "A" grade for last two years for M/WBE spending goals

## **Investments in New Technology**

### **Technology & Strategic Development**

- 15 staff in-sourced from consultants and \$6.1 million over FY2018-2021
- Makes efficient use of capital funding
- Enhances online services for tenants and building owners

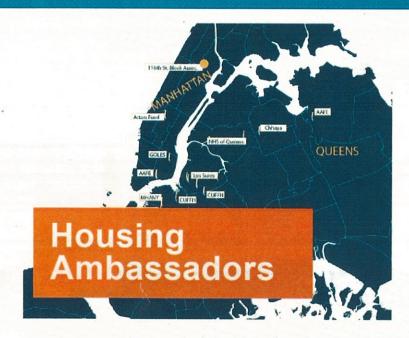


**HPD Tech portal** 

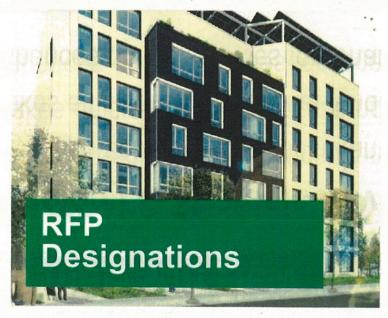
### **Real Time Field Force**

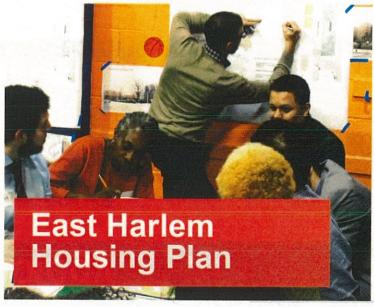
- 9 new staff and \$8.3 million over
   FY2018-2021 for RTFF application
- Remotely send and receive data from field; reduces paperwork
- Improve code enforcement efforts and customer service

## **Updates Since Preliminary Budget**









## **HPD in Your Community**

### Rolling out office hours in your community this summer



Rendering of new HPD Mobile Housing vans, currently in production

## **Federal Budget Update**

## Overall, the HUD budget for the rest of FFY17 is good news for affordable housing here and nationwide:

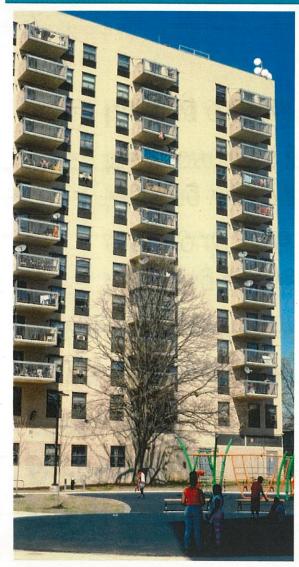
- There were modest increases to some programs, and the programs we were most concerned about—CDBG, HOME, and Section 8—fared well
- CDBG and HOME were funded at flat rates
- Section 8 had a slight increase overall, although some types of voucher programs saw slight cuts

## Federal Strategy: Coalition-Building

# We are tapping a nationwide network of coalitions and partnerships in the fight to preserve and expand existing resources

- We are working in three primary areas to make the case for continued federal investment in affordable housing here and nationwide:
  - Providing analysis on the benefits of federal programs and the impact cuts would have on New York;
  - Working with our Congressional Delegation to make sure they have all the information they need; and
  - Building coalitions with our partners nationwide to speak with one voice

## Federal Strategy: Showing the Impact











Federal programs brought long-term stability and improvements to 500 families

## Thank You! Questions?

### Mayor's Office of Immigrant Affairs Nisha Agarwal Commissioner

May 11, 2017

Testimony of Commissioner Nisha Agarwal NYC Mayor's Office of Immigrant Affairs

NYC Council Committee on Immigration Hearing, *Jointly with the Committee on Finance*: Executive Budget Hearings-Immigration

Thank you to Speaker Mark-Viverito, Chair Menchaca, Chair Ferreras-Copeland and the members of the Committees on Immigration and Finance. My name is Nisha Agarwal, and I am the Commissioner of the Mayor's Office of Immigrant Affairs.

My testimony today covers MOIA's mission and role in ensuring an accessible and inclusive city for all New Yorkers, including the city's three million immigrant residents, and the key investments that make that possible.

At the outset, it is essential to note that all of the work MOIA does is in close collaboration with our agency partners, who are at the center of program administration and operations for immigrant New Yorkers. In a city where 60 percent of New Yorkers are immigrants or the children of immigrants, MOIA is not (and should not be) the only entity in local government mindful of the needs of immigrants.

### **MOIA's Mission**

MOIA's mission is to promote the well-being of immigrant communities in New York City, and under Mayor de Blasio's leadership the portfolio of work and projects the Office has undertaken in partnership with the Council, community partners and sister agencies has grown considerably. I discussed our primary areas of work earlier this year at the Preliminary Budget hearing and will recap them again briefly here:

- First, MOIA has dedicated its efforts to ensuring immigrant access to City services and resources, and facilitating greater immigrant inclusion across local government. This work recognizes that we in government are responsible and accountable to all New Yorkers, and that we must have coordinated strategies to enhance the economic, civic, and social integration of immigrant New Yorkers.
- Second, we promote access to justice for immigrant New Yorkers, with the goal of facilitating access to high-quality immigration legal services as a means of addressing income inequality and empowering low-income communities.
- Third, we advocate for reforms at all levels of government to address inequities that
  impact New York's immigrant communities. Much of this work is done in coalition with
  our counterparts in cities across the U.S. MOIA helped to create two national coalitions
  of mayors, Cities for Action and Cities for Citizenship, to share effective local strategies
  and join together in advocacy for crucial immigration-related reforms.

To advance innovative new immigrant-focused initiatives, MOIA works closely with our agency partners as well as the Mayor's Fund to Advance New York City and private funders. This mode of coordination and operation has worked effectively, allowing each agency to do what it does best, and will expand in FY18.

With these priority areas in mind, I will focus my testimony on key accomplishments in the second half of FY17 and our strategic focus for FY18.

### IMMIGRANT INCLUSION: IDNYC, LANGUAGE ACCESS, and INTER-AGENCY WORK

#### IDNYC

I am proud to say that, with the partnership of the Council, New York's municipal ID program, IDNYC, has enrolled over one million New Yorkers to date. This accomplishment, while incredible in sheer breadth, is also profound in its impact. An IDNYC program evaluation conducted at the beginning of FY17 found diverse uses of the card by New Yorkers of all demographic groups. More importantly for our purposes, some 77% of immigrant cardholders surveyed felt a stronger sense of belonging to New York City after receiving the card.

In the past year the IDNYC program has developed new and innovative opportunities for both card application and use, which we believe will continue to expand the card's utility and desirability and further integrate it into the daily lives of cardholders. These advancements include:

- The ability to use IDNYC to access DOHMH immunization records online;
- An online application portal that allows prospective cardholders to complete an application online, check card status and more;
- A mobile enrollment center, which will permit IDNYC to further expand its reach to the outer boroughs and harder-to-reach communities; and
- Acceptance of the IDNYC as proof-of-age for reduced fare ticketing programs for the new NYC Ferry.

While the staff and budget for IDNYC are at the Human Resources Administration (HRA), the agency charged with operating the program, MOIA works with agency partner staff to guide the outreach and engagement work for IDNYC and other key aspects of the program.

The Executive Budget proposes \$19.2M for FY18 for IDNYC, which represents a continued considerable investment for the program; allows the cards to continue to be free in 2017; and permits the continued focus on developing program integrations and card utility.

### LANGUAGE ACCESS

I am additionally proud of the multi-faceted work done in collaboration with the Council to advance language access for New Yorkers who are limited English proficient (LEP). Under the Charter, MOIA and the Mayor's Office of Operations share the responsibility of enforcing City agencies' compliance with relevant language access laws and policies. Meanwhile, the Department of Citywide Administrative Services (DCAS) oversees contracting for language access services for City agencies. The staff and budget for the Administration's language access work sit with DCAS and MOIA works closely with DCAS agency partner staff to implement the City's policy goals with regard to language access.

For example, on March 18, 2017 the Speaker's language access bill became Local Law 30. MOIA will build on our language access work with agencies to ensure effective implementation of Local Law 30. Already, working with agency partners, we have conducted two briefings for agencies and have convened agency language access coordinators to go through the Local Law requirements and prepare for implementation. We will continue to work with agencies to develop

agency-specific implementation plans, provide best practices, and ongoing technical assistance. Moreover, we have met with advocates to hear about particular community concerns and discuss implementation.

MOIA has also coordinated simultaneous interpretation at Mayoral town halls, the State of the. City address, Know Your Rights forums and more events throughout the city, ensuring that LEP New Yorkers not only receive critical information from the Administration but are able to make their voices heard, regardless of English proficiency.

Finally, to ensure that New Yorkers with limited English proficiency are able to access Mayoral town halls and other citywide events, the Administration has more than tripled the budget for translation and interpretation. The total DCAS budget in support of key language access initiatives is now \$570,000 for translation and interpretation services. This is on top of agencies' own budgets for interpretation and translation for their program delivery and services.

### **LITERACY**

Helping to further address the language gap through educational programs and funds, the Department of Education (DOE) and the Department of Youth and Community Development (DYCD) support community based organizations and partners in the delivery of adult education courses, high schools equivalency classes, and English for Speakers of Other Languages. Together the City supports an \$80M investment in this important work. While those funds are largely administered by DOE and DYCD, I will focus my testimony on the work MOIA has supported to contribute to this work.

In further partnership with the Council, FY18 will also see an expansion of the We Are NY (WANY) program—English conversation classes that help adult immigrants practice English and learn about City services, using the Emmy award-winning We Are New York video series and companion educational materials. These classes are effectively led by immigrant New Yorkers who can relate to the experience of those attending and support their integration into the larger immigrant community.

In FY18, we will release Season 2 of the *We are New York* series, which will cover new topics such as workers' rights, workforce development, social services, and early childhood opportunities like Universal Pre-K. We have developed the content and focus of WANY Season 2 in close collaboration with community stakeholders and Council Members. Additionally, WANY has released a Request for Applicants to build an interactive website and an ad campaign that will connect English language learners to important information and City services. Finally, an evaluation of WANY is underway and will be released in FY18.

### INTER-AGENCY AND OUTREACH WORK

MOIA continues to work in collaboration with City agencies to advance and promote immigrant inclusion as part of the fabric of how we as a city operate, including effective and timely delivery of information to immigrant communities on City resources and information.

In response to growing fear among immigrant New Yorkers since the election last fall, and following the announcement of broadened immigration enforcement priorities by the President

and his administration, MOIA has focused its energies on collaborations with agencies, community, and elected officials to help deliver safe, trusted information on rights and resources for our immigrant communities.

To that end we have developed a rapid response infrastructure to disseminate critical information to City agencies. There has been an unprecedented level of engagement between City agencies and MOIA, as agencies have sought our guidance to understand the implications of this constantly changing immigration landscape, appropriate messaging, and strategies for ensuring immigrants continue to access critical services. We have facilitated calls with agencies to provide briefings and discuss changes at the federal level; developed and disseminated talking points for agency staff; and improved communication channels to be able to hear how agencies are impacted and provide guidance and technical assistance.

Through policy analysis, MOIA and its partner agencies have spearheaded the monitoring and creation of timely information for all agencies, community partners, advocates and more. In collaboration with the Speaker's office, we have developed a 1-pager on the availability of City services and resources that reiterates our commitment to the protection of immigrant communities. This 1-pager has been translated into 12 languages and has become a critical tool for City agencies and community partners.

Finally, in concert with agency outreach staff, legal service providers and community based organizations, MOIA has supported over 400 Know Your Rights Forums since the election. Moreover, MOIA has partnered with Fordham Law School to deliver nearly 100 Know Your Rights Workshops in schools in immigrant dense communities.

I am pleased to say MOIA has been in close conversations with private funders on the prospect of serving as a citywide Know Your Rights coordinator, ensuring effective and strategic delivery of timely rights information and legal services referrals to immigrant communities, in collaboration with community based organizations, City agencies like DOE, and legal service providers.

MOIA will continue to work with agency partners and communities, prioritizing the effective administration of services to, and identification of, service gaps for immigrant New Yorkers.

### ACCESS TO JUSTICE: POLICY AND LEGAL INITIATIVES and ACTIONNYC

#### POLICY AND LEGAL INITIATIVES

MOIA's role in monitoring and evaluating the impact of immigration policy changes at the federal level is more important now than ever. Policy and legal initiatives staff closely track federal developments to assess local impact and advise on local response. The need for legal services in the city has always been great. One million New Yorkers are non-citizens, and another half million are undocumented. With the roll-out of the President's executive orders and broader, more high-profile enforcement activity by federal immigration authorities, the need for local investment in immigration legal services is greater than ever. Indeed, the City's ActionNYC legal services program witnessed a 240% increase in calls to 311 in January and

February. Individuals have shown need for services in citizenship, deportation defense, asylum, and more.

After considerable evaluation of the growing needs and capacity for immigrant legal services, and in part through conversations with providers and the Council, the Administration was encouraged to baseline additional funding for legal services, including a total of \$18.1M in legal and policy initiatives to be administered by HRA.

This investment builds on already significant investments made by the Administration and the Council in immigration legal services. In the last few years, the Mayor and the Speaker have advanced innovative models that speak to the importance of immigrant legal representation in an otherwise broken immigration system.

For example, in anticipation of implementing President Obama's executive action on immigration, the Administration launched the ActionNYC program in 2016 with an \$8.7M investment, which would provide community-based legal screening and representation. ActionNYC is based on a community navigator model in which highly trained and supervised navigators provide support to lawyers in screening, assisting and representing thousands of clients a year. After executive action was stopped in the courts, ActionNYC pivoted to deal with the persistent and growing need for immigrants who want safe, trusted legal help to apply for immigration benefits. Also, ActionNYC leverages the City's strong inter-agency coordination by placing services at NYC Health + Hospitals facilities and schools. Given the tremendous need for immigrant legal services of this type, the City prioritized its investments on community navigators and leverages the community organizations and agencies that already have strong ties to the immigrant community. This allows us to serve thousands of immigrants a year with the resources we have available.

Through further coordination with HRA, ActionNYC provides referral for some complex cases to providers funded through the Immigrant Opportunities Initiative (IOI). IOI funding of \$5.9M was made available for a range of legal representation and assistance, and Community Services Block Grants of \$2.1M likewise support a host of varied legal services for immigrant New Yorkers.

In the area of citizenship the City has partnered with our libraries to create Citizenship Corners throughout every branch. Additionally, MOIA supported the operation of the NYCitizenship program with the generous support of Citi Community Development, the Robin Hood Foundation, and the Carnegie Corporation of New York. NYCitizenship is built on innovative partnerships with the City's public libraries and HRA, placing legal and financial staff in libraries and partnering with HRA to target low-income, very high-need populations. MOIA is currently working with our partners to explore ways to increase the program's capacity in order to meet this continuing need.

Given the increasing need, the Administration has committed itself to making very strategic investments that ensure our City dollars have the highest impact. Building on the track record of success, the Administration is expanding its legal services investments.

### ACTIONNYC

By way of example, the ActionNYC program has provided nearly 4,000 comprehensive legal screenings in the first 6 months of FY17 and conducted outreach at over 1,000 events throughout the city. The program has received considerable demand and realized application assistance and legal advice for thousands of New Yorkers. In FY18, ActionNYC will focus on continued delivery of safe, free legal services, using the innovative model to increase access for harder to reach populations, and building on the community outreach and capacity goals that have been a key component of the program.

First, MOIA recently announced an expansion of ActionNYC in NYC Health + Hospitals facilities, with the opening of three new ActionNYC sites in NYC Health + Hospitals facilities in Queens, Lower Manhattan and the Bronx. These sites will provide immigration legal services and facilitate connections to health insurance and health care resources for immigrant NYC Health + Hospitals patients and community members. The services at these facilities will be delivered by a multi-lingual team from LegalHealth, a division of the New York Legal Assistance Group (NYLAG). This expansion also builds on existing work from ActionNYC's launch in long-term care settings in November 2016; ActionNYC is currently serving patients at NYC Health + Hospitals/Coler, NYC Health + Hospitals/Carter, NYC Health + Hospitals/Sea View and NYC Health + Hospitals/McKinney, and will visit patients in acute care facilities in the coming weeks. In FY18, ActionNYC will further add a full-time navigator and a team to provide services at long-term care facilitates. Services include providing bedside assistance to very vulnerable populations, unable to travel for legal services due to their health condition.

Second, in response to community and provider feedback, ActionNYC also recently announced a capacity-building fellowship for immigrant-serving community-based organizations, awarding 20 fellowships to 17 organizations that seek to build capacity in their legal and outreach work. This fellowship is particularly focused on organizations that provide services to hard-to-reach immigrant communities, including African, Asian and Caribbean populations. These fellowships started in FY17 and we will be looking at ways to expand this program in the future.

Third, so far in FY17, ActionNYC's work in the City's schools has offered 53 legal clinics for students, parents and staff at 27 unique schools. Working in partnership with the Department of Education, Atlas DIY, and Catholic Charities in FY18, ActionNYC will continue to build on effective ways to engage school communities and connect students and parents to legal assistance, including by adding a case manager and attorney.

Fourth, ActionNYC has pivoted its outreach model to respond to the current moment and the increased need in Know Your Rights forums. Organizers have participated in nearly 400 community workshops. In addition, ActionNYC in Schools has partnered with Fordham Law School to deliver nearly 100 Know Your Rights Workshops in schools. Through strategic planning, outreach support, and the potential for private philanthropy contributions for this work, we are hopeful that we will double the Know Your Rights forums provided through schools.

### **NEW INVESTMENTS**

Working in close collaboration with HRA's Office of Civil Justice, and building on the work of the Speaker, private foundations and providers, the Administration has added \$16.4M in

baselined funding for immigration legal services, with a focus on expanding access to representation for complex immigration cases and deportation defense. This takes the City's total baselined funding for immigration legal services to over \$30M in FY18, setting an unprecedented investment nationally. It is our estimation that this funding will provide representation to a total of 15,000 individuals with free, safe immigration legal counsel. These investments will also provide legal advice through screenings and rights information for thousands of individuals through outreach.

MOIA is working closely with HRA's Office of Civil Justice to develop the program design and focus, drawing upon the following realities shared with us:

- There are approximately half a million undocumented New Yorkers, virtually all of whom are vulnerable to being put in deportation proceedings as a result of expanded federal enforcement priorities.
- The number of cases in the non-detained docket far outweighs that in the detained context. Public data for 2017 show that 7,709 cases were last reported in the non-detained dockets and 438 in the detained docket.
- According to data provided by one private funder that has supported the Council's iCare program, in the next year alone some 600 unaccompanied minors will go unrepresented by the current providers. Further, some 800 asylum-seeking adults with children will go unrepresented.
- Providers often make difficult choices on cases they can and will take based on likelihood of success and limited resources.

In light of these considerations, the Administration seeks to expand immigrant legal representation as broadly as possible, recognizing at the same time that some hard choices and prioritization among cases will be needed to maximize resources.

### NATIONAL WORK

Finally, in the area of immigration advocacy, MOIA co-leads the national initiative Cities for Action on behalf of Mayor de Blasio. The work and investments New York City makes towards strong and smart policies on immigrant inclusion are amplified through the Cities for Action coalition and help pave the way for continued advocacy for immigrants nationally. For example, we have provided technical assistance for municipal ID programs to Newark, Chicago and Milwaukee and legal services investments to Los Angeles and Baltimore.

We look forward to continuing to provide this assistance as well as to share best practices among sister cities.

### Work Ahead

MOIA's accomplishments in partnership with our sister agencies across City government in what is arguably the most inclusive, immigrant-friendly city in the world are a testament to the tremendous leadership in this Administration and the City Council – but of course there is still more to be done, and the urgency has not been greater.

I am confident that the proposed Executive Budget will allow MOIA and our sister agencies the opportunity to properly analyze, monitor, drive and build a systematic response to immigrant communities, with the flexibility needed in an ever shifting landscape.

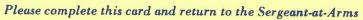
### Conclusion

In closing, I want to recognize the incredible work of the Speaker, the Committee on Immigration, and the entire City Council, on behalf of New York City immigrants, together with the Mayor, my Administration colleagues, as well as private funders, community-based organizations, legal service providers, healthcare providers and others. We look forward to continuing to work with these partners to advance immigrant rights and integration and to meet any challenges to this work over the coming year. We will use all the tools at our disposal to protect immigrant New Yorkers and fight new policies that harm our residents, while keeping New York City the safest big city in the nation.

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