



## Legislation Text

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**File #:** Res 0278-2024, **Version:** \*

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### Res. No. 278

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1152/A.3218, in relation to excluding social security payments and supplemental security income from the definition of “income” for the purposes of determining eligibility under the senior citizen rent increase exemption (SCRIE).

By Council Members Gutiérrez, Hudson, Gennaro and Louis

Whereas, According to the 2021 American Community Survey (ACS), conducted by the U.S. Census Bureau, over 1.3 million people ages 65 and older live in New York City (NYC), accounting for 16.2 percent of New York City’s population in 2021, up from 12.3 percent in 2011; and

Whereas, 2021 ACS data also showed that about 17 percent of NYC’s older adults live below the poverty line, with an additional 8.9 percent living at 100 to 149 percent of the poverty level; and

Whereas, The Senior Citizen Rent Increase Exemption (SCRIE) program is administered by the New York City Department of Finance (DOF) and Department of Housing Preservation and Development (HPD), and protects low-income tenants aged 62 and older from rent increases in rent-regulated apartments and certain cooperative apartments by freezing their rents at a set amount and applying credits for the difference to the property owner’s property tax bill; and

Whereas, Eligibility requirements for SCRIE include: not being a participant in any other rent, or carrying charge, subsidy program, such as Section 8; spending more than one-third of monthly household income on rent; and having a combined household income of less than \$50,000, which takes into account sources of income like Social Security, Supplementary Security Income (SSI), pension, and other public assistance benefits; and

Whereas, The U.S. has been experiencing a cost-of-living crisis, with inflation reaching record highs of

7 to 9 percent in the wake of the COVID-19 pandemic, while the U.S. Bureau of Labor Statistics has found consumer prices remaining high for crucial categories like food and rent, reporting a month-to-month increase of 10% and 8.2%, respectively, in February 2023; and

Whereas, Older adults in NYC are being particularly affected by this crisis, because while Social Security benefits are given cost-of-living adjustments so that the monthly payments can keep pace with inflation, as of June 2023 the average monthly benefit was \$1,701.62 while SSI's monthly average payment was \$677.26, meaning they have still been outpaced by the rising cost of living in New York City, where median rent prices continued to hit record levels in 2023, with some estimates finding the median asking rent for a one-bedroom apartment to be \$3,900 per month; and

Whereas, Rent regulated apartments in NYC have been no exception to these rising costs, as in June 2023 the New York City Rent Guidelines Board (RGB) voted to increase rents on rent-stabilized units for the second consecutive year; and

Whereas, The RGB's 2023 Income and Affordability study reported an increase of rent-burdened households in NYC in 2021, at 54.1 percent of renting households, meaning that at least 30 percent of their household income was going towards rent, while the 2021 NYC Housing Vacancy Survey, conducted by HPD in partnership with the U.S. Census Bureau, reported that 40 percent of NYC households with at least one or more older adult were paying over half their household income toward rent, while another 21 percent of those households were paying 30 to 50 percent of their income toward rent; and

Whereas, Because so many older New Yorkers are rent burdened, and so many rely on a fixed income that can be sourced from different entities, such as Social Security and a pension plan, their checks can arrive at different times during the month, or even late, making paying rent each month in a timely manner an increasingly difficult experience as rents increase; and

Whereas, In addition, some older New Yorkers may find themselves ineligible for SCRIE because their Social Security payments can end up placing them just beyond the income threshold to qualify for SCRIE,

leading to housing insecurity where these older adults may be displaced into an adult home or the city's homeless shelter system, as well as situations where older adult tenants have to make dire choices such as choosing between groceries or making rent; and

Whereas, New York State Senate Bill S.1152, sponsored by State Senator Cordell Cleare, and New York State Assembly Bill A.3218, sponsored by State Assemblymember Daniel J. O'Donnell, would permit a municipality to make all social security income exempt from the calculation for SCRIE program eligibility; and

Whereas, S.1152/A.3218 would allow New York City to qualify more seniors for SCRIE, thus enabling more older New Yorkers to be more secure in their housing and potentially free up more of their fixed income towards other necessities including groceries, medication, internet access, and emergency expenses; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.1152/A.3218, in relation to excluding social security payments and supplemental security income from the definition of "income" for the purposes of determining eligibility under the senior citizen rent increase exemption (SCRIE).

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