



NEW YORK CITY DEPARTMENT OF BUILDINGS
TESTIMONY BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON HOUSING AND BUILDINGS
MARCH 5, 2021

Good morning Chair Cornegy and members of the Committee on Housing and Buildings. I am Melanie E. La Rocca, Commissioner of the New York City Department of Buildings (“the Department”). I am joined today by Sharon Neill, the Department’s Deputy Commissioner of Finance and Administration. We are pleased to be here to discuss the Fiscal Year 2022 Preliminary Budget and the Department’s progress in meeting its goals.

The last time I testified in person before this Committee was exactly one year ago, just days before we started to feel the unimaginable impacts of the COVID-19 pandemic in New York City. The pandemic very quickly impacted the construction industry and the work we do at the Department. While our work to enforce the laws and regulations that govern the more than one million buildings and 40,000 active construction sites under our jurisdiction continued throughout the pandemic, we also began to protect New Yorkers in new ways. We are now working to ensure that construction sites, and other businesses, are abiding by guidelines to protect against the spread of COVID-19. I am proud of the work our staff has been doing throughout this pandemic and commend them for their hard work. The Department is committed to doing its part to ensure the City recovers from this pandemic and we look forward to finding opportunities to partner with this Committee to accomplish that very important goal.

Turning now to the Department’s budget. The Fiscal Year 2022 Preliminary Budget allocates approximately \$182 million in expense funds to the Department. Of this funding, approximately \$152 million is for Personal Services, which supports 1,794 positions, and nearly \$30 million is for Other Than Personal Services, which primarily supports contractual services, equipment, and supplies.

The Department’s budget was reduced by \$12.8 million as part of the Citywide Savings Program, which tasks agencies with implementing savings initiatives. Reductions in Personal Services totaling approximately \$8 million were achieved by reducing headcount and reducing overtime spending. Reductions in Other Than Personal Services totaling \$4.8 million were achieved by

delaying discretionary contract services, reducing vehicle purchases, and reducing telecommunication wireless services.

I would now like to highlight some of the Department's work over the past year. The Department continues to make tremendous progress in key areas, including to facilitate development in an efficient manner, to improve safety at construction sites, to keep tenants safe, and to reduce emissions from buildings, all while continuing to improve the services we offer to our customers and members of the public.

In Fiscal Year 2020, nearly 104,000 construction jobs were filed with the Department and we issued approximately 148,000 initial and renewal construction permits combined. For the first time ever, more construction jobs were filed in DOB NOW than in the Buildings Information System, which demonstrates the progress we are making to replace a three-decades-old mainframe system. DOB NOW will allow our customers to conduct all of their business with the Department online, which will lead to greater efficiency and more transparency by allowing owners, design professionals and contractors to determine exactly where a construction project is in the approval process.

We are reviewing plans for new buildings, major renovations, and minor renovations expeditiously. We are completing our initial plan review for new buildings and major alterations in five days and for minor renovations in a little over two days. Our goal is to continue to promptly complete our initial plan reviews and to ensure that customers know what to expect when their plans are being reviewed by continuing to train our plan examiners and by developing plan-exam guidelines for a wide variety of projects, which help ensure that plan review is efficient and consistent.

The wait time between a development inspection request and an inspection decreased across the board. The wait time for a general construction inspection was two days and was under three days for an electrical or plumbing inspection. This progress on development inspection service levels can be attributed to the efficiencies gained from DOB NOW: *Inspections*, which allows for all types of development inspections to be scheduled online. This makes it easier for our customers to schedule inspection appointments, offers more precise inspection scheduling, and improves inspection tracking.

To provide even more transparency to our customers, we launched our Customer Service Dashboard last year. This new tool allows the public to view a variety of metrics in real-time, helping them understand exactly what to expect when starting a construction project. The Customer Service Dashboard calculates average timelines for plan reviews by type, the number of appointments to plan approval, inspection requests, and general customer service.

We continue to respond to complaints from members of the public faster than ever before. We are responding to the most serious complaints, Priority “A” complaints, which are those complaints that relate to conditions that may present an immediate threat to the public, within hours. We are responding to Priority “B” complaints, which capture violating conditions that if occurring, while serious, do not present an immediate threat to the public, within 12 days. As a result of responding to these complaints, and our proactive inspections concerning construction safety and tenant protection, we issued over 80,000 OATH summonses last year.

With this Committee’s partnership, the Department also continues its efforts to maintain the City’s Construction Codes. Code revision is truly a collaborative effort between our staff and the hundreds of industry stakeholders who volunteer their time to ensure that our Construction Codes reflect advancements in technology, as well as the latest standards for life safety. Together, we have already updated the City’s Plumbing Code and worked together to implement the most stringent Energy Code in our history. We are in the process of updating the balance of the Construction Codes, the Electrical Code, and for the first time, developing an Existing Building Code, which will specifically address construction projects in an existing building. We look forward to partnering with this Committee to continue to strengthen our codes.

Construction safety continues to be a focus of the Department. In 2019, for the first time in nearly a decade, construction-related injuries decreased. Last year, we saw another decrease in construction-related injuries, with 502 construction-related injuries in 2020, down 34% from the 761 construction-related injuries in 2018. This decrease in injuries comes after the launch of our Construction Safety Compliance (“CSC”) Unit in 2018, which is dedicated to conducting proactive, unannounced inspections of large construction sites. To date, the CSC Unit has conducted over 50,000 proactive inspections at over 22,000 unique construction sites.

The decrease in injuries also coincides with the implementation of Local Law 196 of 2017 (“Local Law 196”). As of March 1st, workers at large construction sites are required to have 40 hours of safety training and supervisors at those sites are required to have 62 hours of safety training, including fall prevention training, which has the potential to save lives. Since the enactment of this law, we have conducted extensive outreach to the construction industry, including directly to the workers who are impacted. I am pleased to report that our approved course providers have issued over 121,000 Site Safety Training Cards, and many thousands of OSHA 30 cards to workers, which means that workers are receiving the site safety training required by this law.

Last year, we held our first-ever virtual construction industry conference, which focused on safety, innovation, and sustainability. For the first time, our annual industry conference included sessions dedicated to worker safety, which highlighted Local Law 196 and the importance of receiving site safety training. Last month, we launched a seven-week façade and scaffold safety blitz. This campaign includes direct educational outreach to construction workers and industry professionals

on scaffold safety, as well as inspection sweeps on façade work sites across the five boroughs. As part of this effort, we also issued our first Worker Alert, which provides practical situational safety information and straightforward guidance for those workers performing façade work.

The Department looks forward to working with this Committee to further improve construction safety and to further drive down construction-related injuries and fatalities. There is no excuse for a worker not going home to their family at the end of their shift and I do believe we can work together to prevent unnecessary injuries and fatalities. For example, we can do more to hold bad actor contractors accountable for actions that result in serious injury, death, or property damage, and implement practices that are proven to work to improve safety at more construction sites, including requiring more site safety supervision.

The Department also continues its critical work to protect tenants. We're committed to providing our Office of the Tenant Advocate ("OTA") with the tools it needs to succeed. OTA serves as a resource to help tenants understand the laws that govern construction, to investigate complaints of construction as harassment, and acts as our liaison to tenants with any Department-related issues. Our OTA works closely with other units dedicated to tenant protection, including our Office of the Buildings Marshal, which conducts proactive inspections to ensure that contractors are complying with Tenant Protection Plans and responds to tenant harassment complaints, and our Real Time Enforcement Unit, which responds to Work Without a Permit complaints from tenants expeditiously. Working in tandem, these units provide our tenants with the resources they need to navigate construction in their homes and respond to any issues they may have.

The Department is also prepared to fulfill its obligation to address greenhouse gas emissions coming from buildings. We are well positioned, with the largest energy team anywhere in the country, to support the City's goal of achieving carbon neutrality. In addition to enforcing the Energy Code, enforcing existing laws that require certain buildings to report their energy and water use and to perform retro-commissioning, we are also implementing the Climate Mobilization Act. The Climate Mobilization Act requires all new buildings and existing buildings undergoing certain major roof renovations to install a solar photovoltaic system, a green roof system, or a combination of the two, and regulates greenhouse gas emissions from large buildings starting in 2024. Last year, buildings were also required to start posting energy grades, which ensures that buildings are held accountable for their performance and makes their energy efficiency transparent to the public.

We recognize the significant impact that our work can have on the public, whether they are planning a construction project, attempting to resolve a violation, or wanting to find out more about construction work in their community. As such, we will continue making our work accessible to the public by providing them with resources they can understand and use, like our Customer Service Dashboard and our real-time map of after-hours construction work, which allows the public to determine whether after-hours construction in their neighborhood is occurring with

proper permits. We will also continue conducting outreach directly to members of the public impacted by our work, which includes sending letters to property owners when their neighbor is conducting construction work so that they are aware of that work and any disruptions it may cause.

Thank you for the opportunity to testify before you today. I look forward to continuing our work together to improve the Department for the benefit of all New Yorkers.

We welcome any questions you may have.

**Testimony by the New York City Department of Housing Preservation & Development
To the New York City Council Committees on Housing and Buildings and Subcommittee on
Capital Budget**

FY 2022 Preliminary Budget Hearing

March 5, 2021

Good morning, Chair Cornegy, Chair Rosenthal, and members of the New York City Council Committee on Housing and Buildings and Subcommittee on Capital Budget. My name is Louise Carroll and I am the Commissioner of the New York City Department of Housing Preservation and Development (HPD). Today, I am joined by Associate Commissioner for Financial Management Rich Johns and members of HPD's senior leadership team.

It is hard to believe how much has changed since I testified exactly a year ago today at the last preliminary budget hearing. Just a few days after that hearing, New Yorkers were asked to stay at home to keep safe from COVID-19, making our work to provide safe, quality affordable housing more important than ever. Throughout the pandemic, our enforcement team was out in the field every day to make sure tenants had heat, hot water, and safe living conditions. We launched a revamped Housing Connect system - on schedule - to make it even easier for New Yorkers to find and apply for affordable housing. We stayed responsive to the urgent needs on the ground, moving more families out of shelter and into long term housing, while coordinating with our partners to keep construction on essential affordable housing projects moving forward as safely as possible. We announced new tools to build up our M/WBE and non-profit partners to support and strengthen them through this crisis. We also supported Citywide initiatives by delivering food and air conditioners to seniors and other vulnerable New Yorkers. The pandemic completely upended the way we live, work, and interact with each other, but our agency quickly adjusted to meet the demands of the crisis and continue our critical services, and for that, I am tremendously grateful to the entire HPD team.

As the City works to rebuild from the pandemic, HPD is looking hard at the devastating health and economic impacts, and frankly, the deeply embedded racial and economic inequities exacerbated by COVID-19. We know that safe, quality, affordable housing will be critical for the health and stability of our most vulnerable residents, and we are also more focused than ever on our efforts to ensure an equitable recovery for all New Yorkers. I appreciate this opportunity to testify today on HPD's Fiscal Year 2022 Preliminary Budget, and I will first provide a brief overview of the budget before describing how the funding will help us to achieve our goals of creating and preserving affordable housing, advancing racial inclusion, equity, and fair housing, and protecting tenants and supporting owners. I am then happy to answer any questions you may have.

FY 2022 Budget Overview

As you know, HPD's important work requires significant investment from the City and federal governments. HPD's Fiscal Year 2022 Preliminary Budget is approximately \$1 billion. However, this includes about \$237 million in pass-through funding for NYCHA. So aside from this pass-through funding, HPD's true expense budget is about \$796 million for FY2022.

Of this \$796 million, approximately \$108 million comes from the City's tax levy and about \$655 million comes from federal grants. That means 82% of HPD's expense budget is federally funded. This huge proportion of federal versus City funding in the agency's budget means many of our programs are restricted by federal requirements. Our City tax levy is therefore critical for flexibility and strengthening areas not otherwise eligible for federal grant funding such as administrative functions – like improving our technology to better serve New Yorkers - and M/WBE mentoring programs like our Building Capacity Courses.

There's a new economic reality in New York City and we're responding accordingly. HPD has identified mandatory savings targets that will help make the agency more efficient without affecting our core priorities that make this city fairer and safer for all New Yorkers. We are thankful for the important role that City resources play in our expense budget, and my testimony will highlight several areas where City funding will help us further strengthen our programs and services.

Creating and Preserving Affordable Housing

Our efforts to create and preserve affordable housing are critical to Your Home NYC, the Mayor's comprehensive approach to helping New Yorkers get, afford, and keep housing. Housing access and affordability are some of the biggest concerns that New Yorkers face, and COVID-19 has only made the need for affordable housing more urgent. Initially held back by the pandemic, we moved at record speed in the second half of the year when the Mayor restored \$454 million back to our FY21 budget, ending 2020 with the second highest total affordable housing production for a Calendar Year.

Since 2014, we have been shattering production records as we progressed toward this administration's goal to achieve 300,000 affordable homes by 2026, and the Mayor's restoration of funding will allow us to stay on track with a sharpened focus on the city's most vulnerable residents – our seniors, the homeless, and New Yorkers barely getting by. In fact, as promised in last year's State of the City, we've changed our term sheets so that at least 50% of our newly financed units will be for New Yorkers earning less than \$52,000 for a family of three, like a home health aide and car wash attendant with a child. In 2020, the City financed 29,521 affordable homes, and more than 65% of the new construction will serve those New Yorkers.

- In 2020, we financed more than 1,000 supportive homes, more than 1,000 affordable homes for seniors, and more than 2,000 affordable homes for homeless New Yorkers.
- Plus, our Homeless Placement Services team placed 1,223 homeless households into housing we've financed, exceeding its placement goal for 2020 by 22% and streamlining

documentation requirements and inspections to move households from shelter to safe, permanent housing as quickly as possible.

- Finally, despite the immensely challenging environment, HPD preserved more than 22,000 homes, bolstering housing stability for approximately 55,000 New Yorkers, and created a record 18,125 homeownership opportunities by preserving 17,573 Mitchell-Lama homeownership apartments.
- To date, we've financed nearly 178,000 affordable homes – enough to serve 445,000 New Yorkers.

Advancing Racial Inclusion, Equity, and Fair Housing

Our affordable housing production doesn't just stabilize families and communities by providing safe and permanent housing, it also brings jobs critical to strengthening the local economy. Our goal is to ensure that our critical housing work is contributing to a fairer and more equitable recovery. In particular, HPD is committed to creating opportunities for and strengthening the participation of M/WBEs and non-profits in this growth.

In the fall, we announced that on public sites we award for affordable housing development, HPD will require that the team include an M/WBE or non-profit partner that holds a minimum ownership and financial stake of 25% in the project. In January, we announced that the NYC Acquisition Fund, a \$210 million public-private affordable housing loan fund, will exclusively finance projects led by M/WBEs and nonprofits with at least 51% ownership stake. And just last month, HPD launched Pathways to Opportunity, a new initiative providing free training and certification for M/WBEs and non-profits interested in breaking into the growing marketing agent industry for Housing Connect lotteries. In a city as diverse as ours, it only makes sense that Minority- and Women-Owned Businesses and grassroots non-profits play a central role in shaping and driving community development as we work to build back better.

Just as the COVID-19 pandemic laid bare neighborhood-based inequities and racial inequality, it also made clear that we cannot take our foot off the gas when it comes to building a fairer society. In October, after more than two years of planning and community engagement, we released *Where We Live NYC*, a blueprint for fair housing in the five boroughs. We updated the plan to reflect the disproportionate impact the COVID pandemic has had on low-income communities of color, and now, HPD is hard at work to advance this five-year plan to break down barriers to opportunity and build more integrated, equitable neighborhoods.

Right now, we're prioritizing strengthening neighborhoods that have experienced historic disinvestment and discrimination with mixed-use, place-making projects that bring affordable housing along with amenities like grocery stores, recreational space, and retail. And in light of COVID, we are rethinking how thoughtfully designed housing can help New Yorkers remain safe in their homes and promote broader public health. Mold and poor indoor air quality can worsen underlying health conditions that increase COVID-19 risks, while lack of broadband access can prevent residents from utilizing online learning and emergency services. That's why

we recently updated our Design Guidelines to introduce new recommendations to facilitate broadband access, improve indoor air quality and ventilation, increase access to cooling and outdoor space, and reduce risks of spreading contagions.

Protecting Tenants and Supporting Owners

Quality housing is at the heart of what we do, and not just in newly developed buildings. HPD is tasked with enforcing the City’s Housing Maintenance Code, which covers heat and hot water, mold, pests, gas leaks, fire safety, and more. While the COVID-19 crisis has disrupted so many lives, housing disasters – like fires and structurally unsound buildings, lack of heat and electricity, and falling ceilings – never stopped here in our city. The work of our enforcement teams took on even more meaning as New Yorkers sheltered at home, and we intervened to protect tenants and support owners, particularly the most vulnerable. In the last year, the City made important strides to protect children from lead poisoning, expanding Local Law 1 to apply to homes where children reside for more than 10 hours a week – even if they don’t live there full-time. HPD has been reaching out to property owners to raise awareness about the changes and the resources available to help them. HPD also proactively combats tenant harassment; most recently, our Anti-Harassment Unit secured over \$200,000 in penalties from two negligent landlords creating unsafe conditions for tenants, and we continue to monitor them to ensure compliance.

This year, we also kept a close eye on the repercussions of the pandemic in order to stay responsive to arising needs. In addition to regular outreach about COVID-19 safety, resources, and best practices in multifamily buildings, we also launched a number of initiatives to protect tenants during this time with our partners in the affordable housing community and in City and State government. We helped keep vulnerable New Yorkers impacted by COVID-19 in their homes through initiatives like Project Parachute, and our new Landlord-Tenant Mediation Project works to resolve disputes outside of Housing Court. So far, more than 90% of its mediations have produced agreements.

COVID-19 laid an immense burden on both owners and tenants, and we are stocking our toolbox to provide both with much needed relief. In December, we released the Security Deposit Alternatives RFEI to identify eligible companies interested in offering alternatives to traditional, lump-sum security deposits for affordable housing applicants of newly constructed homes. And in February, we announced the expansion of the Homeowner Help Desk, which will support homeowners at risk of displacement in key neighborhoods in Southeast Queens, Central Brooklyn, and the North Bronx. The Help Desk will connect owners with resources and raise awareness about deed theft and scams.

Opportunities to Work Together

Ultimately, all of this work is about fighting for an equitable recovery and building back to ensure all New Yorkers can afford to live, work, and thrive in this City. But we cannot do it alone. I want to thank the Council for its partnership. We look forward to continuing to work together on critical legislative priorities and needed reforms to help New Yorkers pull through and to get to the other side of this crisis as a more affordable and equitable city. Thank you for the opportunity to testify today, and we look forward to your questions.



**NYSFAH Testimony to the New York City Council Housing and Buildings
Committee on the FY 22 Preliminary Budget
March 5, 2021**

Thank you, Chairman Cornegy and members of the Housing and Buildings Committee for the opportunity to testify today on the Mayor's Preliminary Budget.

NYSFAH is the trade association for New York's affordable housing industry statewide. Its 375 members include for-profit and non-profit developers, lenders, investors, attorneys, architects and others active in the financing, construction, and operation of affordable housing. Together, NYSFAH's members are responsible for most of the housing built in New York State with federal, state and local subsidies and incentives.

Exactly a year ago today, at City Hall, we testified on the FY 21 budget. At that point in time, we could not have imagined all the changes and heartbreak this city would experience in the year that followed. We hope that better times are ahead as our country emerges from the grip of this pandemic and New York City looks to rebuild its economy. NYSFAH and the affordable housing industry can and should play a major role in that recovery: research we conducted with HR&A found that a typical 100-unit affordable housing project in New York can lead to an estimated 175 construction jobs, 20 additional permanent jobs, and \$3.6 million in sustained local economic activity.

This is why the partial restoration of \$446 million in capital funding this past October that was eliminated in the FY 21 Final budget is so important to our future. First, it means that 10,000 units of affordable housing can be created or preserved for our most vulnerable residents. Secondly, 10,000 units of affordable housing results in thousands of good paying construction jobs, hundreds of permanent jobs, and tens of millions of dollars in sustained local economic activity. We would like to thank the Administration, the Housing Committee and the entire Council for their part in partially restoring this funding and hope that similar cuts are off the table in the table in FY22.

Last month, the Department of Housing Preservation and Development (HPD) announced that in 2020 NYC financed or preserved more than 30,000 affordable homes in 2020. This would be a noteworthy accomplishment in any year: it represents the second-highest total in the history of the city. Place this achievement into the context of the coronavirus pandemic, the economic fallout it has caused and the physical toll it has taken, however, and it becomes nothing short of remarkable.

While the city officials and policymakers who helped make this progress possible deserve praise, we should not overlook the efforts of the affordable housing industry –

specifically the hardworking construction workers who were designated essential employees during the height of the pandemic and helped make a dent in New York City's housing affordability crisis in the face of these unprecedented challenges.

NYSFAFH also stands ready to help close a digital divide in which millions of New Yorkers still have inadequate, or completely lack, access to the internet. Now more than ever a digital connection is a necessity as many vital public services, education, job access, and family connectedness rely on having a high-speed internet connection. At NYSFAFH, we are working to ensure families living in low-income homes are served with modern infrastructure that delivers high-speed internet access at an affordable price.

To accomplish this goal, we have been working with HPD to revise the Design Guidelines for New Construction which establishes the criteria by which BLDS will evaluate proposed developments for new construction of affordable and supportive housing projects. We want to thank HPD, including Commissioner Carroll and Assistant Commissioner Rona Reodica, for their leadership and partnership in committing to getting this done. This will ensure that our future affordable housing stock will be equipped with the high-speed broadband service they need to survive.

We also want to commend HPD and HDC as well as OMB and DOB for keeping the pipeline moving in incredibly difficult budgetary circumstances. The City saw that it was vital to keep these projects moving forward, both for the construction jobs they create and for the affordable housing units that are more important than ever. These agencies went above and beyond to get projects closed, to keep sites open and to keep serving the city's residents.

We are hopeful that in the coming days Congress will pass and the President will sign into law a COVID-19 relief package that should result in some significant aid to New York City. It is vital that a significant amount of that funding goes to the capital budget to support the construction and preservation of affordable housing. Adequate housing in NYC was a central issue during the pandemic and exacerbated the current housing crisis. Furthermore, housing construction is key to the City's economic recovery.

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

Contact: Chris Widelo, Director of External Affairs, at christopher@nysafah.org and (646) 473-1206.



Committee on Housing and Buildings

March 5th 2021

10am

Good afternoon. Thank you for the opportunity to testify. My name is Phoebe Flaherty, I'm an Organizer at ALIGN: The Alliance for a Greater New York. ALIGN is a community-labor coalition dedicated to creating good jobs, vibrant communities, and an accountable democracy for all New Yorkers.

We coordinate the Climate Works for All coalition and the Transform Dont Trash Coalition, the coalitions that led the organizing to pass Local Law 97 the Dirty Buildings bill and Local Law 199 Commercial Waste Zones.

As we all know, we are still in the midst of this pandemic, and New York's Black and brown and environmental justice communities are bearing the brunt of the impact of the virus and the economic downturn. We're seeing record high unemployment, concentrated in BIPOC and environmental justice communities.

Our City's budget must prioritize investment and job creation for the communities that have been hit the hardest by this pandemic.

The Climate Works for All coalition created an Equitable Recovery Report, a roadmap to creating 100,000 good green jobs for New York City's Black and brown communities and moving us out of the pandemic and recession towards our climate goals by investing 16 billion dollars over 3 years. This is the comprehensive plan we need to move our city through crisis and towards equity and climate justice.

However, we know that the city budget is still reeling from the crisis, and we have developed interim Climate budget priorities that will lead us on the same path towards investment in communities and green job creation, while acknowledging the reality of our budget constraints.

Within the City's 2022 budget, we are calling for an investment of 80 million to retrofit public school sand 50 million to put solar on public schools.

In April 2018, New York City passed Local Law 97 (LL 97), a law that puts a cap on greenhouse gas emissions for buildings larger than 25,000 square feet. To ensure the spirit of the law is upheld by the private sector and to reduce greenhouse gas emissions by 40 percent by 2030, New York City government must lead by example and retrofit public buildings with the urgency the issue deserves. The

CW4A coalitions' budget request specifically focuses on K-12 schools, which make up a large portion of public buildings that are currently emitting at rates above LL 97 emission caps.

Based on public data from 2019 on energy and water usage for large buildings and the Coalition's analysis, over 2,400 city-owned buildings are currently emitting at levels higher than the emissions cap for the 2030 - 2034 LL 97 compliance period. The buildings are dispersed throughout the city and comprise various building types including K-12 schools, government offices, maintenance and repair for government equipment, police stations, and fire stations, among other uses.

As of 2019, 1,132 K-12 schools, which add up to a total of 143,869,137 square feet, are emitting at levels beyond LL 97's 2030 - 2034 period of compliance. At an average cost of \$7.55 per square foot to retrofit buildings, the city would need over \$1.08 billion throughout the next 13 years to meet LL97 emission targets. **That is, the City needs about \$80 million every year to retrofit schools.**

Given the known associations between atmospheric pollution and climate change, and the correlation between air pollution and mortality rates for respiratory diseases like COVID-19, retrofitting buildings, particularly Heating, Ventilation, and Air Conditioning (HVAC) systems, serves as a common solution to two of the most urgent problems New Yorkers have faced in the last few decades—a pandemic and climate change. In addition, **research shows that building retrofits will create 482 good union jobs during a time of economic crisis.** Protecting children, teachers, public servants, and the public at large who utilize these buildings, while stimulating jobs for New Yorkers, should be of utmost importance in 2021.

In 2014, New York City committed to installing 100 megawatts of solar energy on public buildings by 2025. In order to achieve this goal, solar panels would need to be installed on over 300 public buildings over the following decade, a move that could be replicated on the other 4,000 city-owned and leased properties throughout New York City. It is integral that the Department of Citywide Administrative Services (DCAS), the agency charged with the city's solar implementation, prioritize its solar program. At an average cost range of \$1.75 - \$2.75 per watt installed, the city would need over \$160 million over the next four years to reach 100 megawatts of solar energy on public buildings. **An immediate investment of**

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\$50 million toward DCAS' solar program will provide the capacity and resources the agency needs to swiftly meet New York City's 2025 solar goals.

The New York City Department of Education's (DOE) building stock presents an opportunity for the City to make significant progress toward its solar goals. Not only do K-12 schools hold a large share of New York City's new solar energy capacity, they also account for one-quarter of all City-owned buildings. In fact, the DOE hosts more than half of the City's completed installations. Following the passage of the [Climate Mobilization Act](#), DCAS and the New York Power Authority (NYPA) announced their plans to install up to 16 additional megawatts of solar energy at forty-six New York City public schools. While this announcement is a good step, DCAS must prioritize an expeditious implementation of its solar program in environmental justice communities to ensure the city meets its 2025 solar goals.

Since 2014 DCAS has installed solar panels on 30 school buildings across the city, amounting to only 6.86 megawatts of solar energy. That means DCAS has installed an average of 1 megawatt per year. There are still 189 other school sites waiting to be completed that have the potential to reduce the City's emissions by another 10,449 metric tons of CO₂. **At completion, the savings from these sites will be equivalent to taking 2,257 cars off the streets for one year.** As DCAS continues to implement its solar program, it is critical that the agency utilizes social equity criteria to determine the order in which solar panels should be installed. As the largest school district in the country, there is an immense opportunity for New York City to create an implementation standard that can be replicated in other municipalities. Only taking technical considerations into account, such as solar-ready roofs, fails to recognize systemic inequalities in New York City. By prioritizing K-12 schools in environmental justice communities, the City will be building more resilient neighborhoods and ensure the benefits of renewable energy reach its most impacted New Yorkers.

Solar projects will not only reduce greenhouse gas emissions, but will also allow New York City to use investments to mitigate deep socio-economic and environmental inequalities in our city. New Yorkers had first-hand experiences of the catastrophic impacts of climate change through Hurricane Sandy. Now, these cumulative environmental risks have further intensified under the COVID-19 pandemic. Building energy generation technology in environmental justice communities is essential, especially as New York looks towards a Just Recovery from the current public health and economic crises. Investments in green

infrastructure will build more resilient neighborhoods and bring good, well-paying jobs back into communities that need it most. Research shows economic activity on green infrastructure generates both direct and indirect jobs. **Research shows an investment of \$50 million into installing solar on schools will create 254 direct and indirect jobs.** The siting of solar on K-12 schools coupled with building retrofits, a local hiring program, and strong project labor agreements, can expand access to career-track jobs and create an avenue for addressing environmental injustice.

In addition to retrofitting and installing solar on public schools, Climate Works for All is calling for an investment in the following areas as well, totaling an investment of \$150 million.

17 millions towards public waste management, including 4 million to staff the Commercial Waste Zones program, and 13 million towards expanding the composting program.

3 million towards clean transportation expansions via electric school buses

These investments are what is necessary to invest in New York's BIPOC and frontline Environmental Justice communities, address the inequities of the pandemic and move us out of the COVID crisis while addressing the climate crisis. We believe these investments will move us forward on the path towards an Equitable Recovery.

Thank you for your time and consideration today.

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**Testimony Before The New York City Council Committee
on Housing and Buildings Concerning Fiscal Year '22 Preliminary Budget**

March 5, 2021

Good Morning. Thank you Chair Cornegy to the members of the Committee on Housing and Buildings for the opportunity to testify on the FY21 Preliminary Budget.

My name is Barika Williams, and I am the Executive Director at the Association for Neighborhood and Housing Development (ANHD). I would like to thank Committee Chair Cornegy for holding today's hearing. I am here today, calling on the City Council to:

- **Work with the state to ensure the \$1.3 billion New York is set to receive from the December federal relief package is distributed equitably, which would in turn support the City's budget for rent relief.** A recent ANHD analysis shows how a more proportional allocation method would achieve this distribution (see: <https://anhd.org/blog/new-york-citys-unfair-share>)
- **Restore \$3.651 million in the budget for the Community Housing Preservation Initiative,** also known as the Housing Preservation Initiative (HPI) and the Community Consultant Contracts (CCC) program, including \$110,270 of this funding for ANHD to provide funded groups with individualized and group-based technical assistance and capacity building support to do this work as efficiently and effectively as possible.
- **Continue supporting ANHD's Displacement Alert Project ("DAP") in the coming year, with a \$100,000 allocation of funding.**
- **Fully restore funding for affordable housing Capital Projects.**

More detail on ANHD and these requests follow.

About the Association for Neighborhood and Housing Development

Eight grassroots, local housing groups established the Association for Neighborhood and Housing Development (ANHD) in 1974 to support the development and preservation of affordable housing in New York City. Today, ANHD stands as one of the City's lead policy, advocacy, and technical assistance and capacity-building organizations. We maintain a membership of 80+ neighborhood-based and city-wide not-for-profit organizations that have affordable housing and/or equitable economic development as a central component of their mission. We are an essential citywide voice, bridging the power and impact of our member groups to build community power and ensure the right to affordable housing and thriving, equitable neighborhoods for all New Yorkers. We value justice, equity and opportunity, and we believe in the importance of movement building that centers marginalized communities in our work.

ANHD's work directly supports the needs of our members who develop, manage, and organize to preserve affordable housing, and who fight to bring equity into low-wealth communities in New York City—especially, black and brown communities. Our groups rely on us for technical assistance and



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capacity-building resources that allow them to maximize their resources, skills and impact. The support services, research, analysis, public education and coalition building we do helps to identify patterns of local neighborhood experiences and uplift citywide priorities and needs. Our work translates into the capacity to win new programs, policies and systems that ensure the creation and preservation of deeply and permanently affordable housing, and economic justice.

Working with the State for Rent Relief

COVID-19 Rent relief is a top concern for ANHD and our 80+ member organizations, as thus far it has been insufficient and inaccessible to many hardest impacted by COVID-19. New relief must be distributed in a way that is accessible and directed to those who need it most, including undocumented immigrants, restaurant service staff and others who have lost their job.

Specifically, we ask that you work with your colleagues in the state legislature to ensure the \$1.3 billion New York is set to receive from the December federal relief package is distributed equitably, which would in turn support the City's budget. Recent ANHD data found that New York City houses 63% of the State's renters and three-quarters of the State's renters of color, however, less than 20% of relief is slated to go to the city. Please work with the state to ensure relief is targeted to renter-dense areas and in particular to areas where communities are hardest hit by this pandemic.

As you work to allocate relief, we also want you to address the needs of renters, homeowners, and affordable housing providers, rather than pitting one against another.

Community Housing Preservation Initiative

ANHD asks for the Council's continued support of the Community Housing Preservation Initiative (CHPI) initiative, also known as the Housing Preservation Initiative (HPI) and the Community Consultant Contracts (CCC) program. HPI & CCC are critically important to enabling community-based groups' preserve affordable housing in their neighborhoods amidst an ongoing housing crisis and increasing housing costs.

Preserving existing affordable units is far more cost-effective than building a new unit. An ANHD analysis of HPD data shows that, on average, the City spends \$100,000 in direct City subsidy to finance each new affordable unit that is created and \$40,000 in direct City subsidy to finance each unit that is preserved. If the total cost of the development is taken into account – including the cost of the tax credit financing, the low-cost mortgage, and the property tax abatement – the actual cost of each unit is four times that amount.

Given the financial crisis we are in, ANHD respectfully requests that funding for the Community Housing Preservation Initiative be restored fully at \$3,651,000. This restoration will enable over 40 groups to provide much needed services that keep neighborhoods residents in their homes during this crisis moment. And, within this allocation, we hope ANHD will continue to receive \$110,270 to provide funded

groups with individualized and group-based technical assistance and capacity building support to do this work as efficiently and effectively as possible.

On an annual basis, the Community Housing Preservation Initiative results in direct Counseling for over 20,000 tenants and homeowners across New York City on their housing rights, resources and opportunities; referrals to additional social service supports to 3,500 participants; the support of 1,200 tenant associations; the correction of 2,800+ housing violations; and the preservation of over 5,400 affordable housing units.

ANHD's Displacement Alert Project (DAP)

ANHD is grateful for the New York City Council's previous and current support of our Displacement Alert Project, or "DAP." DAP is an interactive website, accessible at displacementalert.org, and it is an invaluable resource for elected officials, our ANHD members and partners committed to understanding how the pandemic has impacted our housing landscape, and how we can rebuild. Over 60 people per day visit the DAP Portal tool, most of them return users, and over 11,400 users have visited the tool in the last year.

During the COVID-19 pandemic, ANHD has leveraged DAP to:

- Produce some of the first analyses of how COVID-19 relates to systemic racism and social and economic injustice and the inequitable history of planning and development in New York.
- Release analyses on rapidly accelerating foreclosure filings and housing conditions going uninvestigated.
- Support elected officials and their staff to answer specific questions about the displacement threats occurring in their community.
- Incorporate COVID-19 and related health risks into a digital version of [our annual 2020 Housing Risk Chart](#)

Yesterday, we released an analysis of how pandemic and rent relief have so far been insufficient to keep households out of debt and in their homes. ANHD is also currently partnering with the Right to Counsel Coalition and the Housing Data Coalition to produce data visualizations and maps showing the scale of eviction cases and rent debt accumulating in New York State's courts and the heightened rate of evictions filed in communities of color that have been hit hardest by COVID-19, forthcoming next week.

ANHD respectfully requests that the Council reserve \$100,000 in this year's budget for the Displacement Alert Project, so we can continue supporting our housing movement with compiled data and unique analyses. Restored funding will allow us to continue to maintain, expand, and enhance DAP Portal, provide training to community-based organizations and elected officials, and use data to support tenant rights work and respond to displacement pressures.



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NYC Housing Capital Budget

On behalf of our diverse membership of advocates, affordable housing developers, legal service providers, shelter and direct service providers, we thank you for your support in partial restoration of the FY21 Housing Capital budget. Any interruption to the affordable housing pipeline of funding has real costs for affordable housing development. It costs nonprofit and for-profit developers money to hold properties longer before construction. In addition, developers will be less likely to build or preserve affordable housing in the future if they are not sure the city will come through on deals.

ANHD hopes the city will leverage the current economic conditions we are in--specifically, the current historically low-interest rates and high unemployment rates, and ensure this year's capital budget meets or exceeds the FY 21 allocation. Increased capital spending for housing is prudent, and would help the city recover from the recession. Leaving any level of cuts will save comparatively little in the current operating budget and will hurt the city — depriving the city of affordable housing and jobs when both are desperately needed.

**Testimony by the New York State Nurses Association
(Part of the Climate Works for All Coalition)
Housing and Buildings Committee Budget Hearing – Public Testimony
March 5, 2021**

Nella Pineda-Marcon, BSN, RN-BC
Mount Sinai Morningside and Mount Sinai West
Director at Large; Chair of the Climate Justice and Disaster Relief Committee

Good morning everyone. My name is Nella Pineda-Marcon and I work as a nurse at Mount Sinai Morningside and Mount Sinai West. I am also a proud union member of the New York State Nurses Association. I serve as a Director at Large and am Chair of our Climate Justice and Disaster Relief Committee. NYSNA represents 43,000 nurses across New York State, including 25,000 RNs in New York City. This includes nurses in all of the city's public hospitals.

As nurses on the frontlines of patient care we have seen up close the horrors of the COVID-19 pandemic. Almost 30,000 people in New York City have died and countless others have been left wounded, physically and emotionally. We have seen the deep impact that the pandemic has had on low income communities of color. The disparities are all encompassing, affecting marginalized communities physically, mentally and economically. We know that this is just a preview of what lay ahead if we do not take climate change seriously. It is critical that we heed the warning.

In fact, we have already seen the destruction that climate change and environmental degradation has had on the health of our patients. Increases in heat have contributed to an increase in hypertension. Pollutants are being discharged into our city air, causing a steady increase in chronic asthma conditions in our most vulnerable communities. In addition, these communities

also face environmental injustices like contaminated water supplies and tainted soil. They are also the ones that are usually hit the hardest by catastrophic events such as Superstorm Sandy. This is not OK.

Let me clear, the New York State Nurses Association is 100% in support of a fossil fuel free city. We should be doing everything that we can to speed that reality along. The victories we got signed into law with the Climate Mobilization Act and Local Law 97 are amazing, but if the funding, implementation and accountability is not in place, then the legislation doesn't really matter. We need to move ahead quickly like our house is on fire because **it is!**

We are proud members of the Climate Works for All coalition, a coalition of unions, climate and environmental justice organization and advocacy groups. We fully endorse the Equitable Recovery report that came out of this coalition. The report is a longer-term plan for creating 100,000 good green jobs over the next 3 years in New York City's Black and brown communities. This is a comprehensive plan that will require 16 billion dollars. We know that the city is hurting financially right now so we have scaled back on what we are asking for in the City's 2022 budget. These asks will still work towards our shared goals and strengthen the lives of our patients and their communities. What we are asking for:

- 1. 80 million dollars to retrofit public schools.**
- 2. 100 million dollars to put solar on public schools.**
- 3. 17 million dollars towards public waste management (this includes 4 million dollars to staff the Commercial Waste Zones program, and 13 million dollars towards expanding the composting program).**
- 4. 3 million towards clean transportation (electric school buses)**

Thank you for your time and consideration today.

**NORTHERN MANHATTAN
IMPROVEMENT CORPORATION
(NMIC)**

TESTIMONY

In Support of

**Complete City Council Funding of the Neighborhood
Preservation Program and the Community Housing Preservation
Strategies Initiative**

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL

COMMITTEE ON HOUSING AND BUILDINGS

March 5, 2021

PRESENTED BY:

Nicolas Bammer-Whitaker, Esq.

Managing Buildings Attorney

NORTHERN MANHATTAN IMPROVEMENT CORPORATION (NMIC)

My name is Nicolas Bammer-Whitaker, and I am the Managing Buildings Attorney at Northern Manhattan Improvement Corporation (hereafter, “NMIC”). On behalf of NMIC, we thank you for providing us the opportunity to present our testimony on the importance of the Neighborhood Preservation Program (“NPP”) and the Community Housing Preservation Strategies Initiative, which includes funding for the Housing Preservation Initiative (“HPI”) and the Community Consultant Contract (“CCC”).

NPP and HPI funding supports NMIC’s ongoing tenant organizing and housing preservation work, assisting tenants whose lives and housing has been severely imperiled by the COVID-19 crisis. We ask for the council to make financial investments by fully funding both NPP and HPI in FY22 so that community-based organizations may receive the resources necessary to ensure that New Yorkers remain in safe, stable, and affordable housing. This funding allocation is crucial to enable NMIC to address the housing needs as they emerge for over 14,000 community members that depend on NMIC services each year. Specifically, to maintain our tenant organizing and housing development services, which are crucial for the long-term recovery and stabilization of our community members, we request that the Neighborhood Preservation Program be funded at \$14.5 million and the Community Housing Preservation Strategies Initiative be funded at \$3.7 million.

NMIC is a community-based settlement house founded in 1979 which has grown into a leading multi-service agency with a staff of over 120 employees, serving all of New York City. Our mission is to serve as a catalyst for positive change in the lives of the people in our community on their paths to secure and prosperous futures. Our tenant organizing and housing preservation work is part of our legal, organizing, and advocacy initiatives, which also include housing court representation/eviction prevention, family law services, immigration legal services and general counseling for immigrant communities. Our education and career services provide the community with the additional tools necessary to build secure and prosperous futures. We also offer weatherization services to improve the housing stock in Upper Manhattan.

The investment in tenant organizing and housing preservation efforts allows us to work with residents in our community to combat displacement and ensure that individuals have access to housing that is safe, stable, and affordable. NMIC does not charge any fees for services and serves low-income communities and immigrant persons and families. We are ideally situated in

Washington Heights and University Heights where the large immigrant and mostly Spanish speaking populations in these communities can easily access the broad range of services available. Our priority service areas, Manhattan City Council Districts 7 and 10; Bronx City Council Districts 14 and 16, are over 75% people of color. These areas are the only ones in their respective borough, designated yellow COVID-19 zones due to the sustained resurgence in COVID-19 cases.

The neighborhoods we serve experienced the highest number of COVID-19 cases in the city; in Washington Heights alone there were 3,939 cases during the first peak of the pandemic in the spring. Yet that only reflects individuals who reported medically affected by the virus, while we know that the overall impact of the pandemic on people's lives has been much greater, including leading to widespread loss of income throughout our community. In surveys we conducted with members of our community, we found that financial and housing insecurity was extremely common: more than half of those surveyed expressed concern that they would be unable to or would need assistance paying their rent, and almost two-thirds of residents said that they had issues in their apartments or buildings that needed to be addressed or repaired.

Our ongoing tenant organizing and housing preservation work has been a critical bulwark for residents to mitigate against the impacts of the pandemic on their lives. This work features a team that includes tenant organizers, paralegals, and attorneys, who work collaboratively to support tenants in our community, help protect their rights, and ensure that their housing is preserved. We help establish tenant associations and train tenants to become leaders so that tenants are empowered to fight for their rights as a group. We assist tenant associations in court, with city and state agencies, and with their landlords to get repairs, make sure that rents are fair, and help with other housing legal issues. We connect tenants and tenant associations to larger city- and state-wide campaigns which fight for tenants' rights. We also help develop larger coalitions which pull together tenants and tenant associations from multiple buildings—for example from buildings within portfolios of known bad-actor landlords—so that tenants can take actions at even greater scale and power.

This work would not be possible with NPP/NPC and HPI funding. With tenants under significant financial pressure and landlords often failing to maintain their buildings, group-based affirmative actions—only made possible through tenant organizing—is the most efficient and

effective way of protecting tenants' rights, preventing displacement, and preserving affordable housing. We have been able to transition effectively to a remote model for our organizing and development work, despite the challenges of the pandemic and the digital divide in our community. We have continued to work with over 25 buildings and have helped hundreds of tenants protect their rights and their housing through tenant associations and coalitions. Through our ongoing efforts to reach out to and support tenants, we have been able to hold dozens of virtual tenant association meetings, tenants' rights workshops, and legal clinics.

Building tenant associations and coalitions takes time and effort but is ultimately the most effective way to preserve affordable housing in our community. However, sustained organizing and engagement is essential to ensure that these efforts continue to bear fruit. If the investment to support these efforts is withdrawn, existing tenant associations and coalitions can falter and cannot grow to include the dozens of buildings and hundreds of tenants who desperately need them. Without this counterweight, landlords can return to practices of neglecting buildings, displacing tenants, and destroying the affordable housing stock in the community, with devastating impacts on peoples' lives and the community at large.

The continuation of these services is only made possible by the council's commitment to make financial investments in our communities and the preservation of affordable housing. Without the renewal of FY 21 funding, NMIC and other community-based organizations will be less equipped to overcome service provision challenges brought on by the pandemic, and unable to work with tenants to prevent displacement and preserve decent, affordable housing. With this in mind, we ask that the council restore NMIC to FY20 funding levels and to fully fund the Neighborhood Preservation Program and the Community Housing Preservation Strategies Initiative.



Comments before the New York City Council Subcommittee of Capital Budget and Committee on Housing and Buildings

March 5, 2021

Good afternoon. My name is John Baker and I am a Policy Manager at the Center for NYC Neighborhoods. I would like to thank the members of the Subcommittee on Capital Budget and Committee on Housing and Buildings for the opportunity to speak.

About the Center for NYC Neighborhoods

The Center promotes and protects affordable homeownership in New York so that middle- and working-class families are able to live in strong, thriving communities. Established by public and private partners, the Center meets the diverse needs of homeowners throughout New York state by offering free, high-quality housing services. Since our founding in 2008, our network has assisted more than 100,000 homeowners. Our clients are over 60% people of color, with an average household income of \$38K. We have provided more than \$33 million in direct grants to community-based partners, and we have been able to leverage this funding to oversee another \$30 million in indirect funding support. The Center's work is counter-cyclical – our services are in higher demand in times of crisis – and we have developed expertise in responding quickly, in partnership with the government, to achieve stabilization and safety for New Yorkers.

Affordable Homeownership under Threat

Affordable homeownership is a crucial component of New York City's vibrant and diverse neighborhoods. In the neighborhoods where we work, affordable homeownership means families can build equity while also benefiting from stable housing costs in a city of rapidly increasing rents. When homeowners are able to afford their mortgage payments, keep up with their bills and make needed repairs, they are able to live, grow and thrive in the city where they have invested their time and energy, sent their children to schools, and pursued their livelihoods. The majority are also able to rent out apartments in their homes to tenants, many of whom pay below-market rents. They are able to continue to contribute to their communities, participate in local institutions, build wealth, and provide stable homes for their children. For these reasons, we believe that supporting working- and middle-class homeowners and their communities while investing in new homeownership opportunities for working families must be a top priority for the future of New York City.

Homeownership and COVID-19

In the wake of the global coronavirus pandemic, New York's low- and moderate-income homeowner households face daunting challenges as they strive to meet mortgage payments and avoid foreclosure. Thousands of New York's workers face unemployment and income loss, while those employed in essential businesses continue to work while exposed to greater risks of contracting infection.

While Federal and State moratoria on foreclosures have helped keep homeowners out of immediate danger during the pandemic, long-term indicators of distress are sending dire warning signals of trouble to come for working and middle class homeowners. As of January 31, 14% of FHA mortgages are delinquent citywide, more than double the national average. The unemployment rate stood at 11.4% as of December - more than triple the rate at the same time in 2019. According to the Census Pulse Survey, New York City has the highest foreclosure and eviction risk in the country, with nearly 500,000 residents at risk of losing their homes.

The foreclosure moratoria, which is necessary and should be applauded, is still a band-aid masking the crisis to come. By most measures, the risk of homeowners losing their homes is larger than it was in 2008. When foreclosure moratoria are lifted and forbearance plans end, a massive bill will come due for New York City's low- and moderate-income homeowners. Homeowners need advocates to help negotiate equitable payment plans and modifications with servicers. Small landlords need help staying afloat when tenants are struggling with rent. There is massive unmet demand for home repair loans and retrofits to survive flooding and other climate disasters.

Solutions: Fund Homeowner Services in the FY 2022 City Budget

The Center for NYC Neighborhoods has developed innovative, high-quality services to help keep low- and moderate-income New York City homeowners from losing their homes. This year the Center requests \$4,000,000 in City Council funding to support a streamlined approach to financial and physical resiliency for homeowners across New York City through a single point of entry.

Specifically, City Council funding would support our comprehensive suite of homeownership services, including the following:

- **Homeowner Hub:** Our Hub is a frontline service for homeowners seeking specialist advice and referrals for more comprehensive services. The Hub can be reached via 311, HomeownerHelpNY.org, and our mobile Homeowner Help Desk, which brings these services directly to New York City neighborhoods.
- **Foreclosure Prevention Services:** The Center serves homeowners by providing foreclosure counseling, homeownership counseling, property tax counseling, and reverse mortgage counseling for seniors to help them remain in their homes. Some services are provided in-house, while others are provided through our Network Partners.
- **Homeowner Sustainability and Resiliency Services:** The Center provides resiliency and energy efficiency counseling, home resiliency audits, and backwater valve installations for homeowners at risk of flooding or who are seeking to lower their home energy costs. We work to improve circumstances for individual homeowners and also at scale for communities at risk of flooding, climate change, and more.
- **Policy and education:** Our Policy and Research team works to develop program and policy recommendations to better protect NYC homeowners, including legislative reforms for issues like property taxes, tax lien sales, and more.

In addition, the Center is requesting \$3,000,000 to support HomeFix, HPD's home repair financing to help low-income homeowners maintain their home and age in place. This program serves only a fraction of the demand, and provides a vital product that traditional lenders are almost entirely uninterested in offering.

Enhance resources for new affordable homeownership development

In previous decades, New York City government committed substantial resources to the creation of homeownership opportunities for low- and moderate-income homeowners and the result is on display today: many tens of thousands of families stably and affordably housed in Nehemiah Homes, HDFC's and co-operatives like Penn South or Co-op City. Generations of homeowners at these sites have benefitted from asset building without being subject to rising rents and the displacement pressures that accompany gentrification. We have an opportunity to expand on this legacy today but we need to improve our affordable homeownership toolbox.

Today, the City's affordable homeownership development programs are not sufficiently funded to produce the housing we need. Per dwelling unit subsidy allocations for homeownership programs are significantly lower than those for rental or supportive housing despite the same development costs. The result is that programs like Open Door are only producing a trickle of new housing despite the massive demand for these units. Increasing subsidy allocations is critical to building on the legacy of the Nehemiah Homes and Penn South and expanding homeownership opportunities to more New Yorkers

We greatly appreciate the Council's support for homeowners and homeowner services in the Fiscal Year 2022 budget, and we look forward to working with you to continue to promote affordable homeownership in New York City. Thank you for the opportunity to testify today.

**Testimony to the New York City Council
Committee on Housing and Buildings and Subcommittee on Capital Grants
Preliminary Budget Hearing for FY 2022**

March 5, 2021

Good afternoon, Committee Chair Cornegy, Subcommittee Chair Rosenthal, and members of the Committee and Subcommittee, and thank you for the opportunity to testify. My name is Katelin Penner, and I am a member of the East New York Community Land Trust's steering committee, and an advocate for affordable and social housing.

The East New York Community Land Trust and 17 partner organizations are part of a citywide Community Land Trust (CLT) Initiative that seeks at least \$1.51 million in City Council discretionary funding in FY2022, to develop CLTs in all five boroughs of NYC. CLTs like the East New York CLT work to develop and preserve deeply affordable housing and community spaces in our neighborhoods by placing rental housing, limited-equity cooperatives, and even 1-4 family homes at risk of foreclosure, in the stewardship of local communities, and not in the hands of wealthy developers. In the context of the COVID-19 pandemic, when millions of families, the majority of whom are Black, brown, or immigrant, have been unable to pay their rent due to high housing costs and inability to work, CLTs have an especially critical role to play in our city's approach to affordable housing. Post-COVID, rents across the city will likely once again begin to rise, and families across our city will begin to face evictions, as the state's eviction moratorium gradually begins to run out, and creating more deeply affordable housing in community land trusts will allow many of these families to find new homes with greater ease.

Additionally, financing the efforts of community land trusts will support organizers in Black and brown communities like East New York, Cypress Hills, and Brownsville. While I am a new member of the East New York Community Land Trust's steering committee, I am in awe of the work that fellow organizers, such as Mr. Albert Scott, Ms. Debra Ack, Ms. Ethel Cooks, and Ms. Izoria Fields, have done over the past several years, as they tirelessly fight to bring deeply affordable housing, commercial facilities, and community spaces to their neighbors. Their efforts deserve to be uplifted and put into action by giving the East New York CLT, and other CLTs across the city, such as the East Harlem CLT, the funding they need to manifest their incredible visions for their neighborhoods. Furthermore, fully funding our efforts will allow organizations like the East New York Community Land Trust to continue its important surrounding community

visioning, participatory planning, and work towards actually breaking ground on new developments in working class Black and brown communities. Providing funding to CLTs will also work to stabilize housing, combat speculation, and ensure a just recovery in Black, brown and immigrant neighborhoods, a vital goal for our city in the coming years. **We ask the Committee to recommend renewed or increased funding for the Citywide CLT Initiative, in the FY2022 budget, and thank you for the opportunity to testify today.**



**Testimony of Lorraine Y. Collins
Senior Director for Public Policy and External Affairs
Enterprise Community Partners, Inc.**

**To the New York City Council
Housing and Buildings Committee Jointly with the Subcommittee on Capital Budget**

**Hearing on the FY 2022 Executive Budget
March 5, 2021**

My name is Lorraine Collins, and I am the Senior Director for Public Policy and External Affairs for the New York office of Enterprise Community Partners, a national affordable housing non-profit whose mission is to make home and community places of pride, power and belonging, and platforms for resilience and upward mobility for all. We invest capital to create and preserve quality affordable homes, reinvest revenues to develop programmatic solutions, and scale these solutions through policy change. Since our New York office opened in 1987, we have committed more than \$3.9 billion in equity, loans and grants to affordable housing and community to create or preserve over 73,000 affordable homes across New York State, and we currently lead groundbreaking programs focused on anti-displacement, eviction prevention, and community land trusts, among other things.

On behalf of Enterprise, I'd like to thank Speaker Johnson, Chair Cornegy Jr., Chair Rosenthal and the New York City Council for the opportunity to testify on the City's FY 2022 executive budget, and for its leadership in the face of this continuing public health and economic crisis. The production of new affordable housing should play a major role our road to recovery. Affordable housing creates stability for low- to middle- income New Yorkers at a time when staying safely housed is more important than ever, and production is also a counter-cyclical investment, creating jobs and jumpstarting the economy. In these difficult times, we urge you to prioritize critical programs that support tenants, owners and the production of affordable housing this year's budget.

New York City faces a pending eviction crisis, with over 228,000 renters in New York City alone defending eviction proceedings and thousands more behind on rent.¹ The brunt of this crisis is being felt disproportionately by communities of color, who have experienced more Covid-19 related job losses and are much more likely to have fallen behind on rent payments than white New Yorkers. The inability of struggling tenants to afford their rent in turn impacts landlords, who

¹ <https://furmancenter.org/thestoop/entry/data-update-eviction-filings-in-new-york-city-as-some-renter-protections-ex>



are themselves reeling from the pandemic's economic fallout, and our affordable and rent stabilized housing stock. While eviction moratoria have been critical to keeping renters in their homes during the pandemic, they do not address rent arrears and are not a permanent solution.

In response, a coalition of property owners, nonprofits and service providers came together to launch Project Parachute, a philanthropic fund managed by Enterprise to keep vulnerable and underserved New Yorkers stay in stable housing, funding community-based service providers to bolster their eviction prevention services, including direct financial assistance to address arrears. Project Parachute funds are being deployed to expand the capacity of community-based Homebase providers to administer eviction prevention services. **With moratoria expiring, we urge you to ensure that these nonprofits are equipped to handle an anticipated surge in demand, particularly in hard-hit neighborhoods where arrears are high.**

As part of the Project Parachute initiative, we convened the New York City Eviction Prevention Roundtable, a diverse group of property owners, tenant advocates, and service providers who sought to develop upstream policy solutions to prevent evictions. The roundtable created a set of recommendations, outlined in our report [Preventing Eviction for New Yorkers Amid Covid-19](#), to expand eligibility for and streamline existing assistance programs, align them more closely with the cost of housing, and address growing economic need. Enterprise also co-convenes the Family Homelessness Coalition with partners New Destiny Housing and Citizens' Committee for Children, and our steering committee is composed of a diverse group of affordable housing owners, advocates, and shelter and service providers working to end family homelessness across the city, focused on homelessness prevention, improving the well being of families in shelter and supporting the long-term stability of families with children who leave shelter.

One key recommendation of both our roundtable and the Family Homelessness Coalition is to raise the rent level of the CityFHEPS voucher, which is currently far too low given the cost of housing. **New York City can make this change right now by passing Intro. 146, a bill with strong council support that would raise the CityFHEPS rent limit to Fair Market Rent.** CityFHEPS is a critical tool to help families in shelter find permanent, stable housing. However, there are currently no neighborhoods in New York City where the median asking rent is affordable with a CityFHEPS voucher, and families with the voucher struggle to find housing as a result. An analysis by WIN (Women in Need) found that this reform would allow thousands of families to exit the shelter system faster, saving money long term by reducing shelter stays.

Lastly, with evictions looming, the city should further invest in community land trusts (CLTs) as a stabilizing force to prevent displacement. In 2017, in partnership with the New York State Office



of the Attorney General, we launched and later expanded the Community Land Trust Building Initiative to support CLTs statewide, including in New York City. **We join our partners at the citywide Community Land Trust initiative in requesting \$1.51 million in discretionary funding** to build on this work and support the work of 14 community-based organizations and four citywide organizations that are developing CLTs as a source of permanently affordable housing.

Thank you for the opportunity to testify at an unprecedented time in our city's history and for your continued leadership prioritizing the housing needs of vulnerable New Yorkers. We look forward to working with you this year to ensure a robust and equitable recovery.



Testimony of Habitat for Humanity New York City

**To the New York City Council Committee on
Housing & Buildings and Subcommittee on Capital Budget**

Preliminary Budget Hearing - Housing and Buildings

March 5, 2021

Testimony respectfully submitted by:
Karen Haycox, CEO
Habitat for Humanity New York City

Good morning. My name is Karen Haycox and I serve as CEO of Habitat for Humanity New York City and President of our CDFI, the Habitat NYC Community Loan Fund. I want to begin by thanking Chairs, Cornegy and Rosenthal and, the members of the Committee and Subcommittee for the invitation to testify on making affordable homeownership a priority in the FY2022 budget.

Habitat NYC knows the power and importance of affordable homeownership. We have built and preserved more than 1,800 homes in partnership with low-income families across all five boroughs. We truly appreciate the Council's interest in advancing our City's housing goals in the capital budget and urge the City to stand boldly to deliver on its commitment to the importance of homeownership and to fully fund the projects already in the homeownership pipeline.

Seven years ago, we testified in front of this committee to urge the City to increase its investment in affordable homeownership and to implement strategies that would *preserve* these investments for future generations of lower income, first-time homebuyers. We testified that affordable homeownership is critical to the goal of fostering diverse, livable neighborhoods, pushing back against displacement due to gentrification, and building both individual and community wealth. We applauded the Administration's commitment and were proud to partner on the first project developed under the city's Open-Door term sheet.

Since then and despite the best intentions of the hard-working public servants at HPD, over and over, home ownership projects have been subtly and not so subtly, passed over in favor of rental housing. The vast majority of home ownership projects remain unfinanced.

This leaves small non-profits and developers, many of whom are MWBE's, carrying large pre-development costs for extended periods of time, placing severe strain on balance sheets that are more challenged today than ever before. Habitat NYC alone has more than 129 units of home ownership, across four projects in our pre-development pipeline, and is carrying more than \$1.6M in predevelopment costs. Portions of this project have been in predevelopment since 2015.

Prior to the pandemic, HPD was working closely with us and with our colleagues in the sector to address the unsustainability of the Open-Door Term Sheet and create parity with other programs such as the Affordable Neighborhood Cooperative Program (ANCP). Now we are hearing that if we are allowed to proceed, OMB wishes to hold projects to the original term sheet creating gaps in the budgets, extending predevelopment timeframes even further and devastating balance sheets of the city's developer partners.

The backdrop for all of this is colored by recent events heightening the world's focus on the racial home ownership gap. The injustice at its root goes back generations and includes a complex history of redlining, predatory lending, and

deed theft schemes primarily in formerly red-lined neighborhoods in Southeast Queens, Brooklyn, and the Bronx that are home to a high concentration of low-income homeowners of color. A recent study reports that there were more than 22,000 fewer Black homeowners between 2007 and 2017 in Queens alone. Brooklyn had 5,000 fewer Black homeowners. And, the Bronx has the lowest home ownership rate across all five boroughs.

Against this backdrop, we must ask ourselves the fundamental question, 'are we, as a city, committed to providing an opportunity for lower income New Yorkers, traditionally communities of color, to gain equity through home ownership? *Or not?*' I believe that the answer is yes, and that we share a vision of city that affirms equity, access and housing justice for all.

But the proof as they say, is in the pudding. To realize this vision, the City must deal with the supply of affordable ownership opportunities to counter the disproportionate focus on rental housing for low-income New Yorkers. If we seek to build a truly equitable City, it is imperative that the City capitalize on this once-in-a-generation opportunity and invest in permanently affordable housing that will provide working class New Yorkers to actually build equity.

Thank you for the opportunity to testify. We look forward to continuing our partnership with the City in serving low-income families in need of affordable homeownership



**Testimony to the New York City Council
Committee on Housing and Buildings and Subcommittee on Capital Grants
Preliminary Budget Hearing for FY 2022**

March 5, 2021

Good afternoon, Committee Chair Cornegy, Subcommittee Chair Rosenthal, and members of the Committee and Subcommittee, and thank you for the opportunity to testify. My name is Deyanira Del Rio and I am the co-director at New Economy Project, a citywide organization that works with community groups to build a just economy that works for all.

New Economy Project coordinates the Citywide Community Land Trust (CLT) Initiative, launched in FY2020 to strengthen and expand CLTs and permanently-affordable housing, commercial and community spaces, across NYC. In less than two years, the Initiative has made major progress--helping to launch and expand CLTs in the South and Northwest Bronx, East Harlem and the Lower East Side, Jackson Heights, Brownsville, East New York, and beyond. Through this groundbreaking and truly cost-effective initiative, the City is helping to seed a new generation of neighborhood-based institutions equipped to facilitate equitable development and build community wealth. We thank the City Council for its support of CLTs, worker cooperatives, and other models that advance shared ownership and democratic control of our economy.

New Economy Project and 17 partner organizations in the CLT Initiative seek \$1.51 million in City Council discretionary funding in FY2022. We urge the Committee to support this funding request, and ensure that CLTs play a key role in stabilizing housing, combating speculation, and ensuring a just recovery in Black, brown and immigrant neighborhoods. (See attached one-pager detailing activities and participating organizations.)

Since FY2020, the CLT Initiative has engaged thousands of low-income tenants and homeowners in education and organizing; developed grassroots leadership through CLT steering committees and founding boards; provided comprehensive legal and training support; completed planning and property research in CLT catchment areas; and formalized developer

and other strategic partnerships. Two CLTs have acquired first or new properties, while others have completed feasibility studies or are negotiating for acquisitions. Expanded FY2022 discretionary funding will allow the initiative to sustain and deepen this essential work, and engage two new CLTs and an additional citywide technical assistance provider.

As this Council knows, CLTs are prevalent in communities across the U.S. and are a flexible, proven model to protect public investment in affordable housing and other development. As community-governed nonprofits, CLTs own land and control terms on which it is developed to ensure, for example, that housing remains permanently affordable and that development meets community needs. New York City CLTs are working in diverse neighborhoods to develop and preserve deeply-affordable multifamily rental housing, limited-equity cooperatives, and 1-4 family homes at risk of foreclosure, as well as commercial and cultural spaces, community gardens, community-owned solar, microgrids and other infrastructure.

Strong CLTs, coupled with concerted policymaking that supports their ability to keep land and housing out of the speculative market, will be key to preventing displacement and ensuring a just recovery in Black and brown neighborhoods hardest-hit by the pandemic. We urge the City Council to sustain and deepen its commitment to CLTs at this critical time.

Thank you again for the opportunity to testify today.



Community Land Trust Initiative

FY2022 Discretionary Funding Request

The **citywide Community Land Trust (CLT) Initiative** requests **\$1.51 million** in FY2022 City Council discretionary funding to support 14 community-based organizations and four citywide organizations working to develop CLTs and permanently-affordable housing, commercial and community spaces. Launched in FY2020, the initiative combats displacement and promotes community control of land and housing in Black and brown NYC neighborhoods, by incubating CLTs and providing comprehensive community outreach, education, organizing, and legal and technical support.

Throughout the pandemic, groups have sustained and deepened their work on CLTs and social housing, as a matter of public health, racial equity, and just recovery. CLT initiative funding has helped groups launch and expand CLTs in all five boroughs, develop strong grassroots leadership, engage thousands of community members, and organize for land and housing justice. Two CLTs have acquired properties, and others have completed site acquisition and feasibility plans. (The initiative received \$855,000 in FY2020 and \$637,250 in FY2021.)

In FY2022, we will continue to build CLT capacity and expand the initiative to include two new CLTs and a fourth technical assistance provider. (See map of participating organizations.)



In FY2022, the CLT initiative will engage 18 organizations to:

- Provide 100 CLT education and organizing sessions--including virtual Town Halls and workshops--for tenants, homeowners, small business owners, and other stakeholders.
- Provide capacity-building training for 50 CLT board and steering committee members.
- Provide 35 legal and technical assistance engagements related to CLT incorporation, bylaws, developer partnerships, property research and acquisition, and more.
- Publish a CLT start-up guide and popular education material.
- Complete feasibility studies and acquire first (or additional) properties.

The CLT initiative's long-term goals include creating and preserving thousands of deeply- and permanently-affordable housing units; providing affordable commercial space for hundreds of small and cooperatively-owned businesses; and ensuring that public land and subsidy are preserved for permanent public benefit.

CLTs are a proven model to protect public subsidy and facilitate community-led development. CLTs are flexible and can support rental, limited-equity and mutual housing, as well as commercial and mixed-use development and other community needs. For example, Cooper Square CLT on the Lower East Side stewards more than 320 permanently-affordable homes for families earning as low as 30% AMI, as well as storefronts for 20 local small businesses. CLTs ensure permanent affordability of housing through ground leases that establish income, resale, and other restrictions.



In the wake of COVID-19, CLTs are needed to combat displacement and ensure a just recovery. CLTs are needed to strengthen and stabilize housing in Black and brown neighborhoods hardest-hit by the pandemic. With evictions and speculation looming, NYC must invest in CLTs and progressive housing and land ownership models that promote community safety and self-determination.

For more information, please contact Deyanira Del Rio at New Economy Project (dey@neweconomy.org).

NYC
community land
initiative



**Testimony of John Krinsky, on behalf of the NYC Community Land Initiative
to the New York City Council Committee on Housing and Buildings
and Subcommittee on Capital Grants**

Preliminary Budget Hearing for FY 2022

March 5, 2021

Good afternoon, Committee Chair Cornegy, Subcommittee Chair Rosenthal, and members of the Committee and Subcommittee, and thank you for the opportunity to testify. My name is John Krinsky, and I am a professor of political science and director of the Community Change Studies program at the City College of New York and a founding member of the New York City Community Land Initiative (NYCCLI) coalition. NYCCLI has been working for the last eight and a half years to expand community land trusts (CLTs) as a critical strategy for dealing with the city's deep affordability crisis in housing, and for the need for greater community control over other land uses.

Among NYCCLI's members are 15 CLTs, either active or in formation, and a number of nonprofit technical assistance providers. Many of these organizations are part of a citywide Community Land Trust (CLT) Initiative that seeks \$1.51 million in City Council discretionary funding in FY2022, to develop CLTs and permanently-affordable housing, commercial and community spaces, in all five boroughs of NYC. In the context of the COVID-19 pandemic, CLTs have an especially critical role to play to stabilize housing, combat speculation, and ensure a just recovery in Black, brown and immigrant neighborhoods. **NYCCLI strongly supports the CLT Initiative and urges the Committee to recommend expanded FY2022 discretionary funding support.** (Please see attached one-pager and supporting material.)

Launched in FY2020, the Citywide CLT Initiative has provided crucial support to groups organizing CLTs in the South and Northwest Bronx, East Harlem, Jackson Heights, Brownsville, East New York and beyond. CLTs are community-controlled nonprofits that own land and ensure that it is used to provide permanently-affordable housing and other community needs. Locally, CLTs are working to develop and preserve deeply-affordable multifamily rental housing, limited-equity cooperatives, and 1-4 family homes at risk of foreclosure, as well as commercial and cultural spaces, community gardens, community-owned solar, microgrids and other infrastructure--reflecting the flexibility of the CLT model.

For more than 20 years, in New York City, during the Giuliani and Bloomberg administrations, and now, through the de Blasio administration, the political decision--and it was a political decision--was made to put the growing nonprofit housing sector that had been nourished as a

way to bring back communities from the brink in the 1980s on a starvation diet. Now, several things happen in that circumstance. First, twenty-five years on a starvation diet means that necessarily, you lose muscle. The City has pointed to the relative strength of for-profit developers of affordable housing, but this was something that the city *itself* engineered. And with *as mixed* results as the nonprofit sector, which was provided with a declining share of the pie. Second, twenty-five years of a policy shift can make that shift seem like common sense. But our spectacular failure to house people who are precariously housed in the city--a failure that keeps getting worse--suggests that this common sense is not *good* sense.

But now, there is a generation of organizers in Black, brown and immigrant neighborhoods who don't share this "common sense," and may not even have been born when it began to take root. The energy and understanding they bring to the work--the deep understanding of organizing, engagement, training, racial justice, and what it means to foster long-term governance--is inspiring, and absolutely informs the work of the coalition. If the promise of CLTs and mutual housing is closer to realization, it is largely because the energetic organizers and activists involved in the CLT Initiative groups have, together, studied CLTs nationwide, maintain communication among each other and with national CLT networks, and understand the tasks of development, management, and organizing and their balance, and are working hard to convey this understanding to the constituents of the growing CLTs around the city. My small team from City College is helping to structure this process and developing the next generation of workshops, training, and popular education materials in collaboration with them.

Renewed FY2022 discretionary funding is critical to maintaining this progress. As more groups secure legal and technical assistance, launch CLT operations, sustain comprehensive organizing and community planning, and acquire properties for long-term community stewardship, they will need the resources to sustain and deepen their work. The process of taking control of--and responsibility for--one's land and housing is deep and complex. Breaking down governance documents like HPD regulatory agreements, and explaining the limitations imposed by financing and subsidy agreements is critical, and it happens, especially now, over Zoom, on the phone, with PowerPoints, printed material previously distributed under doors, and in multiple languages. And yet, these first new experiences with CLTs in a long time (since Cooper Square's newness in the 1990s) will be critical for informing the ways in which residents around the City will experience and be trained in such transitions for the near- and medium-term.

We urge the City Council to redouble its commitment to CLTs at this critical time and thank you for the opportunity to testify today.



FY2022 Discretionary Funding Request

The **citywide Community Land Trust (CLT) Initiative** requests **\$1.51 million** in FY2022 City Council discretionary funding to support 14 community-based organizations and four citywide organizations working to develop CLTs and permanently-affordable housing, commercial and community spaces. Launched in FY2020, the initiative combats displacement and promotes community control of land and housing in Black and brown NYC neighborhoods, by incubating CLTs and providing comprehensive community outreach, education, organizing, and legal and technical support.

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The CLT initiative's long-term goals include creating and preserving thousands of deeply- and permanently-affordable housing units; providing affordable commercial space for hundreds of small and cooperatively-owned businesses; and ensuring that public land and subsidy are preserved for permanent public benefit.

CLTs are a proven model to protect public subsidy and facilitate community-led development. CLTs are flexible and can support rental, limited-equity and mutual housing, as well as commercial and mixed-use development and other community needs. For example, Cooper Square CLT on the Lower East Side stewards more than 320 permanently-affordable homes for families earning as low as 30% AMI, as well as storefronts for 20 local small businesses. CLTs ensure permanent affordability of housing through ground leases that establish income, resale, and other restrictions.



In the wake of COVID-19, CLTs are needed to combat displacement and ensure a just recovery. CLTs are needed to strengthen and stabilize housing in Black and brown neighborhoods hardest-hit by the pandemic. With evictions and speculation looming, NYC must invest in CLTs and progressive housing and land ownership models that promote community safety and self-determination.

For more information, please contact Deyanira Del Rio at New Economy Project (dey@neweconomynyc.org).



Testimony by the New York Legal Assistance Group (NYLAG),

Preliminary Budget Hearing – Housing and Buildings

Before the New York City Council Committee on Housing and Buildings

March 5, 2021

My name is Noelle Eberts. I am a Supervising Attorney at the New York Legal Assistance Group, and I submit this testimony to describe the plight of New York City homeowners and the need for the City to invest in preserving homeownership.

Founded in 1990, New York Legal Assistance Group (NYLAG) is a leading civil legal services organization combatting economic, racial, and social injustice by advocating for people experiencing poverty or in crisis. Our services include comprehensive, free civil legal services, financial empowerment, impact litigation, policy advocacy, and community partnerships. NYLAG exists because wealth should not determine who has access to justice. We aim to disrupt systemic racism by serving individuals and families whose legal and financial crises are often rooted in racial inequality. NYLAG goes to where the need is, providing services in more than 150 community sites (e.g. courts, hospitals, libraries) and on our Mobile Legal Help Center. During COVID-19, most of our services are virtual to keep our community safe. NYLAG’s staff of 300 impacted the lives of nearly 90,000 people last year.

NYLAG’s Foreclosure Prevention Project (FPP) has served New York City primarily through the New York State’s Home Ownership Protection Program (“HOPP”), which must be renewed every year in the state Budget. HOPP is the sole source of funding for a statewide network of housing counseling agencies and legal services agencies providing foreclosure prevention services for New York’s struggling low and moderate income (“LMI”) homeowners. This continued stream of funding has allowed FPP to take on complex cases, delve into peripheral areas of law which allow homeowners to keep their homes, and to provide outreach in the form of pro se assistance and community education to numerous individuals throughout the five boroughs and Long Island. NYLAG’s FPP also receives sporadic funding from the Center for New York City Neighborhoods.

NYLAG’s FPP helps New York homeowners, coop owners and condo owners avert homelessness and displacement by preventing avoidable foreclosures, combating mortgage fraud, deed theft, loan modification and partition scams, and challenging predatory and discriminatory lending and abusive mortgage servicing practices that disproportionately impact New York’s most vulnerable communities—seniors and people of color. FPP has helped not just the individual families affected by foreclosures but the communities at large, by preventing displacement and by preventing the increased crime and reduced property values that accompany waves of foreclosure, which, in turn, adversely affect the local community tax base.

FPP serves all five boroughs of New York City and the need for these services is more acute than ever before. We are currently seeing the highest delinquency rate ever: at the end of 2020, 11.8% of New York homeowners were delinquent on their mortgage (according to US Census Household Pulse Survey data). This rate is over three times the last high of 3.8% in January 2009, at the height of the great recession and over five times the delinquency rate of January 2020. Once foreclosure stays and



New York Legal Assistance Group

moratoriums on new filings end during the spring, we expect a flood of new foreclosure filings that will drastically increase our already voluminous caseloads.

FPP preserves homeownership in communities of color. Roughly 75% of the clients we serve in New York City are homeowners of color. The foreclosure crisis following the great recession disproportionately impacted New York's communities of color, who were targeted for the predatory lending that precipitated that crisis. The COVID-19 pandemic has been no different, with the health impacts and the economic pain felt more acutely amongst black and brown New Yorkers. On average, 15.72% of black homeowners in NY are delinquent compared to 7.53% of white homeowners since September 2020. (US Census Pulse Survey data)

In response to the pandemic, a complicated patchwork of federal and state programs has been developed which homeowners have difficulty navigating on their own. No uniform program has been established; FHA, Fannie Mae, Freddie Mac, and conventional lenders are developing independent programs to work with homeowners. NYS also enacted its own law on forbearance programs for New York- regulated lenders and mortgage servicers. Homeowners need help to ensure they can access relief and they need advocates to make sure lenders are complying with applicable *laws and regulations*.

For homeowners with more complicated mortgage issues, housing counseling agencies refer homeowners to NYLAG before a lawsuit has even begun. This referral system allows many homeowners to quickly resolve their mortgage issues and avoid unnecessary litigation and the resultant fees and expenses, which are passed on from the servicers to homeowners. NYLAG attorneys assist homeowners with pro se answers and other legal documents which allow the court to more readily discern the legal merits of a case. Pre-pandemic, these services were provided in person at our court clinics, but we have since shifted to a virtual platform that we expect will be able to handle the volume of foreclosure cases expected once the health crisis is under control. In areas where property values are unstable, we are representing more individuals in the sale or refinancing of their homes, thus preventing them from being taken advantage of by scammers or savvy investors. FPP has made a concerted effort to assist those who have been scammed - either through a form of deed theft or a pure financial scam. We have settled several affirmative cases against individuals, companies, attorneys and modification companies. In some cases, we are able to settle or correct the wrong before ever getting to litigation.

Those receiving our assistance are working, low and moderate-income families, many of whom are New Yorkers of color who were targeted for predatory loans, and seniors battling a wave of foreclosures on reverse mortgages. Our legal services level the playing field, giving distressed homeowners, condo owners and coop owners an advocate in court and in negotiations with large financial organizations.

We urge the City to include funding for a homeowner relief program similar to HRA's One Shot or the previous Mortgage Assistance Program ("MAP"). Such a program would help homeowners overcome temporary financial distress and bring their mortgages and/or property taxes current. The foreclosure moratorium is in place through April, which means the flood of foreclosure filings will begin this summer. Without a fund to help distressed homeowners, thousands of New York City homeowners will lose homes that could have been easily saved with direct funding assistance.

For more information, please contact me at neberts@nylag.org or you may contact my Associate Director, Rose Mare Cantanno at RMCantanno@nylag.org.



**Written Testimony of Matthew Murphy, Executive Director, NYU Furman Center
to the New York City Council**

Budget and Oversight Hearings
Committee on Housing and Buildings

March 5, 2021

On behalf of the NYU Furman Center, thank you for the opportunity to submit testimony on the Center's FY2022 budget request. We appreciate the Council's consideration during this very difficult budget year.

Since 2011, City Council has generously supported the Furman Center to provide independent, rigorous data and analysis on New York City's housing and neighborhoods to the public. The centerpiece of this work is [CoreData.nyc](#), a unique, interactive data and mapping tool with over 100 metrics about New York City's housing and neighborhoods, detailed neighborhood profiles, and a property-level database of subsidized housing. These tools are accessed by thousands of users each month and usage has continued to grow and expand over time. In addition to updating and maintaining these data tools and releasing timely data analyses on key housing topics, we also provide technical data assistance and training for users to apply data to their work. We regularly assist community organizations, public agencies, policymakers, developers and individuals with data inquiries through free trainings and customized individual assistance. City Council provides the sole source of support for this initiative.

With FY2022 Council funding we will continue to maintain and strengthen CoreData.nyc with updated city, state, and federal data from dozens of sources. We will also produce regular data updates on housing issues for the public and provide training and technical assistance. Additionally, we will leverage our data infrastructure to produce special rapid analyses on New York's housing and neighborhood recovery amid COVID-19. This will include disseminating and analyzing data on residential evictions and housing court. We believe that producing these special analyses can help provide data and information to inform an effective and equitable housing recovery for New York City in the months and years to come.

In the past year, City Council support has allowed us to produce rapid data analysis on a variety of issues related to the housing impacts of the pandemic, including [eviction filings](#), [COVID-19 and the rental market](#), [potential rent shortfalls](#), the [households most vulnerable to job layoffs](#), and [neighborhood level characteristics of COVID-19 cases](#). FY2022 funding will allow us to continue conducting these timely analyses.

Thank you again for your time and consideration. We appreciate your support and please do not hesitate to contact us with questions.



**City Council FY22 Preliminary Budget Hearing
Committee on Housing and Buildings
March 5, 2022**

Testimony of Myung J. Lee, President & CEO

My name is Myung Lee and I am the President & CEO of Volunteers of America-Greater New York, the local affiliate of the national organization, Volunteers of America, Inc. (VOA). I would like to thank the Chair of the City Council Committee on Housing and Buildings, Council Member Robert E. Cornegy Jr., for the opportunity to submit my testimony.

VOA-Greater New York is a human services organization that operates emergency shelters, transitional housing, and permanent supportive housing in NYC, Northern New Jersey, and Westchester, providing housing to 11,000 New Yorkers annually. We specialize in housing and caring for seniors, veterans, survivors of domestic violence, persons living with HIV/AIDS, and persons with behavioral health and substance use disorders.

The housing crisis in New York City has grown dire in recent years, with the Coalition for the Homeless reporting in 2015 that homelessness in NYC had reached its highest point since the Great Depression. Prior to the pandemic, housing instability was already a fact of life for more than 500,000 New York families who were paying over half of their income in rent, living in severely overcrowded conditions, or had been in homeless shelters for over a year.

Now, after a year of managing the impact of twin global health and economic crises, roughly 10 million New Yorkers are struggling with loss of income and mounting rent arrears, wondering if they will still have a home when the eviction moratoriums expire. It is well-documented that people of color have suffered disproportionately with respect to health and financial outcomes since the onset of the pandemic. It is therefore unsurprising, but still deeply disturbing, that Black and Latinx New Yorkers make up approximately 80% of those facing the prospect of eviction.

In addition to those at risk of becoming homeless, there were 56,849 homeless people, including 18,099 homeless children, in the NYC municipal shelter system as of December 2020. That figure includes a record high of 20,811 single adults, who tend to have much higher rates of behavioral health and substance use disorders compared to members of homeless families, making it harder for them to secure permanent housing without additional supports.

Here again, the racial disparity is stark, with Black and Latinx New Yorkers comprising 89% of all heads of household in NYC shelters. More alarming still, studies show that the age-adjusted COVID-19 mortality rate for homeless New Yorkers sleeping in shelters is roughly 75% higher than the citywide average.

A crisis of this magnitude with clear racial justice implications can only be addressed through a significant expansion of affordable housing and an increase in funding for programs such as the 15/15 Supportive Housing Initiative, HPD's Senior Affordable Rental Apartments (SARA) and Supportive Housing Loan (SHL) Programs, and HDC's Extremely Low- and Low-Income Affordability (ELLA) Program.

Permanent supportive housing has been shown to increase housing stability and long-term positive social outcomes when compared to alternative forms of housing. The “supportive” aspect of this type of housing – wrap-around services including case management, assistance with benefits and entitlements, linkage to medical and behavioral health services and substance abuse treatment, and recreational and socialization activities – is a proven and cost-effective way to address chronic homelessness of single adults.

In just a few weeks, VOA-Greater New York will bring its newest supportive housing site for low-income seniors online. The development of East Clarke Place Senior Residence is a direct response to the housing crisis in New York City, and will address the growing demand for subsidized housing for older adults, helping them to “age in place” with the assistance of critical support services. The 14-story residence will provide permanent supportive housing for low- and very low-income seniors (aged 62+) in 84 units and for chronically homeless seniors in 37 units.

The building will feature 24/7 front desk security and concierge services, laundry rooms, well-lit stairwells, resident lounges, and a large community room that opens up to a landscaped courtyard. These features were designed with the unique needs of seniors in mind — to help ensure that they are safe, healthy, and connected to a caring community.

East Clarke Place serves as a model for how non-profits with expertise in the housing sector can partner with government to effectively meet the growing demand for permanent supportive housing. Financing sources for this \$69 million development project included Reso A grants from Council Member Vanessa Gibson and Bronx Borough President Ruben Diaz, SARA Program, ELLA Program, NYS Energy Research and Development Authority Funds, and tax credit equity.

While we are proud that East Clarke Place Senior Residence is a place where seniors can age safely and with dignity, we were astonished and heartbroken to receive 26,000 applications, including 200 that were handwritten, for only 84 low- and very low-income units for seniors. This was a sobering reminder that there is a tremendous unmet need for affordable senior housing with on-site supports.

Later this year, we hope to begin development on Andrews Avenue South Senior Residence, which will provide permanent supportive housing to seniors in 118 units, 30% of which will be set aside for chronically homeless seniors. Although these units are desperately needed, this project is already experiencing delays due to the impact of COVID-19 on the City’s capital funding for affordable housing.

Lastly, it is worth noting that the permanent supportive housing model is made possible through myriad contracts with City agencies that fund case management, behavioral health, and building maintenance, among other services. The implementation of austerity measures, such as removing COLA from the personnel services line of human services contracts or not honoring the Indirect Cost Rate (ICR) Funding Initiative for FY20, FY21, and future years, undermine the efficacy of the supportive housing model and threaten our financial sustainability as an organization, to say nothing of the financial security of our staff, who have been providing life-preserving services to our clients on the front lines since the beginning of this crisis.

I urge members of the Committee on Housing and Buildings and their colleagues in the New York City Council to continue advocating for workers in the human services sector, who are the first line of defense in NYC during times of crisis and critical partners in the success of the City’s affordable housing initiatives.

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



**TAKEROOT
JUSTICE**

**Testimony to the New York City Council
Committee on Housing and Buildings and Subcommittee on Capital Grants
Preliminary Budget Hearing for Fiscal Year 2022**

Friday March 5, 2021

To: Committee Chair Cornegy, Subcommittee Chair Rosenthal, and members of the Committee and Subcommittee,

Thank you for the opportunity to submit testimony!

From: [TakeRoot Justice](#)

TakeRoot Justice provides legal, participatory research and policy support to strengthen the work of grassroots and community based groups in New York City to dismantle racial, economic and social oppression. Our organization adheres to a theory of change where short-term and individual successes help build the capacity and power of our community partners, who in turn can have longer-term impact on policies, laws and systems that affect their communities. We collaborate with 70+ groups organizing low-income, POC and immigrant communities throughout NYC to serve 2100+ New Yorkers per year and share \$20 million+ in support for the fight for tenants' and immigrants' rights as lead subcontractors on City contracts. TakeRoot Justice has approximately 50 staff, operates on a budget of approximately \$7 million and our team reflects the city we live and work in. A majority of our staff and leadership are people of color.

We are submitting testimony **to advocate for the increased funding** of NYC Council discretionary programs administered through HPD, notably the **StabilizingNYC Initiative, the Community Preservation Initiative and the Community Land Trust**. Our organization, partner groups and communities depend on these critical programs to **protect and repair affordable housing and organize and empower tenants and communities**

The Stabilizing NYC Initiative, which is composed of 20 organizations who have come together to combat city-wide tenant harassment and preserve affordable housing for the New Yorkers who need it most. This project combines legal, advocacy and direct action organizing into a citywide network to help tenants learn their rights, improve building conditions and restore basic services through organizing, and end harassment from their predatory equity landlords.

During this unprecedented crisis and shelter-in-place order, SNYC Coalition groups have been a life-line for thousands of NYC families. Over the last 6 years, we have created & strengthened vast networks of tenant associations across the city. Since the crisis hit over a year ago, Stabilizing organizations have created mutual aid networks and conducted wellness phone banks across NYC reaching at least 12,000 families to provide critical information on their rights as tenants, which has been a shifting landscape, and providing all matters of service, including resources, protective personal equipment, and referrals. We have connected tenants directly with food banks and food delivery, bereavement resources and funeral expenses, and much more. We are on the frontlines and community organizing is essential to keep communities safe and to address the disproportionate impacts on the communities we organize.

When the pandemic hit, as an organization we had to make quick shifts. We did wellness calls to all our partners and clients, opened a second legal rights warm-line answering questions on:

- Evictions and inability to pay rent;
- Public benefits and unemployment benefits;
- COVID-19 related issues about court and agency closures and changes to the law;
- Housing court cases;
- Consumer debt issues.
- Small business and commercial loans

In addition we have and continue to adapt our Participatory Action Research projects with new salience in the COVID-19 era; Help mutual aid networks as they tackle questions around taxes, governance and other logistics; help essential workers with access to justice for safety standards and sick leave

As the pandemic continues, these services are more critical than ever. Tenants must remain safely in their home and the City is facing a massive eviction crisis in FY22. Affordable housing continues to be under attack by landlords who are pushing tenants out by illegal construction, unsafe building conditions and harassment. TakeRoot is helping groups of tenants fight back against these tactics through tenants' rights education, legal assistance and legal advice and representation for tenants facing illegal rent increases, eviction, and a lack of repairs. We work with community groups across the city, providing tenant clinics and legal support for their organizing work. We have been able to provide these services virtually and have educated ourselves on the ever-changing laws and policies of the pandemic.

Housing justice is racial justice. Decades of government disinvestment in communities of color has been exacerbated by redlining, speculation, and overleveraging. Landlords continue to benefit from systemic racism by going unpunished, face little accountability, and are rewarded for their negligent behavior. Landlords wield power over communities through denial of services, neglect repairs, illegal construction, etc and are rarely held accountable by city and state agencies. In the past few decades, landlords have seized wealth and doubled it with guaranteed increases from the RGB and loopholes in state rent regulation law. Our work as Stabilizing NYC will continue prioritizing and empowering tenants to fight for their rights in the courts and the street (social distancing of course); analyzing landlord behavior and trends; working on fair and reformative housing and lending policies; building new models of community ownership and preventing eviction that will preserve the communities we cherish as a city.

In closing, we urge you to restore the SNYC initiative funding to the levels before this crisis to 3.1 million, increasing it slightly to ensure there is equity across the board and the 20 organizations can continue our vital and organizing work; Restore the Community Preservation Initiative to the FY20 levels; and increase the CLT funding to \$1.51 million in City Council discretionary funding in FY2022, to develop CLTs and permanently-affordable housing, commercial and community spaces, in all five boroughs of NYC. In the context of the COVID-19 pandemic, CLTs have an especially critical role to play to stabilize housing, combat speculation, and ensure a just recovery in Black, brown and immigrant neighborhoods.

Together with you, our organizations and vast networks can lead this fight against the threat of rising homeless and displacement that NYC now faces on an unprecedented scale. Now more than ever, **we must continue to advocate together to ensure NYC families can remain in their homes, communities, and be safe.**