



Legislation Text

File #: Res 1770-2013, **Version:** *

Preconsidered Res. No. 1770

Resolution calling upon the New York State Legislature to enact the “NYCHA Real Property Public Review Act” requiring that any disposition of land or buildings by the New York City Housing Authority be subject to and comply with the provisions of New York City’s Uniform Land Use Review Procedure.

By Council Members Mendez, The Speaker (Council Member Quinn), Chin, Mark-Viverito, Gennaro, Arroyo, Jackson, Lappin, Barron, Dickens, James, King, Koppell, Mealy, Palma, Richards, Rose and Wills

Whereas, The New York City Housing Authority (“NYCHA”) is a public housing authority with 334 developments, 2,597 buildings, and 178,895 public housing units, making it the largest public housing provider in North America; and

Whereas, The majority of NYCHA’s housing stock is over fifty years old; and

Whereas, In 2006, a physical needs assessment conducted by NYCHA indicated that NYCHA must invest \$25 billion in capital funds over 15 years to keep its housing in a state of good repair, which includes making needed repairs and upgrades to brickwork, roofs, elevators, building systems and apartment interiors; and

Whereas, The bulk of NYCHA’s capital funds come from federal grants and these grants have declined substantially in recent years, falling from \$420 million annually in 2001 to \$270 million annually in 2012; and

Whereas, To generate revenue, NYCHA recently announced plans to lease property at certain of its housing developments to private developers who will build mostly market-rate housing units, along with some affordable housing units, upon that property; and

Whereas, Public housing authorities, such as NYCHA, must comply with the process set forth in Section 18 of the United States Housing Act of 1937 (“Section 18”) before selling, leasing or otherwise disposing of their property, which requires that disposition plans be reviewed and approved by the United

States Department of Housing and Urban Development; and

Whereas, The Section 18 process requires, among other things, that NYCHA consult with residents and resident organizations regarding its plans to lease property; and

Whereas, The Section 18 process does not specify what constitutes meaningful resident consultation or expressly require consultation with other community stakeholders such as the City Council, Community Boards, Borough Boards and Borough Presidents regarding property leasing plans, and such consultation is crucial to ensuring that communities play an important role in shaping their own neighborhoods; and

Whereas, Certain land use changes, approvals, contracts, consents, permits or authorizations thereof, respecting the use, development or improvement of real property in the city are subject to the City's Uniform Land Use Review Procedure ("ULURP"), which ensures that such plans proceed in a transparent manner by requiring, among other things, that these plans be publicly heard by and subject to recommendations from relevant Community Boards, Borough Boards, Borough Presidents in addition to the City Council and by further requiring that such plans proceed upon the approval of the City Planning Commission and the City Council; and

Whereas, Unless certain land use changes would be necessary, NYCHA is not currently required to comply with ULURP before selling, leasing or otherwise disposing of its property; and

Whereas, NYCHA has not provided public housing residents and community stakeholders with an opportunity to shape or meaningfully impact NYCHA's recently announced property leasing plans; and

Whereas, NYCHA property is an invaluable public resource that should not be disposed of but through a transparent process giving due say to residents, the community and their representatives, particularly where such property may ultimately be used for the development of primarily market-rate housing; and

Whereas, S. 4641/A. 6964, the "NYCHA Real Property Public Review Act," which is currently under consideration by the New York State Legislature, would require that any disposition of NYCHA property be subject to ULURP; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to enact the “NYCHA Real Property Public Review Act” requiring that any disposition of land or buildings by the New York City Housing Authority be subject to and comply with the provisions of New York City’s Uniform Land Use Review Procedure.

EAA
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5/10/2013