

# THE COUNCIL OF THE CITY OF NEW YORK

Hon. Corey Johnson  
Speaker of the Council

Hon. Daniel Dromm  
Chair, Finance Committee

Hon. Robert Cornegy, Jr.  
Chair, Committee on Housing and Buildings



Report to the Committee on Finance and the Committee on Housing and Buildings  
on the Fiscal 2019 Executive Budget for the

## **Department of Housing Preservation and Development**

May 14, 2018

### **Finance Division**

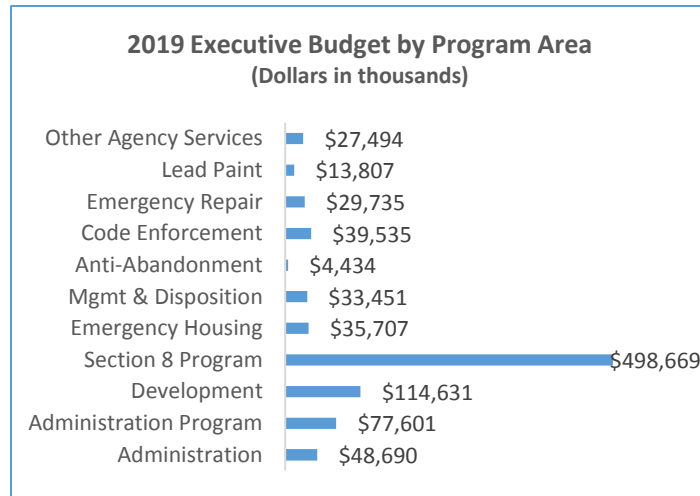
Sarah Gastelum, Principal Financial Analyst  
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Nathan Toth, Deputy Director

## HPD Executive Budget Overview



**\$923.8 million** – Fiscal 2019 Executive Budget

**\$791 million** in Federal Funds (86 percent)  
**\$105 million** in City Funds (13 percent)

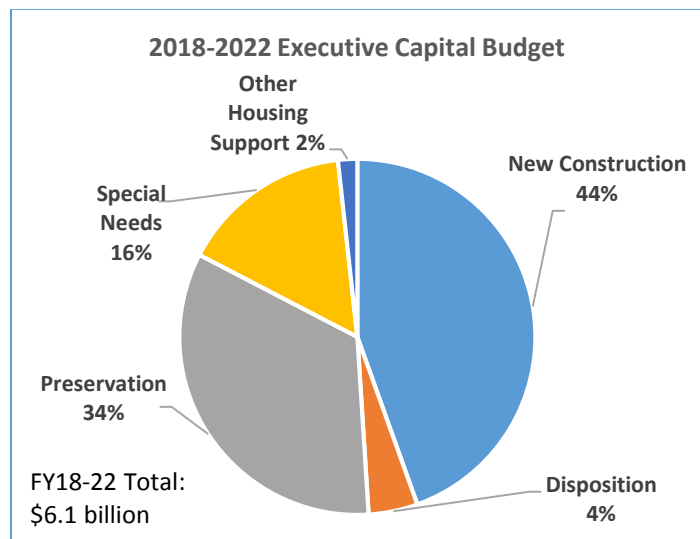
**2,548 full-time** headcount  
**324 Inspectors**

**\$31 million** in Revenues

**192 total** Contracts

- Executive Budget Changes**
- New Needs total \$33.9 million in Fiscal 2019 and in the outyears:
    - 24 new full-time positions; and
    - NYCHA repairs (pass-through).
  - Other Adjustments increased HPD budget by \$3 million in Fiscal 2018 and \$17.5 million in Fiscal 2019.
  - Savings totals \$3 million in Fiscal 2018 and \$4 million in Fiscal 2019 as a result of:
    - Three-Quarter Housing program savings; and
    - Affordable NY Housing Program revenue.

- Major Agency Issues**
- **Shortage of Affordable housing.** Demand for the development of quality affordable housing far exceeds supply.
  - **Affordability levels.** Expanding the levels of affordability for new housing units created under Housing New York would require additional funding, subsidies, and resources.
  - **Code Enforcement and Tenant Harassment.** Preserving affordable housing and protecting tenants with limited City resources.
- Council’s 2019 Budget Response**
- Not Included in the Executive Budget**
- Additional Units of Appropriation for Budget Transparency



- Capital Budget: Fiscal 2018 – 2022**
- \$3.3 billion in appropriations
  - \$6.1 billion in commitments
  - 608 Capital projects
  - 162 Budget lines

## Department of Housing Preservation and Development Overview

This report presents a review of the Department of Housing Preservation and Development's (HPD or the Department) Fiscal 2019 Executive Budget. The section below presents an overview of the Department's budget and how it has changed during the course of Fiscal 2018, followed by a review of the significant budget actions introduced in the Fiscal 2019 Executive Budget. Major issues related to the Department's budget are then discussed. Analysis and highlights of HPD's Fiscal 2018 - 2022 Capital Budget follows the discussion of the expense budget. Appendix 1 reports the changes made to the Fiscal 2018 and Fiscal 2019 Budgets since Adoption of the Fiscal 2018 Budget. For additional information on the Department's budget and its various programs, please refer to the Fiscal 2019 Preliminary Budget Report for HPD at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2018/03/FY19-Department-of-Housing-Preservation-and-Development.pdf>

Below is a summary of key funding changes by program area and source when comparing HPD's Fiscal 2019 Executive Budget to its Fiscal 2018 Adopted Budget.

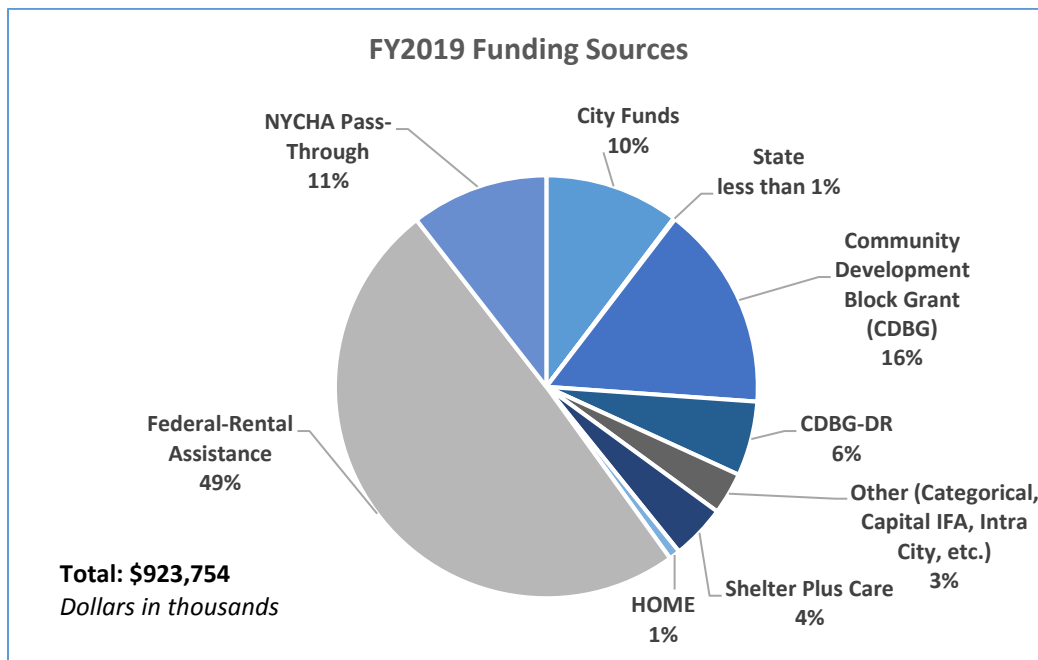
<b>HPD Financial Summary</b>						
<i>Dollars in Thousands</i>	2016	2017	2018	Executive Plan		*Difference
	Actual	Actual	Adopted	2018	2019	2018 - 2019
<b>Spending</b>						
Personal Services	\$149,373	\$160,272	\$178,021	\$175,882	\$179,452	\$1,430
Other Than Personal Services	700,659	866,332	967,068	1,177,660	744,303	(222,765)
<b>TOTAL</b>	<b>\$850,032</b>	<b>\$1,026,604</b>	<b>\$1,145,089</b>	<b>\$1,353,542</b>	<b>\$923,754</b>	<b>(\$221,335)</b>
<b>Budget by Program Area</b>						
Administration	\$40,023	\$50,148	\$47,788	\$50,765	\$48,690	\$902
Administration Program	19,542	53,488	125,992	162,513	77,601	(48,391)
Development	159,534	265,569	282,992	434,031	114,631	(168,361)
Housing Operations - Section 8 Programs	474,494	493,400	494,057	493,613	498,669	4,612
Housing Operations- Emergency Housing	29,771	35,895	37,947	44,798	35,707	(2,241)
Housing Operations- Mgmt. & Disposition	23,657	24,734	30,454	32,702	33,451	2,997
Preservation - Anti-Abandonment	7,935	7,964	9,240	9,582	4,434	(4,806)
Preservation - Code Enforcement	31,807	32,161	37,646	40,065	39,535	1,889
Preservation - Emergency Repair	21,634	22,077	30,606	31,307	29,735	(870)
Preservation - Lead Paint	13,100	13,656	14,373	15,367	13,807	(566)
Preservation - Other Agency Services	28,534	27,512	33,994	38,799	27,494	(6,500)
<b>TOTAL</b>	<b>\$850,032</b>	<b>\$1,026,604</b>	<b>\$1,145,089</b>	<b>\$1,353,542</b>	<b>\$923,754</b>	<b>(\$221,335)</b>
<b>Funding</b>						
City Funds	\$83,502	\$122,012	\$143,817	\$144,932	\$105,177	(\$38,640)
Other Categorical	6,144	16,564	1,932	34,381	2,034	102
Capital- IFA	17,550	19,394	23,448	20,822	23,207	(241)
State	15,164	784	1,075	16,785	1,075	0
Federal - Community Development	232,272	354,568	469,194	608,691	284,967	(184,227)
Federal - Other	491,615	510,276	503,619	524,113	505,290	1,671
Intra City	3,783	3,005	2,004	3,819	2,004	0
<b>TOTAL</b>	<b>\$850,032</b>	<b>\$1,026,604</b>	<b>\$1,145,089</b>	<b>\$1,353,542</b>	<b>\$923,754</b>	<b>(\$221,335)</b>
<b>Budgeted Headcount</b>						
Full-Time Positions	2,218	2,252	2,515	2,545	2,548	33
<b>TOTAL</b>	<b>2,218</b>	<b>2,252</b>	<b>2,515</b>	<b>2,545</b>	<b>2,548</b>	<b>33</b>

\*The difference of Fiscal 2018 Adopted Budget compared to Fiscal 2019 Executive Budget.

The Department’s Fiscal 2019 Executive Budget totals \$923.8 million (of which only \$105.2 million, or about 10 percent, is comprised of City funds); this represents approximately one percent of the City’s proposed Fiscal 2019 Executive Budget totaling \$89 billion. The Department’s Fiscal 2019 Executive Budget is \$221.3 million or 24 percent less than the Fiscal 2018 Adopted Budget of \$1.1 billion. Because the City’s fiscal year and the state and federal fiscal years do not coincide, HPD reports only baseline funding and grants that it anticipates from the other two branches of government at the beginning of each year and makes adjustments as additional funds are received. Therefore, program areas that are primarily funded through non-City sources might align with amounts reflected in the Fiscal 2018 Adopted Budget once the agency can confirm these allocations.

### Fiscal 2019 Funding Sources

HPD is primarily funded through federal grants and receives only about 10 percent of total funding from City tax-levy dollars. This means that most of HPD’s funding comes with federal spending restrictions that limit the agency’s flexibility to make programmatic decisions and future funding levels are highly uncertain and dependent on the political climate in Washington. As shown in the chart below, Federal Rental Assistance (Section 8 program) Funds at \$456.5 million comprise about half of HPD’s total expense budget in Fiscal 2019. The second largest funding source, CDBG funds, are also federally sourced, and together, these federal funds represent \$791 million, or 86 percent, of the agency’s budget for Fiscal 2019.



## New in the Executive Budget

The Fiscal 2019 Executive Budget includes \$35.7 million for new needs in Fiscal 2019 and a net increase of \$17.5 million in other adjustments. These changes include the following.

- **Partners in Preservation Staff.** The Fiscal 2019 Executive Plan includes baseline funding of \$190,200 starting in Fiscal 2019 for three project manager positions to support the Partners in Preservation program, which will develop and implement strategies for preserving the affordability of rent-stabilized apartments in neighborhoods most at risk of losing affordability.
- **Conversions Staff.** City funds of \$287,566 are added in Fiscal 2018 in order to swap the funding source of five conversions staff from Inter-Fund Agreement (IFA) to City tax-levy. These new resources will allow current staff within the Office of Development to work across multiple funding sources, in order to more effectively manage the conversion, completion, and workout processes within the *Housing New York* development portfolio. The annualized cost of these five positions is \$287,566, which is baselined through Fiscal 2022.
- **Legal and Data Support Staff.** City funds of \$393,000 are added in Fiscal 2019 for the hiring of five positions to support various legislative mandates across HPD. The annualized cost of these five positions is \$393,000, which is baselined beginning in Fiscal 2019.
- **Allergens and Pests Staff (Local Law 55 of 2018).** City funds of \$251,724 are added in Fiscal 2019 and \$286,724 in Fiscal 2020 for the hiring of five positions related to the inspection of mold and indoor allergen violations in residential dwellings pursuant to Local Law 55 of 2018. These new resources will allow HPD to proactively inquire and inspect for mold and pests, make emergency repairs on Class C mold violations, provide for continuing education of all inspection personnel, and, in conjunction with the Department of Health and Mental Hygiene (DOHMH), report on activities in order to educate healthcare professionals and the general public on the effect of indoor allergen hazards. The annualized cost of these three positions is \$286,724, which is baselined through Fiscal 2022.
- **Housing Portal Staff (Local Law 64 of 2018).** City funds of \$737,200 are added in Fiscal 2019 for the hiring of eight positions related to the development of a housing portal pursuant to Local Law 64 of 2018. These new staff will create a housing portal that allows for the registration and viewing of all affordable and rent-regulated apartments in the city, and allows owners to list units for rent or sale and accept applications for such units. The annualized cost of these eight positions is \$737,200, which is baselined through Fiscal 2022.
- **NYCHA Repairs.** City funds of \$10 million are added in Fiscal 2019 and \$10 million in Fiscal 2020 to support work order repairs at the New York City Housing Authority (NYCHA). HPD administers this funding on behalf of NYCHA; these funds support expenses related to physical assessments, design work, and repairs to close an estimated 50,000 work orders at various NYCHA developments citywide. In addition to these City funds, federal CD funds of \$19.5 million in Fiscal 2018, \$23.8 million in Fiscal 2019 and \$31 million in Fiscal 2020 through Fiscal 2022 are added to support repairs at NYCHA facilities.
- **Citywide Savings Program.** In conjunction with the Fiscal 2019 Executive Plan, the Office of Management and Budget (OMB) released a Citywide Savings Program that outlines plans to reduce City spending by \$753 million in Fiscal 2018 and Fiscal 2019 combined. To develop the

program, OMB asked all agencies to identify efficiencies, alternative funding sources and programmatic changes that would yield budgetary savings without reducing service levels. HPD has proposed additional savings totaling \$2.5 million in Fiscal 2018 of which, \$2 million is due to lower than projected service levels for the three quarter housing initiative and \$490,000 is due to payment adjustments for residents of Penn South who exceed eligibility requirements. In addition, HPD anticipates savings of \$3.3 million in Fiscal 2019, \$1.3 million in Fiscal 2020, and \$320,000 in Fiscal 2021 and in the outyears from increased collection of revenue from the Affordable New York Housing Program (previously known as the 421(a) tax exemption).

## Budget Issues

The following section provides issues and concerns as it pertains to HPD's Executive Budget.

### Fiscal 2019 Preliminary Budget Response

The Council's response to the Administration's Fiscal 2019 Preliminary Budget called for one budgetary change for HPD which would add additional transparency across its operating budget. The Fiscal 2019 Executive Budget does not reflect any actions to address the Council's proposal.

- **Additional Units of Appropriation and Transparency.** The Council called for additional units of appropriation in HPD's operating budget to achieve greater budget transparency and ensure that they correspond to actual programs. HPD's Fiscal 2019 Executive Budget includes no actions to address transparency concerns within public budget documents.

### Federal Consolidated Appropriations Act of 2018

On March 23, 2018, the President signed into law the Omnibus Spending package totaling \$1.3 trillion, officially titled the Consolidated Appropriations Act of 2018, which funds federal government programs through September 30, 2018. The legislation provides \$52.2 billion for programs administered by the U.S. Department of Housing and Urban Development (HUD), which represents a \$4.7 billion, or 10 percent, increase in funding for housing programs nationwide compared to Federal Fiscal 2017 enacted levels. Funding for several housing programs administered by HPD will increase this year, including the CDBG Program (\$167 million) and HOME funding (\$75 million). In addition, funding for the Section 8 program will increase by about eight percent and support all 39,918 existing voucher holders. The table below summarizes the citywide impacts of the Consolidated Appropriations Act of 2018.

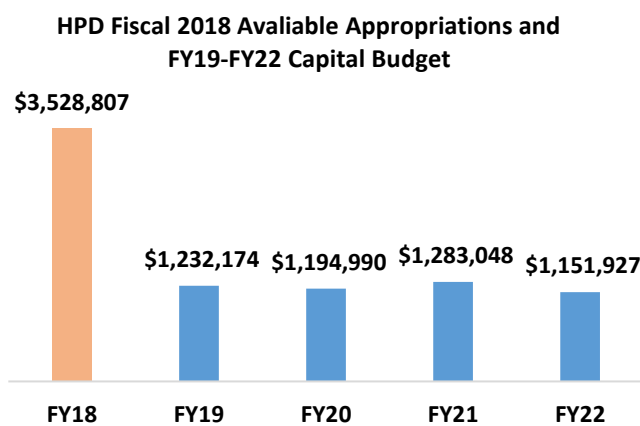
HUD Program	Federal FY17 Enacted Funding	Federal FY18 Omnibus Spending Bill	New York City Impact
Housing Choice Voucher (Section 8) Program	\$20.3 billion	\$22 billion	Sustained funding to support 40,000 existing vouchers
	\$18.4 billion for renewals	\$19.6 billion for renewals	
HOME Investment Partnerships Program	\$950 million	\$1.36 billion	\$75 million for HPD programs
Community Development Block Grant (CDBG) Program	\$3 billion	\$3.3 billion	\$167 million citywide (HPD allocation not yet finalized)

### Federal Funding Outlook

Although future federal funding levels remain uncertain, the President’s Federal Fiscal Year 2019 Budget Proposal requests \$39.2 billion for HUD, which would provide \$8.8 billion less or an 18.3 percent decrease in funding for housing programs nationwide. Under the proposal, several housing programs administered by HPD would be significantly reduced or eliminated, including the CDBG Program (\$150 million) and HOME funding (\$8 million). In addition, funding for the Section 8 program would be reduced by 10 percent, and the budget proposal requests legislative reforms, which would increase tenant rent contributions and impose work requirements for Section 8 voucher holders.

## Capital Program

### Fiscal 2019 Executive Capital Budget and Commitment Plan for Fiscal 2018-2022

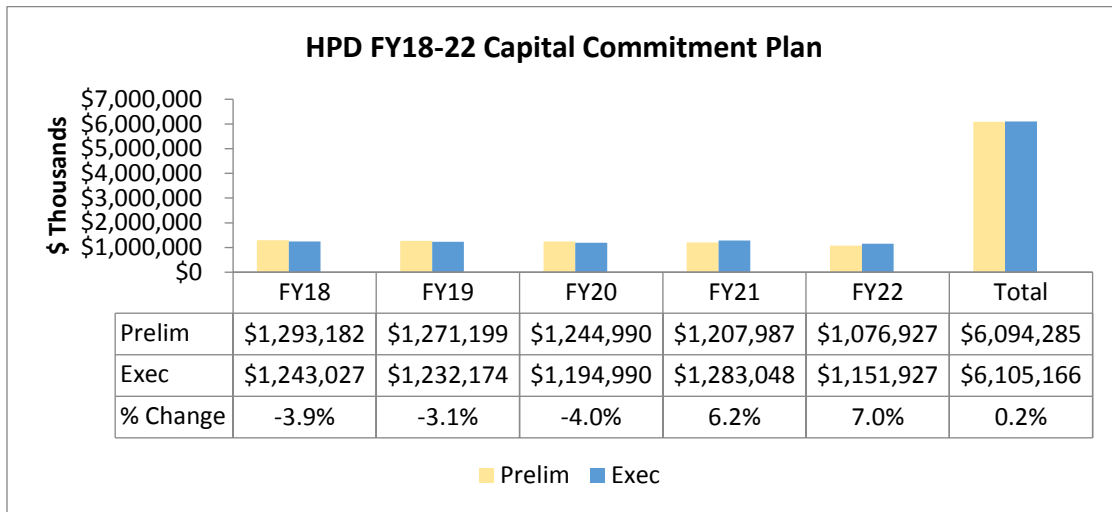


HPD’s Fiscal 2019 Executive Capital Budget includes \$4.9 billion in Fiscal 2019-2022, with \$1.2 billion in Fiscal 2019.<sup>1</sup> This represents 7.5 percent of the City’s total \$49.4 billion Capital Budget for 2019-2022. Available appropriations for Fiscal 2018 total \$3.5 billion.

### Capital Commitment Plan

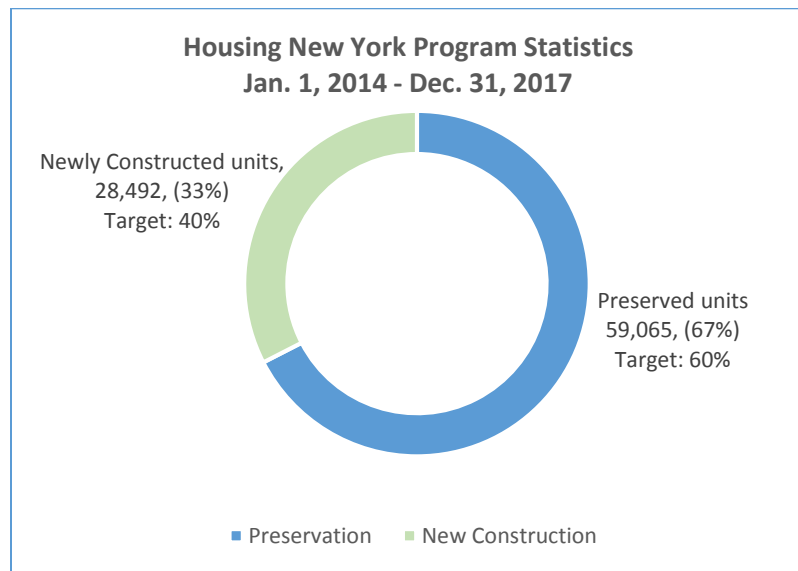
The Department’s Executive Commitment Plan includes \$6.3 billion in Fiscal 2018-2022 (including \$6.1 billion in City funds and \$175.9 million Non-City funds). This represents approximately 7.4 percent of the City’s total \$82 billion Executive Commitment Plan. The Department’s Capital Budget is significantly less the Capital Commitment Plan because it does not include the current appropriations for Fiscal 2018, or the amount of funding that may be reappropriated or rolled into the Fiscal 2019 Adopted Budget. The following section will provide an overview of the Capital Budget and Commitment Plan for HPD.

<sup>1</sup> The Capital Budget provides the required appropriations for Fiscal 2019 and planned appropriations for the subsequent three-year capital program. Appropriations represent the legal authority to spend capital dollars and are what the Council votes on at budget adoption.



### Housing New York 2.0

HPD is tasked with carrying out *Housing New York 2.0*, a citywide initiative to create and preserve 300,000 affordable housing units by 2026. From January 1, 2014 to December 31, 2017, the City financed the creation or preservation of 87,557 affordable housing units across New York City, including 28,492 newly constructed units and the preservation of over 59,000 units.



The number of preservation starts under the Housing New York plan has exceeded the target of 60 percent of all housing units financed under the plan, while the number of newly constructed units has fallen short of the 40 percent target. Of the 87,557 affordable housing units preserved or constructed to date, about 13,320 units, or 15 percent, are provided for extremely low-income families earning up to \$25,000 annually and about 15,883 units, or 18 percent, are provided for very low-income families earning up to \$42,950 annually.

Under Housing New York 2.0, the City will finance the production of approximately 24,000 units of affordable housing annually. In order to meet the revised targets outlined in *Housing New York 2.0*, the Administration recently announced several new financing programs.

- **Seniors First.** The City will invest \$150 million to make more homes accessible to seniors and people with disabilities; build 4,000 new senior apartments on underused NYCHA, and public and private sites; and preserve 6,000 aging senior housing units built as part of HUD’s Section 202 program.



- **Neighborhood Pillars.** The City will launch a \$275 million public-private fund to help non-profit organizations acquire and preserve affordability in existing unregulated and rent stabilized buildings. These units are located in small to mid-size unregulated or rent stabilized buildings without current HPD regulatory protections or oversight. The program will fund the acquisition of approximately 1,000 units annually, totaling 7,500 units over the next eight years.
- **Mitchell-Lama Reinvestment Program.** The City will deploy new capital to provide the low-cost, long-term financing needed to anchor the affordability of the approximately 100 remaining Mitchell-Lama developments. The program will preserve an estimated 15,000 units over the next eight years.

### Priority Capital Programs

Under the 2018-2022 Five-Year Plan, HPD will generate affordable housing units via preservation, new construction, senior and supportive housing, and the disposition of in rem housing stock. Major city capital commitments and financing programs added in the Fiscal 2019 Executive Budget include:

#### New Construction (\$2.7 billion)

- \$1.2 billion for the Extremely Low & Low Income Affordability (ELLA) Program;
- \$867.5 million for the Mixed Income Program (Mix & Match);
- \$359.8 million for the Mixed Middle Income program;
- \$82.6 million for the Our Space initiative;
- \$62.6 million for the New infill Homeownership Opportunities program; and
- \$54.9 million for the Open Door Homeownership program.

#### Preservation (\$2.1 billion)

- \$574.3 million for the Participation Loan Program (PLP);
- \$486.9 million for the Low Income Housing Tax Credit (LIHTC) Projects- LIHTC Year 15 Preservation Program;
- \$172.9 million for the HUD Multi-Family program;
- \$242.8 million for the Affordable Neighborhood Cooperative Program (ANCP); and
- \$138.1 million for the Third Party Transfer Program (TPT); and
- \$6.8 million for the Basement Apartment Legalization Pilot program.

#### Seniors/Special Needs/Supportive Housing (\$954.1 million)

- \$490.6 million for Supportive Housing; and
- \$338.1 million for HUD Section 202 Housing.

#### Disposition (\$272.2 million)

- \$272.2 million to rehabilitate City-owned housing units and return them to responsible private ownership.

#### Other Housing Support (\$106.6 million)

- \$106.6 million to support a variety of HPD initiatives, including the demolition of unsafe buildings, subsidies to offset the costs associated with development in urban renewal areas, computer-based productivity initiatives, and other infrastructure support.

## Appendix 1: Fiscal 2019 Budget Actions since Fiscal 2018 Adoption

<i>Dollars in Thousands</i>	FY 2018			FY 2019		
	City	Non-City	Total	City	Non-City	Total
<b>HPD Budget as of the Adopted 2018 Plan</b>	<b>\$143,817</b>	<b>\$1,001,269</b>	<b>\$1,145,086</b>	<b>\$89,172</b>	<b>\$749,564</b>	<b>\$838,736</b>
<b>New Needs- Prelim. 2019</b>						
FY18 ERP Floodplain	\$500	\$0	\$500	\$0	\$0	\$0
Advertising New Need	100	0	100	100	0	100
Basement Apartment Program	45	0	45	2,160	0	2,160
Certificate of No Harassment	0	0	0	466	0	466
Certified Appraiser New Need	0	0	0	68	0	68
Heat Season Response Time	38	0	38	132	0	132
Marketing Unit Staff New Need	137	0	137	548	0	548
<b>Subtotal, New Needs</b>	<b>\$820</b>	<b>\$0</b>	<b>\$820</b>	<b>\$3,475</b>	<b>\$0</b>	<b>\$3,475</b>
<b>Other Adjustments- Prelim. 2019</b>						
2017 Homeland Security Grant	0	4	4	0	0	0
Development Project Adjustments	0	2,315	2,315	0	434	434
Bring Up Funds for HANS	0	936	936	0	0	0
Emergency Shelter Cost	2,550	0	2,550	0	0	0
Family Self Sufficiency Program	0	693	693	0	0	0
Fordham University Fellowship	0	1	1	0	0	0
HPD SF Budget Realignment	0	(393)	(393)	0	36,556	36,556
HPD AfR Moving Expenses	0	50	50	0	0	0
HPD: FY19 Surplus Takedown	0	0	0	0	(34,000)	(34,000)
IC w/ HPD	0	191	191	0	0	0
LMDC NYCHA Rehab	0	12,680	12,680	0	0	0
NYC 15/15 Funding Adjustment	0	0	0	968	0	968
NYCHA CDBGDR Jan Plan Realignment	0	3,120	3,120	0	(3,120)	(3,120)
To Takedown out-years	0	(208)	(208)	0	(208)	(208)
<b>Subtotal, Other Adjustments</b>	<b>\$3,076</b>	<b>\$181,648</b>	<b>\$184,724</b>	<b>\$373</b>	<b>\$27,938</b>	<b>\$28,311</b>
<b>TOTAL, All Changes Prelim. 2019</b>	<b>\$3,896</b>	<b>\$181,648</b>	<b>\$185,544</b>	<b>\$3,848</b>	<b>\$27,938</b>	<b>\$31,786</b>
<b>HPD Budget as of the Preliminary 2019 Plan</b>	<b>\$147,713</b>	<b>\$1,182,917</b>	<b>\$1,330,632</b>	<b>\$93,020</b>	<b>\$777,502</b>	<b>\$870,523</b>
<b>New Needs- Exec. 2019</b>						
Asset Management Staff	\$0	\$0	\$0	\$190	\$0	\$190
Conversions Staff	288	0	288	288	0	288
Legal and Data Support Staff	0	0	0	393	0	393
LL55 Allergens and Pests	0	0	0	252	0	252
Local law 64 Mandate on Housing Portal	0	0	0	737	0	737
NYCHA Repairs	0	19,492	19,492	10,000	23,860	33,860
<b>Subtotal, New Needs</b>	<b>\$288</b>	<b>\$19,492</b>	<b>\$19,780</b>	<b>\$11,860</b>	<b>\$23,860</b>	<b>\$35,720</b>
<b>Other Adjustments- Exec. 2019</b>						
AG Settlement Funds	\$0	\$2,649	\$2,649	\$0	\$0	\$0
Bring up CDBG Funds	0	3,612	3,612	0	0	0
Bring up Funds NPCPs	0	580	580	0	0	0
Citywide savings initiatives	(34)	0	(34)	(202)	0	(202)
Conversions IFA to TL Swap	0	(288)	(288)	0	(288)	(288)
DC37 Adjustments	82	230	312	65	115	180
EDC Reallocation	(885)	0	(885)	885	0	885
Funding 421a Temps	0	215	215	0	324	324
FY18 IFA Surplus Adjustment	0	(2,500)	(2,500)	0	0	0

<i>Dollars in Thousands</i>	FY 2018			FY 2019		
	City	Non-City	Total	City	Non-City	Total
FY18 Three Quarter Housing	(2,000)	0	(2,000)	0	0	0
Heat, Light and Power	68	0	68	(149)	0	(149)
Housing Connect 2.0 Reallocation	(272)	0	(272)	272	0	272
HPD Tech For DTR	0	10	10	0	114	114
HPD Exec Financial Plan Fy19	0	3,355	3,355	0	3,155	3,155
Lease Adjustment	0	0	0	(601)	4,491	3,891
NYC15 Reallocation	(26)	0	(26)	26	0	26
NYCHA Adjustments	0	(3,351)	(3,351)	0	6,151	6,151
Section 8 Admin Project for Fy19	0	0	0	0	3,903	3,903
SPC Program to Fund Supplies	0	1	1	0	0	0
To Reallocate funds for HSGP16	0	7	7	0	(10)	(10)
To reduce Sec 8 admin hold code	0	0	0	0	(762)	(762)
To schedule funds for Demo '15	0	137	137	0	0	0
To schedule funds for HSGP17	0	0	0	0	21	21
VOA 305 W97th St	0	1,500	1,500	0	0	0
<b>Subtotal, Other Adjustments</b>	<b>(\$3,069)</b>	<b>\$6,158</b>	<b>\$3,089</b>	<b>\$297</b>	<b>\$17,215</b>	<b>\$17,512</b>
<b>TOTAL, All Changes Exec. 2019</b>	<b>(\$2,781)</b>	<b>\$25,650</b>	<b>\$22,869</b>	<b>\$12,157</b>	<b>\$41,075</b>	<b>\$53,231</b>
<b>HPD Budget as of the Fiscal 2019 Executive Plan</b>	<b>\$144,932</b>	<b>\$1,208,567</b>	<b>\$1,353,501</b>	<b>\$105,176</b>	<b>\$818,577</b>	<b>\$923,754</b>