

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 217

Introduced by Council Members Treyger, Perkins, Ayala, Chin, Kallos. Lander, Louis, Barron, Vallone, Levin, Rosenthal and Eugene.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to reporting on housing lottery outcomes

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 26 to read as follows:

CHAPTER 26

AFFORDABLE HOUSING PLACEMENTS

§ 26-2601 Definitions.

§ 26-2602 Report.

§ 26-2601 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Affordable housing unit. The term “affordable housing unit” means “affordable housing unit” as defined in section 26-2201.

Area median income. The term “area median income” means the income limits as defined annually by the United States department of housing and urban development (HUD) for the New

York, NY HUD Metro FMR Area (HMFA), as established in section 3 of the housing act of 1937, as amended.

Department. The term “department” means the department of housing preservation and development.

Extremely low income household. The term “extremely low income household” means a household that has an income of no more than 30 percent of the area median income, adjusted for the size of the household.

Low income household. The term “low income household” means a household that has an income of more than 50 percent of the area median income but no more than 80 percent of the area median income, adjusted for the size of the household.

Middle income household. The term “middle income household” means a household that has an income of more than 120 percent of the area median income but no more than 165 percent of the area median income, adjusted for the size of the household.

Moderate income household. The term “moderate income household” means a household that has an income of more than 80 percent of the area median income but no more than 120 percent of the area median income, adjusted for the size of the household.

Very low income household. The term “very low income household” means a household that has an income of more than 30 percent of the area median income but no more than 50 percent of the area median income, adjusted for the size of the household.

§ 26-2602 Report. a. No later than September 1, 2021 and on September 1 of each third year thereafter, the department shall submit to the mayor and the council, and publicly post on its website, a report on each lottery for affordable housing units that was administered by or on

behalf of the department during the prior three fiscal years, provided that each affordable housing unit available through each such lottery was leased or purchased.

b. The data in such report shall be presented at the citywide, borough and community district levels, with aggregated totals for each of the paragraphs in subdivision d, except that the data responsive to the inquiry specified in paragraph 4 of subdivision d shall be aggregated only at the borough level. For each required geographic level, data responsive to the inquiries specified in subdivision d shall be disaggregated by the following items:

- 1. Applicant household size; and*
- 2. Applicant household income, broken down into bands of extremely low income households, very low income households, low income households, moderate income households and middle income households.*

c. Data responsive to the inquiries specified in subdivision d shall be disaggregated at the citywide and borough levels by each of the following items, except that data responsive to the inquiry specified in paragraph 4 of subdivision d shall be disaggregated only at the borough level:

- 1. Race or ethnicity of applicants, to the extent such information is reported to the department; and*
- 2. Applicant preference category, such as veteran's preference, if any (listing "none" otherwise).*

d. As described in subdivisions b and c, data for applicants who had applied through the housing lottery system for affordable housing units shall be provided for each of the following:

- 1. The number of applications received for affordable housing units;*
- 2. The number of applicants invited to confirm their eligibility for affordable housing units;*

3. *The number of applicants selected for affordable housing units;*
4. *The number of applicants who signed leases for affordable housing units; and*
5. *The number of applicants who were selected for, but declined to sign a lease for, affordable housing units.*

e. The initial report submitted on September 1, 2021 shall include the information required by subdivisions b and c for all of the inquiries specified in subdivision d for the period from July 1, 2020 until June 30, 2021, where available, and shall also include the information required by subdivisions b and c for the inquiries specified in paragraphs 1 and 4 of subdivision d for the period from January 1, 2014 until June 30, 2020.

f. If a category disaggregated in subdivisions b, c or d contains between 0 and 9 applicants, or allows another category to be narrowed to between 0 and 9 applicants, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 14, 2019 and returned unsigned by the Mayor on December 16, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 217 of 2019, Council Int. No. 564-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.