

# Housing New York Three Years of Progress



The City of New York  
Mayor Bill de Blasio

Alicia Glen, Deputy Mayor for  
Housing & Economic Development

**NYC**<sup>TM</sup>





## **Table of Contents**

### **Letter from the Mayor**

### **Introduction**

### **Chapter 1: Fostering Diverse, Livable Neighborhoods**

**9** Identify Opportunities for Affordable Housing in All Five Boroughs

**12** Implement a Mandatory Inclusionary Housing Program

**14** Harness Affordable Housing Investments to Generate Quality Jobs **44**

### **Chapter 2: Preserving the Affordability and Quality of the Existing Housing Stock**

**19** Protect Tenants from Deregulation and Adopt a More Strategic Approach to Preservation

**23** Introduce Incentives to Preserve Long-Term Affordability, Especially in Changing Neighborhoods

### **Chapter 3: Building New Affordable Housing for All New Yorkers**

**27** New Programs to Serve a Broader Range of Income Levels

**30** Develop Affordable Housing on Underused Public and Private Sites

**34** Reform Zoning Codes, Streamline Operations, and Stretch Public Subsidy Dollars to Lower Costs and Unlock Development Opportunities

**37** Ensure Sustainable Affordable Housing

### **Chapter 4: Promoting Homeless, Senior, Supportive, and Accessible Housing**

**39** Assist Homeless Individuals and Families

Expand Supportive Housing

Improve Housing Options for Seniors

**47** Ensure Accessible Housing for Individuals with Disabilities

### **Conclusion**

**49** Challenges Ahead

**52** Glossary

**56** Acknowledgements

# Letter from the Mayor





To My Fellow New Yorkers:

Affordability is the defining challenge of our time. Increases in the cost of housing have outpaced wages for years now. The struggle to pay for housing has reached a breaking point, not only for our poorest households, but even for those that were once considered solidly middle-class. That makes affordable housing key to the question I hear over and over wherever I go: Will this still be our city?

Affordable housing is the foundation of New York City's diversity. It allows us to attract and retain the talent that gives the city its energy, vitality, and innovativeness. It anchors our families as they strive to get ahead and build a better life. That is why – during my first months in office – I promised the most ambitious affordable housing plan in our history. In the months and years since, we've delivered. We are ahead of schedule and on-budget, after financing the construction or preservation of 62,506 affordable residences toward our goal of 200,000—which will be enough to benefit more than half a million New Yorkers.

That's 62,506 individuals or families who will breathe a little easier because we've addressed the biggest challenge they face – finding or staying in housing they can afford.

We've achieved that by doubling the City's budget for affordable housing.

We've launched new programs to serve our seniors and our very poorest families, stepping in where the federal government has pulled back.

We're investing in the schools, parks, streets, and community facilities needed to accommodate growing neighborhoods.

We passed the strongest Mandatory Inclusionary Housing program in the nation, ensuring that as neighborhoods are rezoned to see more housing built, that housing will include permanently affordable homes, so that every one of the city's neighborhoods will be diverse and inclusive.

We passed one of the most significant zoning overhauls in fifty years to lower the costs of building quality affordable housing and to meet the varied needs of our growing senior population.

As a result, we are building and preserving more affordable housing than any administration since Ed Koch was mayor. This is a testament not just to the hard work and innovative thinking of the team we've built in government, but to the dozens of community organizations, not-for-profit developers, and housing partners that work to make New York City neighborhoods so extraordinary.

These are challenging times. More affordable apartments, many of them financed with public dollars decades ago, need our protection. We need more new apartments to meet the needs of a growing, aging, and changing population. We face new challenges as the federal government changes in ways that could dramatically burden the families our housing serves and undermine critical affordable housing programs.

As we move forward, we need to keep making hard choices, striking fair agreements that serve the public good, and finding creative solutions to meet the need for affordable housing. But we must do so with renewed urgency. The uncertainties ahead demand that we work together quickly and decisively to shape this city so that all our neighborhoods are strong and inclusive places of possibility and opportunity.

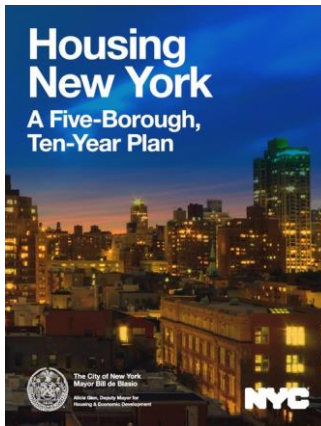
This is still your city. And we are fighting every day to keep it that way.

Your mayor,  
Bill de Blasio

# Introduction







*Housing New York:  
A Five Borough,  
Ten-Year Plan,  
2014.*

### **Introduction**

In May 2014, the Administration unveiled Housing New York, a comprehensive plan to create and preserve 200,000 high-quality, affordable residences over ten years – housing for almost half a million people (the size of Sacramento, Kansas City, and many other major American cities). Housing New York, the most ambitious housing plan in the nation,

is a bold undertaking, but one that reflects the enormity of the crisis we face. Three years in, we have made record-breaking progress towards our goals, and have much to report.

Housing New York is focused on protecting the inclusivity and diversity that make New York so vibrant. Families from the very poorest to the once solidly middle-class are facing rising housing costs that threaten their ability to stay in the city they love. Seeing those families displaced would be terrible—not only because of the disruption it would cause those people, but also because it would change the very essence of New York City.

The city's population is the largest in history as more New Yorkers choose to raise their families here, grow old in their neighborhoods, and welcome family and friends from around the globe to join them here. That New Yorkers want to stay put is good – it is a testament to the strength, dynamism, and diversity of our city. But housing production is not keeping pace. The city is not adding enough housing to our existing stock to keep rents down and accommodate new New Yorkers. As rents have gone up, and the gap between rents and incomes has grown, the demand for affordable housing has exploded. And for too many families, the shortage of affordable housing means a painful choice between making the rent and buying food, medicine, and other essentials.

The scale of the challenge we face in ensuring that New Yorkers can remain in the city despite rising rents required us to rethink how we work across agencies and with communities. We've engaged with residents through processes more equitable, inclusive and responsive than those used in the past. City agencies have come together to create a comprehensive, transparent process for neighborhood planning to make sure that new housing is accompanied by the new schools, beautiful parks, safe streets, good jobs, and retail services that communities need to thrive. And financing for those needs is

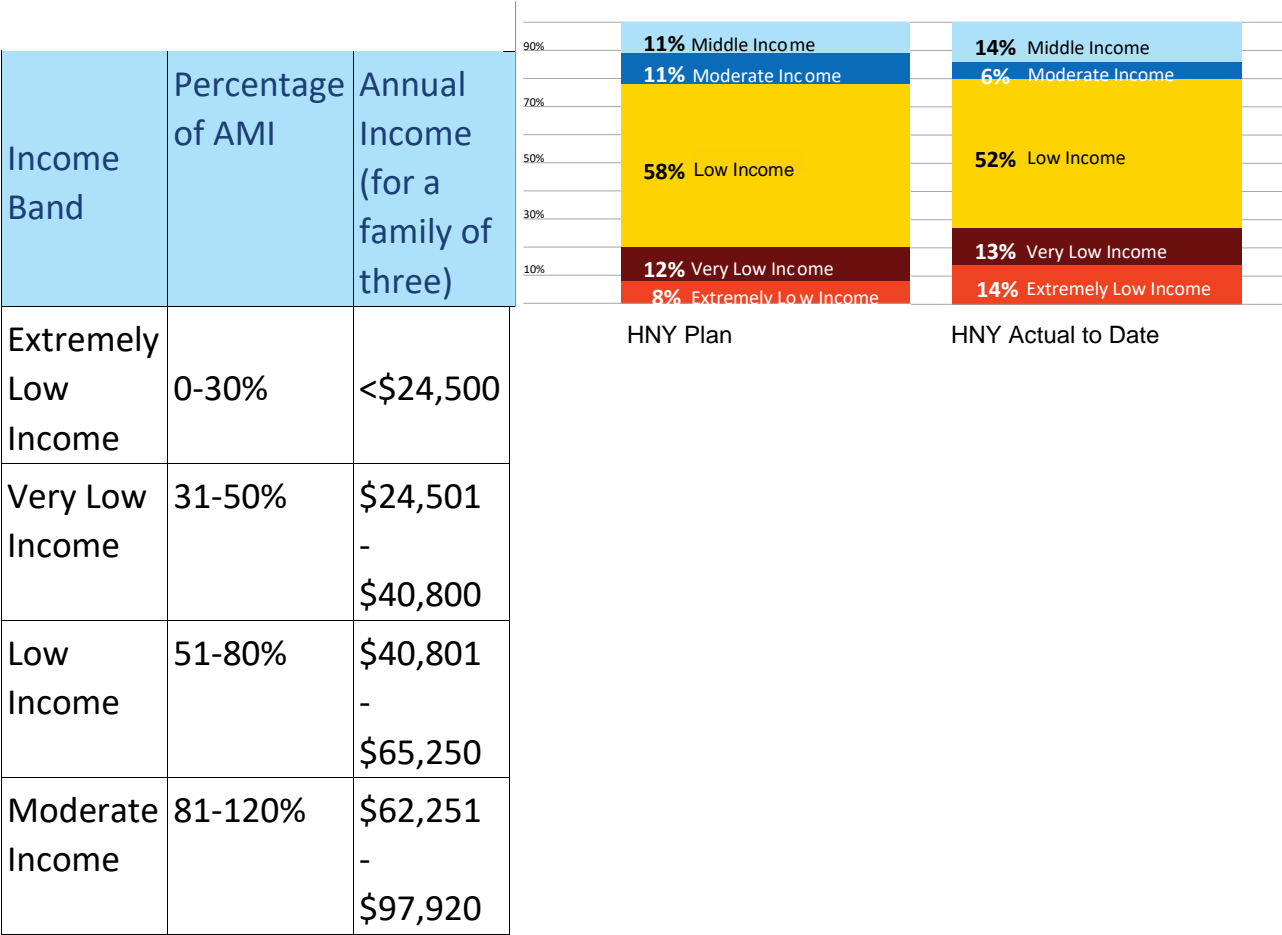
now firmly committed through a dedicated **Neighborhood Development Fund**.

The super-sized goals of Housing New York also

required us to rethink how we work with non-profit and for-profit developers and owners to secure affordable housing. Through new programs and initiatives and by re-engineering how we do business, we are delivering real results. Three years in, we are ahead of schedule. Our Housing Preservation and Development agency (HPD) and the Housing Development Corporation (HDC) have financed the new construction or preservation of 62,506 affordable homes. We’ve achieved the highest production in 25 years—since the peak of Mayor Edward Koch’s 1986 visionary housing plan, which proved how municipal investments could rebuild neighborhoods.

### Households Served

Share of Housing Units Created or Preserved by Income Band





Middle Income	121-165%	\$97,921 - \$134,640
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We have stretched City investment to provide affordable housing to a wider range of New Yorkers, from those with very little income to the social workers, teachers, nurses, and first responders who are so vital to our neighborhoods and workforce.

In Housing New York, the Administration committed to financing far deeper levels of affordability than prior housing plans. We haven't just met the targets we set – we've exceeded them. 17,246 of the units we've financed are serving the lowest-income New Yorkers, those making less than \$31,750 for an individual or \$40,800 for a family of three. And 8,877 of those units serve New Yorkers making less than \$19,050, or \$24,500 for a family of three.

We also are doing more to serve New Yorkers with special needs: to date, we've financed 2,431 supportive housing units, which come with on-site services. We've financed 5,160 new or preserved units that are set-aside for the formerly homeless in affordable housing projects, while increasing the number of accessible and affordable apartments for New Yorkers with disabilities.

And we've paid special attention to our revered grandmothers and grandfathers – the senior citizens who helped build many of New York City's neighborhoods to what they are today. We've financed 4,043 residences specifically dedicated for older households.

But Housing New York is about more than numerical goals – it is a blueprint for building the kind of city New Yorkers will want to live in for decades to come. This report describes the City's progress towards the comprehensive set of policies and programs laid out in Housing New York:

### **Foster Diverse, Livable Neighborhoods**

The City has adopted a comprehensive, transparent process for neighborhood planning that involves agencies working more collaboratively with residents and other agencies to ensure that new housing is accompanied by the other investments, services, and infrastructure that allow neighborhoods to thrive. Through our new

**Mandatory Inclusionary Housing (MIH)** program, the strongest of its kind in the nation, we are ensuring that permanently affordable apartments are included in new development in areas zoned for growth. Shaping development to build better neighborhoods requires strong partners, and we've introduced path-breaking initiatives to build the capacity

[nyc.gov/housing](https://nyc.gov/housing) Housing New York: Three Years of Progress

6

of developers and other real estate professionals who reflect the diversity of our neighborhoods, including minority- and women-owned businesses and the non-profit community development corporations that have played such an important role in the city's neighborhoods over the past decades.

**Preserving the Quality and Affordability of the Existing Housing Stock** The City is firing on all cylinders to assure the long-term affordability and sustainability of the affordable housing that already exists in neighborhoods across the city. From the preservation of affordability in large complexes like Stuyvesant Town and Riverton Houses to our new **Green Housing Preservation Program** and the **Homeowner Help Desk** we are piloting in East New York, we are using new strategies to keep buildings of all types and sizes across the five boroughs affordable. This work complements the joint City and State **Tenant Harassment Prevention Task Force** and other robust anti-harassment tools the City has put into place to protect tenants, as well as our increased efforts to ensure that the housing stock is safe and healthy.

### **Building New Affordable Housing for All New Yorkers**

We have introduced new programs to ensure that the buildings we finance, and the neighborhoods in which we invest, serve a mix of incomes – from extremely low-income households and low-income administrative assistants, artists, and home healthcare aides to moderate-income first responders and other civil servants so critical to the city's workforce and economy. We are overhauling the way we do business to save time and money and to speed up the delivery of affordable housing. And we are building housing that is resilient and energyefficient, and that supports active and healthy lives for its residents.

**Promoting Homeless, Senior, Supportive, and Accessible Housing** Addressing homelessness is a moral imperative, and Housing New York, along with our homelessness programs, is helping to meet that imperative. The City has put an end to veteran homelessness. We committed in the fall of 2015 to create 15,000 units of supportive housing over the next 15 years. The City also has promised to create or preserve a total of 10,000 units specifically set aside for our growing senior population

(4,043 of which already have been financed), and expanded access to affordable housing for people with disabilities. \*\*\*

The progress described in the next four chapters reflects the unprecedented collaboration of multiple City agencies, our counterparts in the Federal and State governments, and our many partners in the affordable housing community.

Three years in, we have made significant headway, but there is much more work to be done. Housing New York isn't a static blueprint; it is a dynamic approach that allows us to adjust to meet new challenges and needs. As we look to the future and the potential obstacles ahead, it is imperative that we use every tool at our disposal, seize every opportunity, tap the expertise and creativity of all our partners, and expand the pool of development talent we draw upon.

There is no simple formula that will solve our housing affordability crisis. But we can and will continue to deliver on the promise of a more equitable city, one affordable home at a time.



## Chapter 1

# Fostering Diverse, Livable Neighborhoods

## Overview

*“Over the course of the next 10 years, the City will identify areas across the five boroughs where coordinated planning with communities – including changes to land use and zoning, and improvements to infrastructure and services – can promote substantial opportunities for new housing that complements and enhances neighborhood character.”*

*– Housing New York*

As the City works to achieve the goals laid out in Housing New York, we have developed a variety of tools to better engage residents in neighborhood planning and to direct public investments to meet critical neighborhood needs. Working with the City Council, we’ve adopted an aggressive MIH program to ensure that new market-rate housing in growing neighborhoods always includes affordable housing. We’ve bolstered opportunities for women and minority-owned businesses and non-profit community development corporations to develop, rehabilitate, and manage affordable housing.

As Mayor de Blasio said in introducing Housing New York, “affordable housing is... what underpins the economically diverse neighborhoods New Yorkers want to live in.” Here’s where we stand on our efforts to foster those diverse, livable communities while meeting the need for housing:

### **Identify Opportunities for Affordable Housing in All Five Boroughs**

Housing New York recognized that the City’s planning processes needed to be “revamped.” The days of “announce and defend” top-down approaches are over, and we’re experimenting with a variety of new approaches to place-making that seek to secure early and regular input from community residents – those who know their neighborhood best.

In partnership with local elected officials, community-based organizations (CBOs), and residents, the City agencies that specialize in economic development, health, housing, neighborhood planning, schools, small business *Neighborhood Planning* services, and transportation are working together to identify opportunities



*Playbook*, 2015. to revitalize and shape growth in neighborhoods across the city. Since the release of *Housing New York*, the City has launched over a dozen community planning processes in neighborhoods where land use changes and improvements to infrastructure and services could promote substantial opportunities for new housing to complement and enhance the neighborhood.

In each of these community planning processes, HPD is working with local residents and community groups to understand the neighborhood's current and future housing needs, identify the appropriate strategies and investments to meet those needs, and craft neighborhood-specific housing plans. Those housing plans are part of a multi-agency planning process that focuses on local priorities, including ways to ensure that new affordable housing construction and preservation of existing affordable housing is supported by other investments in infrastructure and services, enlivens the neighborhood, creates local jobs, and supports small businesses.



## Commercial District Needs Assessments



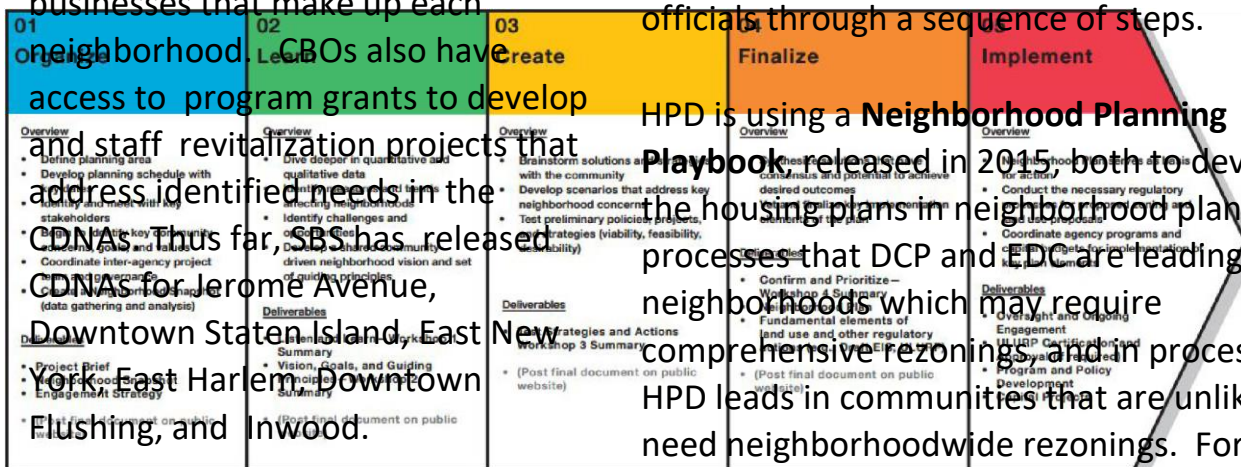
The Department of Small Business Services (SBS) provides **Commercial District Needs Assessments (CDNAs)** through its new **Neighborhood 360° program (N360)** to strengthen and revitalize the commercial corridors that anchor New York City neighborhoods. Through N360, SBS partners with local CBOs to complete CDNAs that highlight the existing business landscape, consumer preferences, and the unique characteristics of the commercial corridors and local businesses that make up each neighborhood. CBOs also have access to program grants to develop and staff revitalization projects that address identified needs in the CDNAs. Thus far, SBS has released CDNAs for Jerome Avenue, Downtown Staten Island, East New York, East Harlem, Downtown Flushing, and Inwood.

The Department of City Planning (DCP), which together with the City's Office of Management and Budget (OMB) leads the City's capital budgeting process, is central to these integrated planning efforts. The Mayor established a \$1 billion **Neighborhood Development Fund (NDF)** to ensure public investment in the neighborhood improvements that must accompany new housing.

Communities rightfully have demanded a more transparent and predictable process for working together with City agencies and elected representatives to address the complex issues and tradeoffs that neighborhood planning involves. Working with a variety of organizations, with funding from the Ford Foundation and Deutsche Bank, the various City agencies worked together to design clear, predictable, and transparent community planning processes.

DCP, for example, is using **Places**, a people-centered planning approach in which DCP and other agencies work collaboratively with communities, stakeholders, and elected officials through a sequence of steps.

HPD is using a **Neighborhood Planning Playbook**, released in 2015, both to develop the housing plans in neighborhood planning processes that DCP and HPD are leading in neighborhoods which may require comprehensive rezonings and in processes HPD leads in communities that are unlikely to need neighborhoodwide rezonings. For





example, HPD is using the Playbook to work with residents to help shape development on publicly-owned

sites in the **Brownsville** neighborhood of Brooklyn and the **Edgemere** neighborhood of the Rockaways in Queens.

The Neighborhood Planning Playbook lays out a five-phased planning process that tailors standard practices of designers, planners, and managers to neighborhood planning in NYC.

### **Case Study: Edgemere, Queens**

Using the **Neighborhood Planning Playbook**, HPD is working with the residents of Edgemere to develop a vision for the community's future. After decades of disinvestment, the Edgemere neighborhood in the Eastern Rockaways experienced significant damage from Hurricane Sandy. The **Resilient Edgemere Community Planning Initiative**, launched in October 2015, is a joint effort of City, State, and Federal agencies, community organizations, elected officials, and residents to align Sandy recovery investments in Edgemere with a comprehensive community plan.

To ensure a broad, inclusive, and transparent process, the City hosted four community workshops and mailed a community feedback form to all 1,700 households in



Edgemere. Through this collaborative process, the community identified four priorities that will drive the plan:

- protect the neighborhood from flooding;
- create resilient housing while preserving the low-density feel of the neighborhood;
  - improve streets and transportation; and
- increase neighborhood amenities.

The resulting document, which will be issued in the coming months, will capture the thoughtful strategies and policies that emerged from the workshops. More importantly, the process empowered local residents to participate in finding solutions to address the complex challenges posed by adaptation to climate change. The Resilient Edgemere initiative will provide a model for other coastal communities facing similar threats.

### **Implement a Mandatory Inclusionary Housing Program**



MIH is a foundational pillar, not just of our housing plan, but of our vision for the city, because it guarantees that when zoning increases opportunities for new housing, the growth that results will be inclusive. Shortly after Housing New York was announced, DCP and HPD began designing the most ambitious mandatory inclusionary housing program in the

nation. After a spirited debate involving thousands of people, MIH was signed into law in March 2016. By requiring developers to provide permanently affordable housing whenever public action creates substantial capacity for new housing, MIH ensures that

Celebrating the passage of Mandatory Inclusionary Housing (MIH) and Zoning for Quality and	affordable housing is stitched into the fabric of neighborhoods across the city. Compared to MIH programs in other cities, New York City’s program requires a higher percentage of affordable housing, serves lower income families and a broader range of households, and will result in more affordable housing being located in the same building as the market rate housing. The
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Affordability (ZQA) City's program also ensures that those units will always be with the Secretary of affordable.

the federal  
department of  
Housing and Urban  
Development, Julian  
Castro.

MIH is already producing results: over 1,500 permanently affordable homes will be included in projects approved subject to MIH just in the first nine months the program has been in effect. Those homes will be built in neighborhoods from Flushing, Queens to Downtown Brooklyn.

To produce a program that is rigorous but fair, the City relied on an independent, objective analysis of the economics of building and operating various kinds of buildings in a range neighborhoods. MIH was designed to work in different markets, at different points of time, and under different cost constraints. The program was calibrated to ensure that the added cross subsidy from the new housing helps to financially support the affordable units to keep them affordable and well-maintained for future generations.

AMI	Maximum Income	Sample Occupation	Affordable Rent
40%	\$32,640	Medical Assistant	\$754
60%	\$48,960	Hair Stylist + Barber	\$1,162
80%	\$65,250	Textile Buyer	\$1,632
100%	\$81,600	Postal Service Worker	\$2,040
130%	\$106,080	Firefighter +	\$2,652

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To achieve the necessary flexibility, the program allows the City Council to legislate up to four options that developers can choose between in providing affordable housing:

Option 1: 25% set aside at an average of 60% AMI at least 10%  
 <= 40% AMI

Option 2: 30% set aside at an average of 80% AMI

Option 3: 20% set aside at an average of 40% AMI at an average of 115% AMI  
 Option 4: 30% set aside available in limited areas and requires  
 <5% at 70% AMI and <5% at 90% AMI

MIH demands that future market rate developments include and pay for housing that will remain permanently affordable for

Income and rents reflected for a family of three generations to come. MIH thereby ensures balanced growth and and a two-bedroom apartment. economically diverse neighborhoods as the city evolves.

### Case Study: East New York, Brooklyn

In March 2016, the City applied MIH for the first time in East New York, after a robust debate that resulted in a comprehensive Community Plan for East New York and Cypress Hills. We chose East New York, a neighborhood that had suffered from disinvestment for many years, for the first comprehensive rezoning because the community had already begun the planning process through a grant from the federal Sustainable Communities Partnership. To build on that work, City agencies spent another 21 months in listening sessions, workshops, and stakeholder meetings with community organizations, residents, and elected officials.



The **East New York Community Plan** lays out strategies to promote the preservation and construction of affordable housing, stimulate economic growth, create pedestrian-friendly streets, and invest in critical community needs. In addition to the thousands of housing units that will be built, the plan includes over \$260 million for capital projects, many of which are underway:

- a new 1,000-seat public school;
- a new, multipurpose community center at 127 Pennsylvania Avenue;
- a new Workforce1 job center, now open at 2619 Atlantic Avenue;
- improvements to the Industrial Business Zone;
- investments in local parks and open spaces; and
- transformation of the Atlantic Avenue streetscape.

Less than a year into implementation, the Administration also has made significant progress towards other goals of the East New York plan. In December, HPD issued a Request for Proposals (RFP) to develop the **Dinsmore-Chestnut** site, one of the last remaining large plots of vacant City-owned land in the city. The RFP, developed with input received through the **Community Visioning Workshop** series HPD sponsored in June 2016, requires proposals to devote all of the housing to affordable apartments, and requires that at least half of the apartments rent at rates affordable to the very lowest income households in the city.



The 2016 graduating class of the City's Building Capacity Workshop for the

provides jobs and economic opportunities for the city's residents. We estimate that as of 2016, Housing New York has created over 1,024 permanent jobs and 53,102 temporary jobs. Housing New York promised to target those jobs to benefit the



professional development of M/WBEs and not-for-profit organizations in the affordable housing community. **Harness Affordable Housing Investments to Generate Quality Jobs**

The construction, maintenance, and operation of affordable housing, along with the retail and community facilities located in affordable buildings,

communities in which affordable housing is built, and to expand the pool of non-profit and for-profit entities that build and operate affordable housing to better reflect the diversity of the city. Encouraging a more diverse pool of developers and contractors that build and own affordable housing in New York City not only is the fair thing to do, but will increase competition, encourage innovation, promote broader community development, and foster local job growth. To meet these goals, the City has implemented several path-breaking programs to encourage the participation of Minority and Women-Owned Business Enterprises (M/WBEs) in City-supported affordable housing developments, and to connect low-income workers to jobs generated by HPD's affordable housing projects.

In 2014, HPD launched **Building Opportunity** to make sure M/WBEs have the information they need to successfully engage in developing and managing affordable housing. Building Opportunity seeks to expand the capacity of M/WBE





developers, increase their access to capital, and encourage developers to use

M/WBE contractors. To date, more than 52 M/WBEs and non-profit development firms have graduated from the capacity-building program created by HPD, the Minority Business Development Institute, and the Department of Small Business Services (SBS).

### Case Study: M/WBE RFP

To enable the City to target development opportunities that could help M/WBEs gain experience in the next level of development, HPD secured enabling legislation, sponsored by State Senator Cathy Young and State Assembly Member Keith Wright, to allow the City to designate a pipeline of development projects restricted to competitive bids by a pre-qualified list of M/WBEs.

HPD issued a Request for Qualifications, and in June 2015, published a pre-qualified list of 27 M/WBE developers judged to have the necessary experience and capacity to develop, maintain, and manage highquality affordable housing. In November 2015, the agency issued an RFP for six sites across the city that represent a range of building types, technical requirements, and financial challenges. This month, HPD designated

six M/WBE teams to develop those sites. Several of the winning teams had participated in the City’s Building Capacity Workshops.

The winning teams include (designs pictured above clockwise from top left): CB Emmanuel Realty (East New York, Brooklyn), Dabar Development Partners (Bedford-Stuyvesant, Brooklyn), MacQuesten Construction Management (Bedford-Stuyvesant/Bushwick, Brooklyn), Infinite Horizons, LLC (Melrose, the Bronx), Type A Real Estate (Crotona Park East, the Bronx), and Lemor Realty and Apex Building Group (Central Harlem, Manhattan).

The developments will create 441 affordable apartments, including supportive housing, senior housing, and housing for homeless New Yorkers. In addition, the winning proposals include local farm and fresh food services, a high school leadership academy, a LGBTQ community center, and a tech incubator.

Thanks to the <b>New York Acquisition Loan Fund</b> , an acquisition and predevelopment financing vehicle which offers bridge financing to developers committed to creating or preserving affordable housing, TLK Manor in the Longwood neighborhood of the Bronx will turn two vacant parcels owned by the Evangelical Disciples of Christ into 82	affordable homes, including 17 apartments for formerly homeless households, along with a new church for the community. The building is being developed by M/WBE developers Brisa Builders and Evergreen City.
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To promote the participation of M/WBE developers in HPD's programs, HPD awarded six City-owned vacant sites through a competitive RFP limited to pre-qualified M/WBEs. The RFP allows the City to work with promising M/WBE developers to increase their experience in providing affordable housing for New

Yorkers across our city.

In November 2016, HPD launched the **M/WBE Build Up program** to create pathways for qualified M/WBE professional service providers and construction contractors to work on HPD-supported affordable housing projects. The program requires developers to spend at least a quarter of HPD-supported costs on certified M/WBEs during design and construction of certain HPD-subsidized projects. HPD's new Division of Economic Opportunity and Regulatory Compliance will enforce compliance with the program, facilitate connections between M/WBE firms and non-M/WBE partner developers or general contractors, and identify ways to promote changes in the affordable housing industry to increase the participation of M/WBEs.

Currently, many agencies are actively promoting M/WBE capacity and opportunities. The New York City Housing Authority (NYCHA), for example, expanded its outreach to

M/WBE and  
resident-owned

representatives from 23 City and State agencies and 12 private organizations. By the end of 2016, NYCHA awarded 50 percent



businesses (known as Section 3 Business Concerns, or S3BC) by working to increase the diversity of the bidder and supplier pool and to help vendors build their capacity to participate in NYCHA's property management and real estate development-related business. NYCHA's 2016 Procurement Fair included 265 firms,

more contracts to M/WBE firms than in 2015, and increased its S3BC registration by nearly 200 percent.

The City is expanding access to quality jobs on projects it finances through HireNYC.

And the New York City Economic Development Corporation (EDC) created **Manage Forward** and **Next Level Bronx** to provide small M/WBE owners customized training on how to grow successful companies. These sevenmonth programs are for owners in Brooklyn and the Bronx who have been in business for at least three years, have annual revenue of at least \$250,000, and have at least one employee besides the owner. Upon completing the program, which includes 100 hours of combined in-class time, pre-work assignments, and peer-to-peer mentoring, participants emerge with new tools to focus on success and growth.

Obtaining the capital needed to build new housing or commercial projects is a major barrier for M/WBE firms. The **Acquisition Loan Fund (NYAF)** is a major vehicle for the

production of affordable housing because it offers bridge financing to developers committed to creating or preserving affordable housing. Similar to the NYAF structure, the City has also created tools to close the gap in access to capital between established and emerging developers, many of which include M/WBE firms. EDC's **Emerging Developer Loan Fund** provides low-interest loans ranging from \$100,000 to \$2.5 million to developers for pre-development and land acquisition expenses related to smaller mixed-income and mixed-use residential, industrial, and commercial projects.

Finally, in addition to encouraging M/WBE participation in the construction and preservation of affordable housing, HPD now uses **HireNYC** to better connect low-income workers to job opportunities generated by its affordable housing projects. HireNYC, a free recruitment and employment service, refers candidates for job openings in entry- and mid-level construction positions. Developers, general contractors, and sub-contractors on projects receiving more than \$2 million in City subsidy must share job openings with SBS and must interview qualified candidates that SBS refers. This coming year, we anticipate that over 60 projects financed by HPD will use HireNYC.

## Chapter 2

# **Preserving the Affordability and Quality of the Existing Housing Stock**

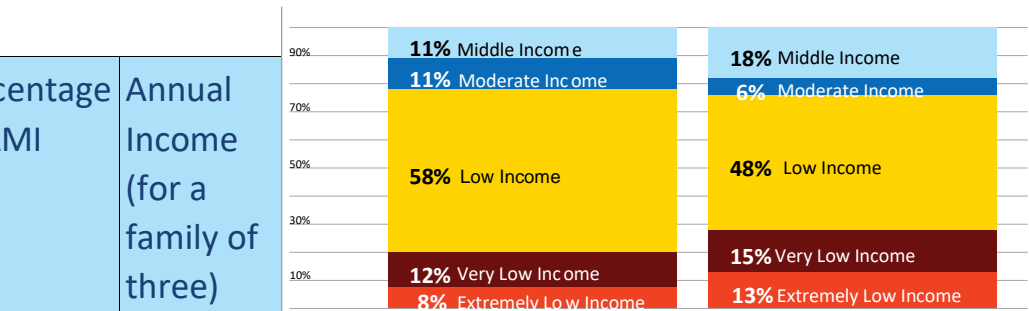
Overview

*“The City’s efforts to build new housing must go hand-in-hand with efforts to protect and promote housing quality and to preserve the affordability of existing units so that all New Yorkers can live in safe and healthy environments.”*  
– Housing New York

The Administration is working on multiple fronts to keep New Yorkers in their homes and make sure our affordable housing stock is in good financial and physical shape. HPD preserves affordable housing by rigorously enforcing the Housing Maintenance Code, financing improvements in the quality, physical condition, and efficiency of residential buildings in exchange for restrictions on the rents an owner can charge, and monitoring the condition and long-term financial stability of affordable buildings. Under Housing New York, the City has worked to protect tenants from deregulation and harassment, expanded and refined its preservation tools to reach a wider range of properties, and created new incentives to preserve long-term affordability in changing neighborhoods. HPD and HDC also have changed many of their programs to require longer-term affordability in exchange for subsidies, and to build stronger incentives for properties reaching the end of their affordability restrictions to remain affordable.

Households Served

Share of Housing Units Preserved by Income Band





Extremely Low Income	0-30%	<\$24,500
Very Low Income	31-50%	\$24,501 - \$40,800
Low Income	51-80%	\$40,801 - \$65,250
Moderate Income	81-120%	\$62,251 - \$97,920
Middle Income	121-165%	\$97,921 - \$134,640

HNY Plan

HNY Actual to Date

### **Protect Tenants from Deregulation and Adopt a More Strategic Approach to Preservation**

Many low- and moderate-income renters, especially seniors, depend on rent regulation, and those who do are poorer and more likely to have a Black or Hispanic head of household than tenants in unregulated units. Changes in the state rent regulation laws over the last few decades have resulted in a net loss of over 150,000 rent-regulated units, which means landlords and owners can raise rents to market rates. The City has worked with tenants, advocates, and the State Assembly to achieve significant reforms in the laws, but more needs to be done to save our critical rent-regulated housing.



The Rent Guidelines Board voted first in 2015 and again in 2016 to allow the lowest rent increases ever, each time finding that zero percent increases for one year leases, and two percent for two year leases were

appropriate. The most recent guidelines took effect in October 2016. Approximately 1.6 million New Yorkers live in rent-stabilized apartments that have leases coming up for renewal during the term affected by these guidelines, and the Board's finding that higher increases were unwarranted means that hundreds of thousands of New Yorkers now have more security and a better shot at making ends meet.

**Improvements to the state rent regulation law secured in 2015:**

- High-rent vacancy decontrol: The threshold for decontrol was raised to \$2,700 per month and indexed to RGB increases.
- Vacancy allowance: Rent increases upon vacancy were limited for units receiving preferential rents.
- Major Capital Improvement (MCI):

The time over which the expense of MCI is charged to tenants was extended to spread out the increase.

Penalties for harassment: Civil penalties were increased for landlords found to have engaged in harassment.

In 2015, Mayor de Blasio, Attorney General Eric T. Schneiderman, and New York State Homes and Community Renewal Commissioner James Rubin announced the first arrest and indictment of a landlord by the Tenant Harassment Prevention Task Force.

In 2015, the City joined forces with Attorney General Eric Schneiderman and the Tenant Protection Unit of the State Department of Homes and Community Renewal (HCR) to launch the **Tenant Harassment Prevention Task Force**. Because the State has primary responsibility for enforcing rent regulation laws, but the City’s housing and building inspectors often see evidence of violations, protection of rent-regulated tenants requires a strong and coordinated effort between State and

City agencies. The task force investigates potential harassment and brings enforcement actions – including civil and criminal charges – against landlords who harass tenants. Harassment can take many forms: poor maintenance; withholding of essential services; repeated offers to “buy-out” the tenant’s lease; or construction activity conducted without proper permits, beyond the scope of the permit, or in the absence of (or in violation of) a Tenant Protection Plan. The Tenant Harassment Prevention Task Force builds on the work of a City task force that coordinates efforts by HPD, the Department of Buildings (DOB), the Department of Health and Mental Hygiene (DOHMH), the Fire Department, and other agencies as needed, to improve inspections of buildings showing physical distress or evidence of harassment.



HPD regularly hosts **Tenant Resource Fairs** in partnership with other City and State agencies, non-profit organizations, and elected officials to inform tenants of their rights and the range of services available to help



them find or remain in safe, affordable housing. Since January 2014, the City has held nearly 30 Resource Fairs across the city, reaching more than 1,500 tenants.

### **Anti-harassment Working Group**

The Administration and the City Council created a working group on tenant harassment in response to concerns raised during the public review of MIH (discussed earlier in this chapter) and ZQA (discussed in Chapter 3). The working group, a diverse group of housing data experts, tenant and housing

advocates, and industry representatives, is evaluating the potential effectiveness, cost, and efficiency of refining and expanding the **Certification of No Harassment** policy now in effect in a few neighborhoods, and examining alternative tools to combat tenant harassment.

To support tenants who are facing wrongful eviction or harassment, the City has expanded funding for civil legal services for low-income New Yorkers. This includes more than \$60 million in legal services for low-income tenants, which is a tenfold increase in Mayoral funding for tenant legal services since the City's 2013 fiscal year. While only one in 100 tenants had lawyers in 2013, one in four was

represented as of April 2016. To be sure that tenants know their rights and know about the legal services available, the City formed a new **Tenant Support Unit (TSU)**, which goes door-to-door to inform tenants of their rights, document complaints related to harassment and eviction, and refer tenants to the free legal services when appropriate. Evictions have fallen by 24 percent since the legal services funding was increased, which means that 21,000 people who might have been evicted without legal representation are still in their homes.

In addition to protecting tenants of rent stabilized housing, one of the City's top priorities is to prevent owners of government-subsidized housing from ending affordability restrictions once their buildings' City, State, or Federal subsidies expire. HPD is tracking data about those buildings and proactively reaching out to inform owners about the financial incentives the City can provide to help them extend the affordability restrictions on the buildings. The City also has developed new preservation tools to address some of the challenges those buildings now face. For example, HPD is closely coordinating with the Department of Housing and Urban Development (HUD) to ensure the quality and safeguard the affordability of hundreds of affordable properties financed decades ago through federal programs that are no longer funded. The City and HUD are working together to identify properties and assess their physical and financial distress, and are jointly reaching out to their owners to find ways to preserve the affordability of their properties.

### **Case Study: PACC Preservation**

The PACC preservation project includes 56 small, aging buildings scattered across multiple neighborhoods in Central Brooklyn. By reorganizing the portfolio into a





single project, the City was able to protect 492 households in Fort Greene, Clinton Hill, and Bedford-Stuyvesant from being priced out of the neighborhoods they lived in and helped build.

In exchange for new financing, the non-profit owner agreed not only to protect the existing tenants, but also to ensure the long-term affordability of units that become vacant and to set aside 20 percent of those apartments for the homeless.

The new mortgage and a tax exemption stabilized the portfolio's finances and funded repairs and ongoing maintenance. Tax-exempt bonds were used to rehabilitate the buildings, most of which needed new boiler systems, roofs, and work within individual apartments. The improvements will not only make the buildings more viable for the long-term, but more energy efficient and sustainable.



### **JOE: Joint Ownership Entity**

JOE NYC is a not-for-profit entity founded by a group of New York City Community Development Corporations (CDCs) to strengthen the asset and property management capacity of participating CDCs. The new entity was designed to bolster cash flow and balance sheets of the participating properties and CDCs, to enhance the ability of

CDCs to secure financing for new development and preservation projects, and to help ensure the long-term affordability of the properties in their portfolios and the stability of the communities in which they are located.

HPD has worked with JOE over the course of the last year to facilitate the transfer of ownership of initial properties from participating CDCs to JOE. HPD also worked with Attorney General

Schneiderman to direct Morgan Stanley settlement funds to JOE to ensure extended affordability for 242 units in four projects located in Manhattan, including the 95-unit Zora Neale Hurston Houses, pictured here, in the Hamilton Heights neighborhood.

and community revitalization finance company) to provide up to \$350 million in construction lending capital for affordable multifamily housing projects like this one at 2060 Crotona Parkway in the Bronx.



### **Community Preservation Corporation (CPC)**

In 2014, the City participated in establishing a new credit facility that allows CPC (a leading non-profit affordable housing

### **Introduce Incentives to Preserve LongTerm Affordability, Especially in Changing Neighborhoods**

HPD is working to intervene early to keep lower-rent buildings affordable, especially in neighborhoods seeing rents rapidly increase. For non-distressed buildings, the City has stepped up efforts to bring low-rent buildings that are unsubsidized into affordability programs through several new incentive programs. These efforts promote long-term affordability throughout New York City, and play an important role in preserving the affordability of changing neighborhoods.

The City is targeting distressed properties and taking a proactive approach to preserving their affordability by financing needed improvements in exchange for agreements to keep rents



affordable. HPD uses its inspection and other data, along with referrals and partnerships with neighborhood-based tenant organizers, housing advocacy groups, and legal service providers to identify distressed properties, assess their condition, channel them into the agency's enforcement programs for

emergency repairs if necessary, and design the appropriate strategy to improve their quality and safeguard affordability.

In addition, we have developed new programs to help building owners simultaneously improve energy efficiency, cut operating costs and enter into affordability agreements with the City. The Mayor's Office of Sustainability (MOS) has created two programs that help a wide range of buildings undertake energy and water efficiency upgrades: the **NYC Retrofit Accelerator** offers free advisory services to help buildings over 50,000 square feet and those of any size with regulatory agreements with the City; **Community Retrofit NYC** helps owners of smaller buildings in Central Brooklyn and Southern Queens to implement similar retrofits. Launched in 2015 and 2016, respectively, those programs have collectively helped 618 buildings in HPD's Asset Management portfolio install low-flow toilets, efficient lighting fixtures and appliances, and solar photovoltaic and hot water heaters, convert boilers to cleaner heating fuels, and complete other energy and water efficiency upgrades.



### Case Study: Stuyvesant Town and Riverton Houses

**Stuyvesant Town and Peter Cooper Village** make up one of the largest enclaves of moderate- and middle- income housing left in Manhattan. Rents on roughly half of the complex's 11,241 apartments had already increased to market rate when the City seized an opportunity presented by a change of ownership in the fall of 2015 to preserve the affordable apartments left in the complex. The City reached an agreement to ensure that 5,000 apartments with below-market rents will remain affordable to low- and middle-income families for at least the next 20 years. The agreement halted the loss of more than 300 affordable apartments each year and ensured that the development will remain a home for nurses, teachers, first responders, artists, and writers, and serve as an anchor for the city's middle class.



The City also reached an agreement to protect 975 affordable apartments at Harlem's **Riverton Houses**, which have been a bastion of working- and middle-class housing for more than 60 years. An overleveraged sale in 2006 left the complex in jeopardy. Roughly 250 units had already lost the protections of rent stabilization before the City stepped in. Again, through an agreement with the new owner, the affordable homes will remain protected through 2046, and new capital improvements will upgrade critical systems like boilers and elevators to improve residents' quality of life.

In the summer of 2016, HPD provided a loan to **305 East 171st Street HDFC**, a nine-unit lowincome HDFC cooperative located in the Claremont section of the Bronx. The very first project in the **Green Housing Preservation Program** pipeline, the co-op was



created in 1987 through HPD's Tenant Interim Lease (TIL) program, but since then had not completed any major repair work. As a result, the low-income homeowners desperately needed help to control their utility expenses and keep maintenance charges affordable. The HPD loan will help finance the replacement of critical building systems, including a higher efficiency boiler and roof, as well as other energy efficiency upgrades projected to reduce the building's energy costs by more than 30 percent or almost \$16,000 per year.

Both NYC Retrofit Accelerator and Community Retrofit NYC also help to create a pipeline for HPD's preservation financing, particularly the **Green Housing Preservation**

**Program (GHPP)**, which helps buildings address the threat that increased operating costs pose for affordability. Launched in May 2015, GHPP provides low- and no-interest loans to finance energy efficiency and water conservation improvements along with moderate rehabilitation work. In exchange for the savings resulting from HPD's financial assistance, owners enter into regulatory agreements to keep rents affordable. HPD has financed five GHPP projects thus far, preserving the affordability of more than 100 apartments, many of which are located in neighborhoods where rents are rapidly rising. Those buildings are expected to save up to 40 percent in annual utility costs. The agency has nearly two dozen additional projects in the pipeline for financing.

#### **Homeowner Help Desk**

To support residents of East New York, HPD has funded the Center for New York City Neighborhoods (CNYCN) to establish a **Homeowner Help Desk**. With support from the Office of Council Member Rafael Espinal and other partners, the Help Desk will offer homeowners advice about how to understand buy-out offers, assistance with foreclosure prevention, guidance on avoiding scams and deed theft, and referrals to home repair and weatherization programs and financial assistance.

The City is also taking measures to support struggling neighborhoods hit by the foreclosure crisis by working with homeowners to keep them in their homes. In June 2016, HPD worked with community partners to facilitate the acquisition of 24 distressed Federal Housing Administration (FHA) notes through the **Community Restoration Fund Program**. The properties are one- to four-family homes located in parts of the Bronx, Brooklyn, Queens, and Staten Island with high rates of foreclosure and underwater loans. Under the program, non-profit partners will work with homeowners to provide counseling, pursue mortgage modification or refinancing, or reposition foreclosed homes as affordable

homeownership or rental opportunities.

## Chapter 3

# **Building New Affordable Housing for All New Yorkers**

## Overview

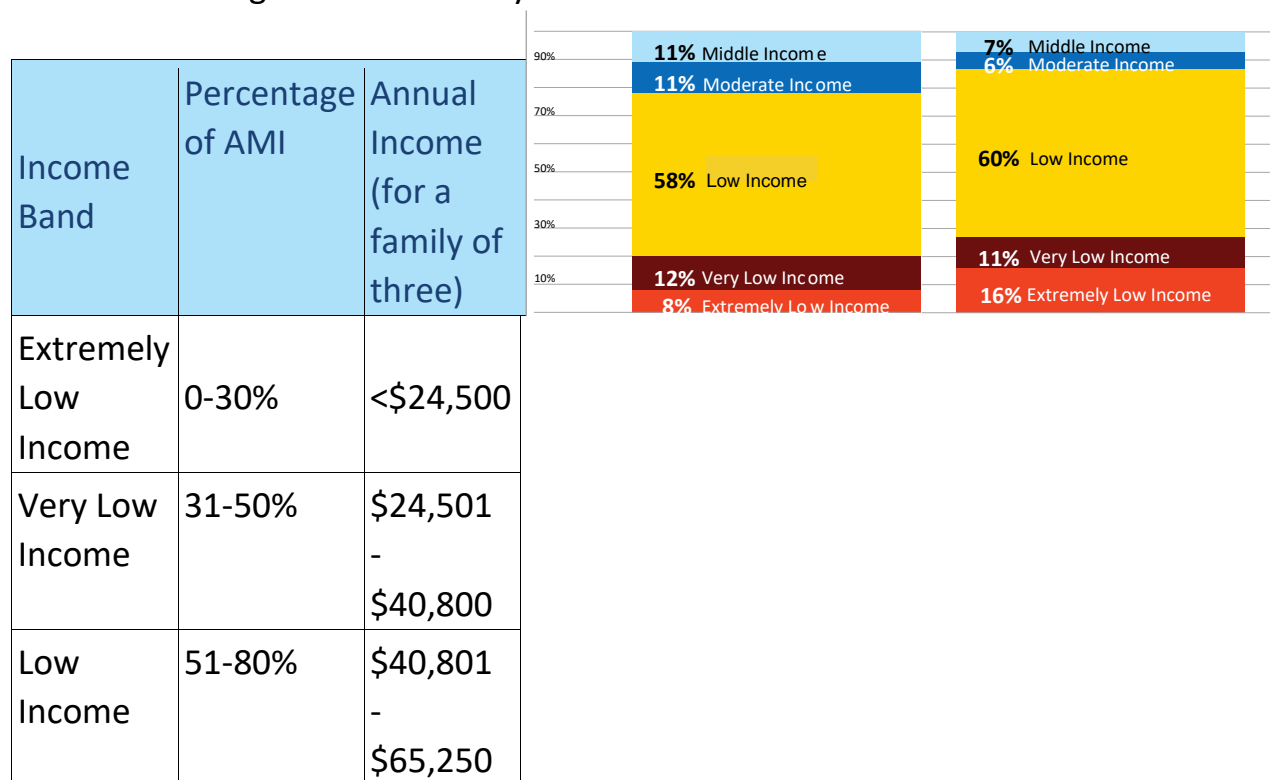
*“This is a plan to get ahead of the curve, to protect neighborhoods, and build our city’s next generation of affordable housing. . . . Our affordable housing policies must reach every New Yorker in need, which is why this plan thinks big about the changes we need to make—in government and in the private sector—to make this a city where everyone rises together, and everyone has a safe and decent home.”*

*– Housing New York*

Since the inception of Housing New York, the City has made enormous progress, in partnership with non-profit and for-profit developers and community development corporations, in creating new homes. The 20,854 new apartments and houses we’ve created will house over 54,000 New Yorkers. That is the largest number of affordable homes created over any three year period, and 2015 was the highest total of new construction units on record.

## Households Served

Share of Housing Units Created by Income Band



Moderate Income	81-120%	\$62,251 - \$97,920
Middle Income	121-165%	\$97,921 - \$134,640

HNY Plan

HNY Actual to Date

We've achieved those numbers by: expanding financing programs for housing the very lowest income households; using publicly-owned land for new construction; piloting new mixed-income housing programs; reforming outdated zoning codes to unlock development opportunities; maximizing opportunities to best use the City's zoning laws to facilitate the development of low- and moderate-income housing; and streamlining our processes to make development less risky and less costly.

### **New Programs to Serve a Broader Range of Income Levels**

Housing New York committed to provide far deeper levels of affordability than past plans. To meet that promise, HPD and HDC immediately got to work revising the City's housing programs to serve more of the lowest income New Yorkers. The City created, for example, the **Extremely-Low & Low-Income Affordability (ELLA)** program, a complex mixture of financing tools designed to provide new, high quality affordable housing for the lowest income households. It also created the **Senior Affordable Rental Apartments (SARA)** program, which creates housing for low-income seniors, including homeless seniors, and is described more fully in Chapter 4. Those programs have allowed the City to not only meet, but exceed, the Housing New York targets.

Van Sinderen Plaza (right) is a 130-unit ELLA in the East New York section of Brooklyn. Webster Commons (below), the final building in a multi-phase development in the Olinville section of the Bronx, was



financed through the new M<sup>2</sup> program and will provide 123 affordable homes to New Yorkers at a range of incomes.

As promised in Housing New York, the City is also creating housing for moderate- and middle-income families in affordable buildings. Those homes help pay for the lowest-income housing and foster mixed-income buildings and neighborhoods throughout the city. The affordability crisis is pushing moderate- and middle-income households out of New York, but those households include the teachers, medical personnel, firefighters, police, and other first responders who are critical to the city. HPD and HDC have introduced or revamped several programs to increase economic diversity across the city. The **Mixed-Middle-Income (M<sup>2</sup>)** program creates mixed-income buildings with units for low-, moderate-, and middle-income households. The program makes efficient use of federal financing tools, along with HPD and HDC subsidy, to fund the development of affordable housing that anchors neighborhoods and helps to ensure the long-term health and viability of the building. Another program, called **Mix & Match**, funds mixed-income buildings that target half the homes to moderate-income households and the other half to low-income families.





### **Case Study: New Marketing Guidelines**

Expanding affordable housing opportunities also required reforms in the City's tenant selection rules. In October 2016, HPD and HDC introduced new rules to make the lottery process fairer, more transparent, and more effective at targeting affordable housing to those most in need.

The new rules:

- limit the use of credit ratings and Housing Court history so that applicants who have the ability to pay rent and, by all other indicators, can be expected to be responsible tenants, are not rejected solely on the basis of a low credit score or their experiences with Housing Court;



- set new standards for homeless shelter referrals, addressing the special challenges that formerly homeless households, who are likely to have eviction histories, face in meeting eligibility criteria;
- impose far lower limits on personal assets to more accurately target the neediest households;
- set stricter guidelines to ensure that people who qualify for affordable housing will use their new home as their primary residence.

By introducing greater consistency and streamlining the process, the new rules should not only be fairer, but make leasing affordable apartments faster, improve applicants' experience, and limit developers' marketing costs.

To further promote equal access to opportunities for affordable housing, the lottery system, **Housing**

**Connect**, is now available in seven languages. HPD and HDC also collaborated with the Mayor's Office for People with Disabilities (MOPD) to make the online system more accessible. HPD and HDC also launched **Mitchell-Lama Connect**, to allow electronic applications to lotteries for apartments in MitchellLama developments when they open their waiting lists.

In addition, HPD has expanded its **Housing Ambassadors program** – a network of non-profit organizations that help people apply for affordable housing – to enhance support for applicants in diverse communities across the city. And based on the initial findings of a Citi Community Development-funded study – Improving Access to

Affordable Housing Opportunities – the City released a new guide, Ready Set Apply!, designed by the Center for Urban Pedagogy (CUP).

The City issued an RFP and broke ground on new

built in New York City in nearly forty years.

In the 2015 session of the state legislature, the City urged overhaul of the **421-a program** to require affordable housing



citywide. We also sought reforms to require that a higher percentage of the housing developed be affordable, and that the affordable housing provided serve a wider range of incomes and reach lower-income households. By harnessing market-rate development to generate affordable units, the 421-a program can be a powerful tool for promoting economic diversity throughout the city, especially in high-

infrastructure for phase two of

cost markets.

Hunter's Point South, the largest new housing complex

The legislature adopted most of the City's proposed reforms, enacting a program that requires every 421-a rental project across the city to set-aside at least 25 to 30 percent of its



housing as affordable in exchange for the tax benefit, up from the 20 percent prior versions of 421-a required only in certain geographical areas. The reform legislation also eliminated the benefit for luxury condominiums, prohibited the practice of “poor door” entrances based on income, and ensured that affordable units are distributed throughout the building.

The State’s reauthorization of the incentive also included a provision that suspended the program unless the Real Estate Board of

New York (REBNY) and the construction trade unions agreed on the wages that would be paid to construction workers hired to build projects receiving the tax exemption. While those parties are reported to have reached an agreement, their agreement would change the terms of the program and therefore requires that the state legislature consider amendments to the law. In the upcoming legislative session, the City will fight to retain the substantial reforms achieved to ensure that the tax benefit produces enough affordable housing to justify its expense.

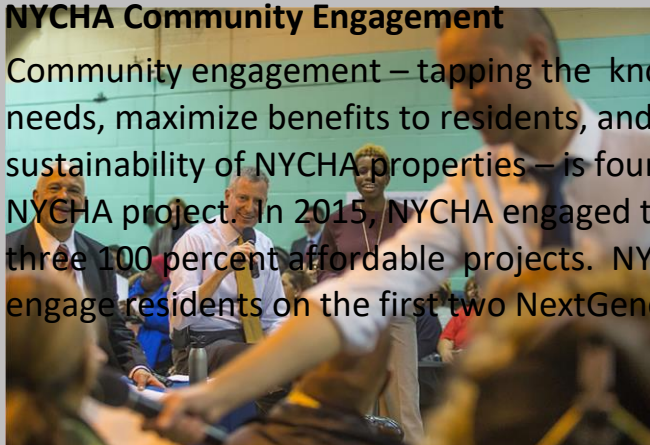
### **Develop Affordable Housing on Underused Public and Private Sites**

As land prices rise and available development sites dwindle, the City is exploring every opportunity to put underused public and private sites to work for affordable housing. In addition to identifying underused public sites and making them development-ready, we’re implementing **NextGeneration NYCHA**, which will create new affordable housing on underused land held by NYCHA while securing revenue to repair and maintain NYCHA’s existing buildings, and working with faith- and missionbased community organizations to develop their own underused properties.

Since January 2014, HPD, EDC, and NYCHA, working with DCP and other agencies, have released over 15 RFPs for the development of high-quality, mixed-use, affordable housing on publicly-owned properties.

### **NYCHA Community Engagement**

Community engagement – tapping the knowledge of residents to identify tenant needs, maximize benefits to residents, and lay out the path to securing long-term sustainability of NYCHA properties – is foundational to every NextGeneration NYCHA project. In 2015, NYCHA engaged thousands of residents as part of the first three 100 percent affordable projects. NYCHA and HPD partnered in 2016 to engage residents on the first two NextGeneration NYCHA Neighborhood sites at



Wyckoff Gardens in Brooklyn and Holmes Towers in Manhattan. Approximately 40 meetings and community visioning sessions informed the parameters of the subsequent RFP, helping to shape the new project to best serve NYCHA and current and future residents. NYCHA has integrated Stakeholder Committees made up of residents, CBOs, and other stakeholders, into all of its development work. These committees advise NYCHA on the needs at each development and provide input from residents to help shape Requests for Proposals (RFPs) for development and preservation.

Six of those RFPs (across 15 development sites) have resulted in designated projects, including **Livonia Avenue Phases I and II** in East New York, Brooklyn, **St. Ann's Avenue** in Mott Haven, the Bronx, and **Flushing Municipal Lot 3** in Flushing, Queens for a total of 1,600 affordable units.

The City is devoting significant funding to unlock the potential of large sites that require major infrastructure investment to support affordable housing. The City has committed \$508 million for an unprecedented **Housing Infrastructure Fund (HIF)** that will target improvements to property that has not been developed to its full potential because of environmental contamination, resiliency needs, or lack of utility connections, roads, or sewers. This is in addition to the \$1 billion Neighborhood Development Fund described in Chapter 1.

The City also is pressing underused land on NYCHA campuses into service, both to make room for affordable housing and to secure the long-term sustainability of NYCHA properties, which are a key source of housing for extremely low-income New York City households. NYCHA buildings provide housing for more than 400,000 New Yorkers through its public housing program, and the average NYCHA household earns an annual income of \$23,300. However, this incredibly important deeply affordable housing stock has been under threat for years, as significant cutbacks in federal funding have led to deterioration.

In May 2015, after a full year of resident engagement, NYCHA released NextGeneration NYCHA to lay out a new framework to help preserve the crucial affordable housing that NYCHA provides for current and future generations. NextGeneration NYCHA outlines two programs to activate underused land to build affordable housing and generate revenue to preserve and reinvest in public housing.



2425 – 2427

Mermaid Avenue  
(left) in Coney, Island  
Brooklyn was the  
first **NIHOP** to be  
financed under  
*Housing New York*.

The project provides  
21 affordable homes  
in 7 three- family,  
three-story flood  
resilient buildings.  
3365 Third Avenue  
(right) is an **NCP**  
project designed to  
Passive House  
building standards in  
the Morrisania  
neighborhood of the  
Bronx, which will  
provide 30  
apartments for low-  
and moderate-  
income households,  
including eight  
formerly homeless  
households. The  
project will  
guarantee  
affordability for 50  
years on 27  
apartments, and  
keep the other 3  
apartments

permanently affordable.

The **100% Affordable Housing Program** will create 10,000 new units of housing over the next 10 years by building on street-facing land currently used as parking lots, trash areas, or storage sites. NYCHA, in partnership with HPD and HDC, already has designated developers at three sites—Van Dyke, Ingersoll, and Mill Brooks Houses—for the construction of nearly 500 units of affordable housing, and has issued RFPs for the development of over 200 additional units at Betances Houses.

Through the **NextGen Neighborhoods Program** (or “50/50”), NYCHA will devote underused land to support 7,000 units of new affordable housing over the 10 years while generating revenue from 7,000 market-rate apartments that can be used to preserve and enhance existing developments for current residents. By working with residents and requiring 50 percent of units to be affordable and 50 percent to be targeted to market-rate tenants, these sites will offer unique opportunities to deliver community amenities and significant capital repairs to the surrounding NYCHA development, while also securing NYCHA’s financial future. In the beginning of 2017, NYCHA, in partnership with HPD and HDC, will designate developers for the construction of nearly 800 units at Wyckoff Gardens and Holmes Towers as part of NextGen Neighborhoods.

While the City is making an unprecedented effort to develop larger public sites, we are also making use of smaller vacant

those sites more economical and efficient, HPD created two new programs: the **Neighborhood Construction Program (NCP)** and the **New Infill Homeownership Opportunities Program (NIHOP)**. NIHOP and NCP aggregate small sites and target them to M/WBE developers and local non-profit community development corporations to develop. Both programs achieve economies of scale in the remediation, development, financing,



and underused parcels. To make development of

and operation of scattered infill lots and provide opportunities for those developers to build their experience and capacity through neighborhood-focused development.

### Case Study: The Peninsula

EDC and HPD are leading the transformation of the former Spofford Juvenile Detention Center in the Hunts Point section of the Bronx into a five-acre campus featuring 100 percent affordable housing, good jobs, and recreational space.





After operating for more than 50 years, the notorious detention facility was closed in 2011 in response to a decades-long movement by criminal justice reform activists and community advocates. The facility will now be demolished and replaced with a vibrant live-work campus known as **The Peninsula**. The project forges a new model in neighborhood development by embedding light industrial space and quality manufacturing jobs in a new residential community.

All 740 apartments will be affordable housing. The development will also contain open/recreational space, a new public plaza, community facility space (artist workspace is anticipated), and ground floor retail and/or commercial space.

In June 2015, EDC issued a request for expressions of interest (RFEI) to redevelop the vacant site, and selected a joint venture between for-profit and non-profit developers that will work closely with long-time community stakeholders and organizations, including The Point Community Development Corporation, Urban Health Plan, Sustainable South Bronx, The Knowledge House, Casita Maria, Rocking the Boat, and BronxWorks.

Lastly, the City is working with faith- and mission-based organizations to support development of housing on their own sites. Many of those organizations own unused land or air rights, are land-rich but cash-poor, are downsizing and require less space, or are interested in expanding their mission into affordable housing. They need technical assistance, however, to navigate complex real estate transactions. To help those owners put their land into service, HPD published a **Pre-Qualified List of Owners' Representatives** that the groups might want to use to help them evaluate their real estate development opportunities. HPD also is partnering with **Local Initiatives Support Corporation (LISC)** and the Mayor's Office Community Affairs Unit (CAU) on the **New York Land Opportunity Program (NYLOP)** to help mission-driven organizations with limited real estate experience form joint venture partnerships to develop affordable housing on their underused land.

### **Reform Zoning Codes, Streamline Operations, and Stretch Public Subsidy Dollars to Lower Costs and Unlock Development Opportunities**

The landmark adoption of **Zoning for Quality and Affordability (ZQA)** removed many zoning barriers that significantly constrained affordable and senior housing projects. In addition, HPD, DOB, and DCP have streamlined project reviews and monitoring through better technology. Lastly, HPD and HDC revised their financing programs in November 2014, and continue to fine-tune them to make them stretch our public subsidy housing dollars further.


Adopted by the City Council in the spring of 2016, ZQA marked one of the most important overhauls of the City's zoning code since 1961. Following the release of *Housing New York*, DCP, working with HPD, communities, nonprofit housing groups, architects, developers, land use lawyers, and other experts, identified zoning barriers that limit new housing and drive up its costs, and came up with strategies to address those barriers without sacrificing quality or safety. The resulting zoning improvements promote the creation of affordable housing across the city, and in particular provide more flexibility to accommodate the diverse housing needs of a growing senior population. ZQA also updated the zoning code to allow higher-quality buildings and better ground floor retail and community facility spaces.

The effects of ZQA, a major victory for affordable housing development, are already taking hold. Affordable housing developers have secured significant savings from the



elimination of costly and unnecessary parking requirements, and instead are applying these savings towards building additional apartments and amenities for the community. Until ZQA, the City was often forced to subsidize structured parking costing as much as \$50,000 a space, or to reduce the size of subsidized senior housing developments to provide parking lots that sat empty. Now, under ZQA, taxpayer dollars will go further toward meeting the City's affordable housing goals.

### Jamaica Crossing



Jamaica Crossing is a two-building, 669-unit mixed-income project in downtown Jamaica, Queens. ZQA allowed the developers to reduce the parking required by 75 spaces, significantly reducing project cost and the amount of subsidy needed. Located across the street from the Jamaica Center Station, Jamaica Crossing is serviced by various sources of public transportation, including three subway lines (E, J, Z), the Long Island Railroad, and the AirTrain to John F. Kennedy Airport.

When the City finances a project like Jamaica Crossing, the assistance is structured as debt that accrues interest. This means that at the expiration of the regulatory agreement, the developer has a strong incentive to renew the affordable housing agreement rather than have to repay City subsidy with interest. This is an example of a tool that provides the City leverage to efficiently preserve the affordable housing upon expiration of the regulatory agreement, without promising operating subsidies in perpetuity.

In addition to broad changes to the zoning code, the City has streamlined its own operations to promote flexibility and reduce delays. HPD's **Building and Land Development Services (BLDS)**, tasked with monitoring both new construction and preservation projects to ensure the quality and safety of construction, has introduced new tracking and analytic systems to get the most out of the almost 50,000 inspections it has done on 292 projects since the start of Housing New York. BLDS has also introduced a new design submission system, known as **BLDS eSubmit**, that revamped the design review process as well as the interface between HPD, DOB, and their partners. In the year since launching the new eSubmit system, HPD has seen significant improvements in the design review process, including better communication between all parties involved, reduced review time, and greater transparency in tracking and reporting project milestones.



HPD also has revised its design guidelines to reflect emerging best practices and provide greater flexibility in the design of affordable housing. Working closely with the New York State Association for Affordable Housing (NYSFAH), the New York City chapter of the American Institute of Architects (AIA), and affordable housing developers, HPD released new **Design Guidelines for Multifamily New Construction and Senior Housing** in March 2016. The new standards promote cost-saving measures that will translate into the construction of more affordable units. They also encourage flood resistant construction, active design, aging-in-place design measures, better commercial/retail spaces, and energy efficiency and resource conservation. Also in 2016, HPD and the Design Trust for Public Space released design guidelines for the ground-floor retail and community facility spaces affordable housing developments provide to generate jobs, enliven the street, and make neighborhoods more vibrant and livable.

HPD is also working to create more efficient business processes for its asset management and tax incentive programs. HPD is improving its oversight of affordable units through such innovations as **eRent Roll**, which helps keep track of vacancies in buildings financed through the City's affordable housing programs. In fall of 2015, HPD launched **Tax Incentives Direct**, an online portal on the HPD website that allows developers to file their applications for tax exemptions electronically, upload supporting documents, communicate with HPD staff, and check the status of their application. Similarly, HPD recently released **LIHTC Direct**, an online application for projects seeking Low-income Housing Tax Credits (LIHTC) that enables more efficient tracking, review, and communication about applications.

**The Hub at 333 Schermerhorn Street**



This mixed-use residential rental and retail new construction development will create 750 rental units, including 150 affordable apartments, 103 of which will be permanently affordable through VIH. The project, at the intersection of Boerum Hill, Park Slope, Prospect Heights, Fort Greene, and Downtown Brooklyn, is a privately financed Inclusionary Housing project receiving a 421-a tax exemption, but no public capital subsidy. By streamlining its processes, HPD was able to review and approve the project in less than three months, removing a major hesitation developers had about using the VIH program.

HPD's **Voluntary Inclusionary Housing program (VIH)** is a market-based incentive program designed to encourage developers in neighborhoods already zoned for high density to create permanently affordable units. By eliminating bottlenecks and experimenting with new ways of conducting HPD's architectural and engineering reviews, HPD entered into regulatory agreements with developers on 49 projects for more than 3,000 new affordable inclusionary units in the City's fiscal year 2015, double the number of any prior fiscal year since the start of the program in 1987. ZQA will further encourage private developers to take advantage of VIH's incentives to build mixed-income buildings by allowing more efficient use of the building envelope in VIH districts.

The City also has updated the terms of financing programs to ensure that our public housing subsidy dollars go further. In November 2014, HPD and HDC released a series of major revisions to our term sheets, documents that define the rules that govern the City's investments, including the maximum amount of subsidy the City will provide for a

project, the specific percentage of units that must be affordable at various income levels, the duration of affordability, the size of the units, and other key aspects of the City's priorities. HPD and HDC changed the term sheets to target underserved affordability levels (including the lowest-income and moderate-income households), serve a range of incomes whenever possible to promote economically diverse buildings and neighborhoods, create housing for singleperson households, and promote energy efficiency retrofit measures. Term sheet revisions also increase the effectiveness of HPD and HDC programs, better leverage private financing sources,

and ensure that no more public subsidy is provided than is necessary to confirm quality production and financially sustainable buildings.

**Beach Green Dunes** was financed through HDC's **Sustainable Neighborhood Bonds**, a new category of social investment bonds that is a first for affordable housing in the United States. Located in the Edgemere neighborhood of Queens, the 100-unit mixed-income affordable development will be the single **Ensure Sustainable Affordable Housing**. In June 2015, HDC launched the **Sustainable Neighborhood Bonds (SNB)** program, the nation's first social investment product in the affordable housing

marketplace. SNB capitalizes on the growing "green bond" trends in other bond markets and broadens HDC's investor base by attracting buyers interested in investments that serve social goals. To date, more than \$2 billion of the roughly \$4.5 billion in bonds HDC has issued to support Housing New York were SNBs. SNB-funded projects provide affordable housing, but also prioritize other benefits, like energy efficiencies, retail amenities and community services. True to Housing New York, these projects foster diverse, livable neighborhoods that will be sustainable for generations to come.

HPD also is exploring opportunities to incorporate **Passive House** standards into its affordable housing projects. HPD released **SustainNYC**, a competitive RFP for a high-quality, sustainable, mixed-income and mixed-use affordable housing development in the East Harlem neighborhood of Manhattan designed to Passive House standards. Buildings certified to Passive House standards reliably reduce energy needed for heating and cooling by 90 percent and use up to 75 percent less energy overall than existing buildings. Residents benefit from better indoor air quality, comfortable and even temperatures, significantly reduced energy bills, and quieter homes. A developer is expected to be selected for the site early in 2017, with construction start anticipated around mid-2018. SustainNYC significantly advances the goals of Mayor de Blasio's **One City Built to Last**. The 100 percent affordable development will be the largest Passive House project in the nation.

The City also has implemented new benchmarking requirements to build knowledge about building performance in the affordable housing sector. In

largest Passive House multi-family order to evaluate building performance and support efficient



underwriting, building in the country. Projects receiving HPD and HDC financing are required to benchmark and track utility usage for heating, electric, and water. The building performance data from this initiative will help inform underwriting standards used by HPD and HDC, and will help

building owners better understand utility usage, compare their performance to similar buildings, and identify improvements to energy efficiency they can make, all of which will lead to savings in utility costs that will ensure the long term viability of the affordable housing stock.



## Chapter 4

# **Promoting Homeless, Senior, Supportive, and Accessible Housing**

## Overview

*“The enormity and complexity of the affordable housing crisis for populations in need in New York City demand a dynamic and compassionate policy response.”*

*– Housing New York*

As promised in Housing New York, the City is using every possible tool to create housing opportunities for its most vulnerable residents, including homeless New Yorkers, seniors, and people with disabilities. From efforts to prevent homelessness to piloting new rental assistance programs, the City is pursuing multiple strategies to assist homeless individuals and families. Numerous agencies worked to end chronic veteran homelessness in 2015. HPD and HDC have created or preserved 5,160 units that are set aside for the formerly homeless in affordable housing. In 2015, the Mayor committed to create 15,000 units of supportive housing over the next 15 years. The City also is working to increase the supply of housing for our growing senior population, and to ensure that accessible housing is available for individuals with disabilities.

## Assist homeless individuals and families

Preventing homelessness before it happens is a key priority of Housing New York. Under Mayor de Blasio, the City has created or expanded **HomeBase** and a variety of other homelessness prevention efforts, increased funding for emergency rental assistance, and expanded civil legal services for low-income New Yorkers (described in greater detail in Chapter 2).

HomeBase is a homelessness prevention program administered by CBOs in high-need neighborhoods. Participating CBOs help individuals and families obtain public benefits and emergency rental assistance, and take advantage of existing community-based resources such as job training, child care, financial counseling, and anti-eviction legal services. Since 2014, the City has opened nine new HomeBase sites and doubled the funding for the program. This

Supportive Housing Task Force expansion has allowed services to be provided to an average of 11,000 Report, 2016. additional households each year.



The City also has increased emergency rental assistance funding to ensure that rent-burdened New Yorkers who are at risk of eviction can stay in their homes. Through the Human Resources Administration/Department of Social Services (HRA/DSS) **Emergency Grants program** (also known as **One Shot**), approximately 168,000 households received emergency rent assistance between January 2014 and November 2016, at an average of \$3,400 per household.

The City's efforts to reduce the number of New Yorkers living in shelters have been paired with a program to improve the physical condition and financial stability of shelters. Teams of inspectors from the Department of Homeless Services (DHS), HPD, DOB, DOHMH, and other agencies as appropriate have begun twice-annual inspections of every shelter, and have worked with shelter providers and contractors to make needed repairs quickly. In the first ten months of 2016, City agencies had conducted 12,986 inspections of the shelters, and worked with providers to reduce the number of outstanding violations in non-cluster shelters by 83 percent.

Under Housing New York, the City set out to explore new models to use our resources more efficiently to both provide shelter to New York City's homeless households and to provide permanent affordable housing. In 2015, the City launched **HomeStretch**, which leverages shelter financing to provide cost-effective, purpose-built shelter along with affordable housing for formerly homeless households on the same site. The first site to use this new model is **Landing Road Residence** in the Bronx.

The provision of rental assistance is a critical component to addressing homelessness. The Administration has created several new rental assistance programs, including **LINC**, **CityFEPS**, **SEPS**, and **HOME TBRA** to help homeless households afford permanent housing. HPD and NYCHA also have made federal Section 8 vouchers available to help house homeless households.

To increase rentals through these new assistance programs, the City has repeatedly reached out to landlords, management companies, and brokers, offering a variety of incentives including lease signing bonuses and forward payment of rent. At the same time, the City is fighting housing discrimination by landlords who refuse to accept tenants with rental assistance.

Rental assistance, while critical, can only go so far in a city with such a low vacancy rate. Financing affordable housing specifically for formerly homeless households is one of the strongest tools to address homelessness in New York City. HPD and HDC already have financed the construction or preservation of 5,160 units set aside for formerly homeless households.



#### **Come Home NYC**

Taking on homelessness requires partnerships with the City's excellent non-profit organizations. For example, the City is working with Enterprise Community Partners on Come Home NYC, a pilot program that helps building owners lease units to homeless clients, provides the owners with financial protection against rent arrears, physical damage to unit, and legal costs, and connects homeless families with services to help them remain housed. Come Home NYC is increasing the number of affordable apartments leased to homeless households by providing hands-on assistance to ensure a smooth referral and placement process that allows quick and easy lease-ups, and by better preparing families for the transition to permanent housing.

#### **Case Study: Landing Road Residence (HomeStretch)**

**HomeStretch** is an innovative new model that co-locates and co-finances transitional shelter and permanent affordable housing. The program leverages shared financing to provide cost-effective shelter and to subsidize rents for very low-income, formerly homeless individuals and families on the same site.





**Landing Road Residence**, located in the University Heights neighborhood of the Bronx, was the inaugural development under the HomeStretch program. The project offers a 200-bed transitional shelter for working homeless single adults, along with 135 units of affordable housing. By leveraging public sources through DHS for the shelter component and better integrating financing, the City lowered the cost of the capital required to construct the project. The shelter and permanent housing components will have separate entrances and amenities, but co-exist in one building envelope, providing a physical pathway from homelessness to housing security.

In addition to permanent housing, HomeStretch will provide a variety of on-site social services including workforce development training, employee retention, and housing retention services to facilitate the transition from shelter to self-sufficiency.

A variety of tools have enabled the City to incorporate more homeless units than ever across our affordable housing programs. HPD requires homeless set-asides, for example, in the majority of its financing programs. These set-asides include:

- **30 percent** in the SARA New Construction Program
- **30 percent** option in the ELLA New Construction Program
- **20 percent** required in the HUD Multifamily Preservation Program
- **10 percent** required in the Participation Loan Preservation Program • **10 percent** required in the LIHTC Preservation Program (Year 15)

HPD is experimenting with new ways to finance the development of affordable housing for vulnerable and extremely low-income households without relying on conventional rental assistance. In 2016, HPD launched **OurSpace**, which provides additional capital subsidy to create a reserve to fund extremely low-income units (0 – 30 percent of AMI or up to \$24,500 for a family of three) that are affordable to homeless households without relying on rental assistance.

OurSpace subsidy is provided in addition to other funds available through HPD New Construction programs. The City will refine OurSpace as experience with it grows, and will continue to look for other creative ways of financing housing to serve households whose incomes will not support the minimum rent required to allow the units to operate.

Inclusionary Housing and Inclusionary Preservation provide additional incentives for the creation and preservation of supportive housing. HPD has financed the construction of three supportive housing buildings over the past three years under the voluntary Inclusionary Housing program, securing new supportive housing units in prime Manhattan locations. In July 2016, HPD inaugurated a new **Inclusionary Housing Preservation** program, which allows building owners to use proceeds from the sale of air rights to renovate existing affordable housing buildings that are then permanently restricted for affordable housing. The program provides the building owner with the resources they need to rehabilitate the building, without using the City's capital subsidy dollars, while ensuring permanent affordability and eliminating the risk that the building owner will raise rents to market rate in the future. The first project to use the new program was the Prince George, a 416-unit supportive housing project in midtown Manhattan that is now permanently affordable.

The City requires owners of new buildings benefiting from the 421-a tax exemption to make apartments available to formerly homeless households referred by the City's shelters. 421-a projects with affordable units subject to a community preference that are being marketed by HPD or HDC are required to rent up to half of the community

preference units to eligible homeless households from the community. These households must also meet the project's income requirements and other eligibility criteria permitted by the **HPD/HDC Marketing Handbook**. Twenty percent of a typical project subject to affordability requirements in effect under the 421-a law that expired in 2015 is affordable; of the affordable units, half are filled through a community preference, and up to half of those (i.e. five percent of all the building's apartments) will be used to provide housing opportunities for formerly homeless households from the community.

### **Case Study: The Prince George**

The Prince George is a 13-story, Beaux-Arts style building in the Gramercy section of Manhattan that Breaking Ground acquired after the property had spent many years in decline. After a major rehabilitation was completed in 1999, the building was re-opened as a 416-unit affordable housing development with on-site supportive services for low income and formerly homeless and disabled tenants.





It is the first project to close under the new Inclusionary Housing Preservation program, which allowed Breaking Ground to use proceeds from the sale of air rights to perform significant rehabilitation work including roof and façade repairs, elevator modernization, energy efficient boiler replacement, and HVAC upgrades. Sales proceeds not used for rehabilitation of the building will be used to fund permanent affordability through reserves for future capital and operating subsidy needs.

In addition, with HPD approval, some of the excess sales proceeds may be used to fund future affordable housing projects. In exchange, Breaking Ground made the building permanently affordable.





The City has stepped up compliance monitoring to ensure that all projects in HPD's or HDC's portfolios meet their commitments to lease to homeless families. In the past three years, HPD and HDC have doubled the number of annual placements of formerly homeless households by tracking the major

milestones of the referral process more effectively; standardizing tenant selection criteria to reduce the number of applicants rejected; and streamlining DHS tenant referrals to allow the City to better prioritize who should be referred to homeless set-asides.

Mayor de Blasio (above) helps 16 formerly homeless veterans move into their new affordable apartments at the newly constructed 655 Morris Avenue development just in time for the holidays.

Below, in January 2016, Mayor de Blasio assembled the Supportive Housing Task Force to advise the City on innovative

In December 2015, HUD and the Veteran's Administration certified that New York City has ended chronic homelessness among veterans. Since then, work has been ongoing to effectively end homelessness among all veterans. As of September 1, 2016, New York City had 443 homeless veterans, down from 1,645 in the 2014 Point in Time (PIT) Count. The City has reduced the average length of stay for veterans in shelter by 50 percent since December 2015, by building a rapid rehousing system. HPD also continues to create permanent supportive housing for veterans by using HUD-VASH vouchers.

solutions and recommendations for the future of supportive housing in New York City. The 28-member

Task Force was co-chaired by **Expand Supportive Housing** representatives from HRA/DSS, HPD, and the Supportive Housing

Network of New York. Supportive housing is affordable housing with on-site services to meet special

needs. It is a proven, effective model that saves public dollars and fulfills the City's moral commitment to house New Yorkers in need. Expanding supportive housing production is critical to helping the most vulnerable homeless individuals and families. In November 2015, Mayor de Blasio committed to creating 15,000 supportive housing units over 15 years. To date under Housing New York, HPD has financed 2,431 supportive housing units. This includes units that are part of the prior NY/NY commitments, supportive housing specifically for homeless veterans, as well as the early stages of the 15,000 unit commitment.



The City is streamlining the placement of homeless New Yorkers in supportive housing and reducing bottlenecks through the **Coordinated Assessment and Placement System (CAPS)**, currently being piloted at six DHS shelters. The pilot is assessing families and households in shelter to determine the types of housing for which each might be eligible. The system will match the eligible applicants to vacant units. CAPS will help ensure that available units are filled quickly by efficiently matching vacant apartments to the prospective supportive housing tenant who needs it the most.



The **Moving On program** is creating much-needed vacancies in existing supportive housing projects. HPD has partnered with the Corporation for Supportive Housing (CSH), the Robin Hood Foundation, and five non-profit providers to help graduates of supportive housing move on to an even greater level of independence. HPD provides Section 8 vouchers, Robin Hood is funding aftercare services, and CSH provides technical assistance to non-profit

program participants. The program is currently underway; to date, HPD has issued 125 vouchers and 40 individuals have already moved on to their own apartments, freeing up apartments in the supportive housing portfolio for those currently in shelter and in need of on-site support.

First **Moving On** client, Matoka Joyner, leaves NYC supportive housing, relieving pressure on the **Improve Housing Options for Seniors** City's crowded shelter system.

The City committed to creating or preserving 10,000 affordable apartments for seniors over 10 years. To date, HPD and HDC have financed 4,043 senior housing units under Housing New York. 1,496 of these are new construction, while 2,497 are preservation units in buildings that needed renovations or were reaching the end of their affordability restrictions. In addition to increasing the supply of senior housing, the **Senior Citizen Rent Increase Exemption (SCRIE)** program keeps seniors' rents affordable and helps them age in place.

### Serviam Heights



Serviam Heights is a new 197-unit green and affordable housing development for low-income and formerly homeless seniors. The third phase of the "Serviam" senior housing campus, partially located on the Academy of Mount St. Ursula's campus in the West Bronx, involves the rehabilitation and conversion of a four-story convent building into 57 apartments, the new construction of a nine-story building

containing 140 apartments, and the conversion of a two-story chapel into a senior community life center and office space. All units will receive projectbased Section 8 rental assistance vouchers provided by NYCHA. Thirty apartments will be set aside for homeless or formerly homeless seniors.

In 2014, HPD launched the **Senior Affordable Rental Apartments (SARA)** program, which funds the construction of new affordable housing for low-income seniors. SARA is modeled after the HUD 202 program, a Federal funding source that has not created any



new units in many years. Given the number of senior citizens who are extremely rent-burdened, the City decided to move forward with a senior housing program even in the absence of HUD 202. The SARA program finances new construction with a capital subsidy through HPD, rental assistance through NYCHA or HPD, as well as a tenant services coordinator through a forthcoming HRA RFP.

HPD and NYCHA have partnered to develop senior housing on NYCHA campuses. Two senior housing projects already have been awarded through RFPs at Ingersoll Houses in Brooklyn and Mill Brook Houses in the Bronx, and pre-development for these two projects is well underway.

Ingersoll Senior Housing (left) in Fort Greene, Brooklyn will provide 145 new affordable apartments for low-income seniors as well as a ground floor senior center operated by Services and Advocacy for GLBT Elders (SAGE).



Mill Brook Terrace (right) in Mott Haven in the Bronx will create 156 new affordable apartments for low-income seniors as well as a new senior center featuring a commercial kitchen, large dining room, neighborhood community space, and activity rooms for senior programming. Below, the Mayor speaks to a resident at the Red Oak Apartments' Senior Center on the Upper West Side of Manhattan.

The City is especially proud that two senior projects in HPD's pipeline will include partnerships with an LGBTQ service provider. These projects will help to ensure that senior housing is welcoming to all, including LGBTQ seniors.

ZQA is a critical tool for increasing the supply of senior housing, and has created more flexibility to accommodate the diverse housing needs of a growing senior population. ZQA enables the construction of affordable senior housing that can never be



converted to market-rate housing. By modifying requirements that once favored parking lots over affordable housing, ZQA makes senior buildings more financially feasible and allows better community and outdoor spaces for tenants. ZQA also encourages the creation of nursing care, assisted living, and other senior care facilities, allowing New Yorkers more options to stay in their communities as they age.



The City has worked to increase enrollment in SCRIE, which freezes the rent for seniors living in rent-regulated apartments. Increasing the income eligibility for SCRIE recipients from \$29,000 to \$50,000 per year has helped more seniors access this benefit. Since increasing the income ceiling for SCRIE alone, the City enrolled over 6,500 new enrollees who would not have been eligible to obtain some relief from rising rents. Department of Finance, CAU, and the

Public Engagement Unit have ongoing efforts to reach eligible individuals who have yet to enroll and to help current recipients with annual recertification. HPD will continue to try to ensure that eligible seniors in MitchellLama developments are receiving the benefit.

## Ensure Accessible Housing for Individuals with Disabilities



The City has ramped up efforts to ensure accessible, affordable housing for individuals with disabilities by increasing the number of accessible apartments, raising the incomes eligible for the **Disability Rent Increase Exemption (DRIE)**, trying to make sure all those eligible are taking advantage of DRIE,

and working to ensure maximum participation of individuals with disabilities in the housing lottery.

The Mayor's Office for People with Disabilities (MOPD) and HPD are working together to educate individuals with

The City has enrolled 20,000 seniors and people with disabilities in the NYC Rent Freeze Program since expanding access in June, 2014. The program, which includes the Senior Citizen Rent Increase Exemption (SCRIE) Program and the Disability Rent

Increase Exemption (DRIE) Program, helps those eligible stay in affordable housing by freezing their rent.

disabilities about the availability of accessible and affordable apartments. The agencies are collaborating to improve the accessibility of the lottery application and lease up process for people with disabilities. At the same time, HPD works to ensure that both architects and contractors are meeting their obligations to provide accessible homes.

DRIE protects people with disabilities living in rent-regulated apartments from rent increases. Increasing the DRIE income eligibility from \$20,412 to \$50,000 aligns the program with

SCRIE rental assistance for seniors and allows more New Yorkers to access this benefit.

The City is also working to make the Housing Connect lottery system more efficient and accessible, and broadening marketing efforts for the buildings the City finances, to ensure that all eligible individuals with disabilities who are not already stably housed participate in housing lotteries.

NYC's Housing Connect Lottery System now reaches over 35,000 households where at least one member has a disability. Between 2015 and today, we saw a 70% increase in the number of households identifying as having someone with a hearing, vision, or

mobility disability. HPD is also increasing oversight to ensure that all programs, services, and activities meet the requirements under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and other Federal, State and City regulations governing accessibility. The agency has hired a full-time Disability Services Facilitator / 504 Coordinator who will lead agency efforts to ensure greater access to HPD's programs and services for people with disabilities. The Disability Services Facilitator serves as the primary liaison with MOPD and disability advocacy groups, and focuses on ensuring that HPD publications, processes, and events are accessible to New Yorkers with a range of disabilities.

# Conclusion



## **Challenges Ahead**

As we move on to another year of Housing New York, we face considerable uncertainty. The November 2016 election is likely to bring significant changes that could have profound effects on the production and operation of affordable housing and on the lives of New York City's low-income families. First, of course, the federal budget will affect many of the programs the City has relied upon to finance affordable housing, maintain NYCHA's housing, provide rental assistance to the city's households, and fund critical programs like the enforcement of housing quality standards. In the past three years, for example, HPD has used almost \$2 billion of federal funds to pay for project-based rental assistance, ensure that the entire city's housing stock meets the health and safety requirements of the city's Housing Maintenance Code, assist with disaster recovery, and finance the new construction and preservation of affordable housing. NYCHA received over \$9 billion in federal dollars since 2014 to maintain and operate its housing, but that was considerably less than the federal government should have provided. The federal support, which has already been declining, is further in jeopardy.

In addition, between NYCHA and HPD, the City provides federal rental assistance (Section 8 vouchers) to approximately 120,000 households. Again, federal budget cuts could reduce the number of vouchers available, cutting the life-line many families use to be able to remain in their homes.

The federal government, as a result of tax credit reform in 1986, created the LIHTC. Under the LIHTC program, investors buy credits that reduce their income tax obligations, which in turn funds the development and preservation of low-income housing. The price of the credits, which determines the amount of money available to help finance affordable housing projects, depends upon the corporate tax rate and many other laws and regulations that govern how much corporations must

pay in income taxes. The new administration's interest in corporate tax reform may significantly affect the price of credits and, accordingly, the number of units we are able to finance.

Similarly, affordable housing finance depends heavily on the availability and value of tax-exempt bonds. Each year, the federal government allocates bonds to states to finance affordable housing and other investments that serve the public interest. New York State then allocates some of those bonds to localities. Should federal tax reform eliminate or reduce the ability of state and local governments to issue those bonds, or if tax reform reduces their value significantly, the City's ability to finance affordable housing will be seriously impaired.

The uncertainties the change in federal administrations poses also affect the City's development partners. Proposed budget cuts could pose serious challenges to the many community based organizations and community development corporations the City works with to develop, preserve and operate affordable housing and to provide all the social services and other supports that residents of the housing may need. Those organizations have played a critical role in stabilizing and rebuilding so many of the City's neighborhoods, and threats to their funding could undermine our housing and community development efforts and our neighborhoods.

The extent to which any or all of these potential threats on the federal front will become a reality is, as yet, unknown. And of course, many of the challenges on the state and local front that were outlined in Housing New York persist. But the uncertainties looming as Congress begins its new session are sobering reminders that we need to "make hay while the sun shines" and get as much affordable housing as possible into the pipeline. We can continue to debate how to fine-tune our policies and programs, but that healthy debate should not

overshadow the need to just get it done: to keep or place as many people as possible into affordable homes, and to ensure that every one of the city's neighborhoods shares in the city's wealth of opportunities.

There are opportunities ahead as well, and we need to move quickly to seize those chances to improve our affordable housing programs. New building technologies, for example, may allow us to reduce, or at least stem the increase in, construction costs.

We've had three years of amazing progress – financing affordable homes for more than 170,000 New Yorkers. But so much more needs to be done – not just for the families that struggle to pay the rent every month, but to protect the values that are at the core of New York City. Affordable housing is the foundation of New York City's diversity and inclusivity. It allows us to retain and attract a rich mosaic of people – whose wide-ranging backgrounds, cultures, religions, points of view, and experiences provide the incredible richness of ideas and innovations that give the city its special energy, spirit, and vitality.

As Housing New York said three years ago:

***“This is a plan to get ahead of the curve, to protect neighborhoods, and build our City's next generation of affordable housing. It's about knitting communities together.***

...

***The challenge before us is a daunting one, but New York City has never shied away from a challenge. We have inherited the world's greatest city from the generations that came before us, and we must take decisive action to build a just, equitable, inclusive and prosperous city, today and for the generations to come.”***



***“We have to remember that the best and the brightest are born in every neighborhood, in every zip code. And what marks a just society is that it allows them all to reach their potential.”***

***-Mayor Bill de Blasio***

## **Glossary**

**420-c** The 420-c program provides a tax exemption for low-income housing developments financed through tax credits and controlled by charitable organizations. Under this program, the property

owner must adhere to a regulatory agreement with (or approved by) HPD limiting rents in 70 percent of units to levels affordable by low-income households (making up to 60 percent of AMI). In return, the City grants a full or partial tax

exemption for the land and building for the duration of the regulatory agreement (up to 60 years).

**421-a** 421-a tax incentive programs provide partial tax exemption for new construction of multiple



dwelling on lots that were vacant, predominantly vacant or improved with a non-conforming use three years prior to the start of construction. The benefit may extend for 10, 15, 20, or 25 years, depending on the location of the development and any affordability provisions.

### **Affordable Housing**

**Preservation** This refers to the preservation of the affordability of the existing housing stock. Current affordable housing may be unregulated privately owned property, regulated privately owned property, or publicly-owned property. The City, in coordination with Federal, State, private, and non-profit partners, preserves affordability by offering building owners low cost loans for capital needs or refinancing and/ or tax incentives for operations in exchange for regulatory agreements limiting rents to affordable levels.

### **Area Median Income (AMI)**

Area Median Income is a HUD-determined metric used to determine income level qualifications for affordable housing programs. For instance, low-, moderate-, and middle-income households are categorized by a calculation of AMI.

### **Asset Management of HPD/HDC**

**Financed Buildings** Asset managers monitor HPD and HDC-financed buildings from selected programs; they assess capital needs, financial stability, and regulatory compliance. Asset managers intervene where necessary to return buildings to physical and financial soundness through payment plans, loan programs, refinancing, and other tools.

**City Capital** Capital funds are used to primarily support the new construction and rehabilitation of affordable housing projects across the

City. Capital is also used to fund key housing support functions such as office reconstruction and computer upgrades. Capital investment is generated through the issuance of General Obligation (GO) bonds. All uses of capital funding must meet eligibility requirements established by the City and State.

**Code Inspection** Housing Code Inspectors enforce the New York City Housing Maintenance Code and New York State Multiple Dwelling Law by responding to complaints from 311 calls and conducting proactive building inspections in a number of specialized programs. Violations are issued as Class A, Class B (hazardous), or Class C (immediately hazardous) and are enforceable in Housing Court.

### **Community Facilities**

Under New York City Zoning Code, community facility space in a building is used to provide educational,

health, recreational, religious or other essential services for the community it serves. Buildings that contain both residential and community facility uses are subject to special density regulations.

### **Department of City Planning (DCP)**

The New York City Department of City Planning oversees the City's zoning and land use processes. It works to promote strategic growth and development in the City, in part, by initiating planning and zoning changes for individual neighborhoods and business districts.

**Department of Finance (DOF)** The Department of Finance collects over \$30 billion in revenue for the City and values more than 1 million properties worth a total of over \$800 billion. DOF also records property-related documents, administers exemption and abatement programs,

adjudicates and collects parking tickets, maintains the City's treasury, chairs the City's Banking Commission, and acts as the City's chief civil law enforcement officer.

### **Department of Homeless Services (DHS)**

The New York City Department of Homeless Services works to prevent homelessness by providing short-term emergency shelter and re-housing support in partnership with its clients, public agencies, and the business and nonprofit communities.

### **Department of Housing Preservation and Development (HPD)**

Using a variety of preservation, development and enforcement strategies, the Department of Housing Preservation and Development strives to improve the availability, affordability, and quality of housing in New York City, and to create and sustain

viable neighborhoods for New Yorkers.

### **Department of Small Business Services (SBS)**

The Department of Small Business Services makes it easier for businesses in New York City to start, operate, and expand by providing direct assistance to business owners, fostering neighborhood development in commercial districts, and linking employers to a skilled and qualified workforce.

### **Disability Rent Increase Exemption (DRIE)**

The Disability Rent Increase Exemption (DRIE) program provides protection from rent increases for low- to moderate income tenants with disabilities living in rent-regulated apartments.

### **Homebase**

Homebase is the City's homelessness prevention program. With locations throughout the five boroughs, the program connects people to an array

of services to keep them in their homes and help prevent them from entering the shelter system. These services include family or tenant/landlord mediation, household budgeting, emergency rental assistance, job training and placement, and benefits advocacy.

**Homeless Set-Aside Units** A homeless set-aside is a unit in a City-funded project that is reserved for referrals from the homeless shelter system. Occupants of these units are often paired with Section 8 vouchers, when available and if the occupant is eligible.

**Housing Development Fund Corporations (HDFC)** Housing Development Fund Corporations are non-profit entities that oversee limited equity housing cooperatives or rentals to provide low-income housing for New Yorkers.

**Housing Maintenance Code** A City law (Chapter 2 of Title 27 of the New York

City Administrative Code) governing minimum housing standards in NYC residential buildings.

### **HUD Multifamily**

The HUD Multifamily Loan Program leverages public and private sector financing to rehabilitate and preserve privately owned HUD-assisted rental housing throughout New York City. The Program's mission is to ensure long-term affordability, stabilize low-income properties and revitalize neighborhoods. The Program targets buildings that are most distressed due to physical neglect and financial mismanagement, as well as those properties that face expiring HUD use restrictions or are considered "at-risk" of opting out of subsidy programs and converting to market rate housing.

### **Human Resources Administration (HRA)**

The New York City Human Resources Administration/

Department of Social Services (HRA/DSS) provides temporary help to individuals and families with social service and economic needs to assist them in reaching self-sufficiency. HRA serves more than 3 million New Yorkers through essential and diverse programs and services that include: temporary cash assistance, public health insurance, food stamps, home care for seniors and the disabled, child care, adult protective services, domestic violence, HIV/AIDS support services, and child support enforcement.

### **Inclusionary Housing Program**

The current Inclusionary Housing Program provides a zoning bonus for multiple dwelling developments in return for new construction, substantial rehabilitation, or preservation of permanent affordable housing.

**Low-Income Housing Tax Credit (LIHTC)**

LIHTC refers to federal tax credits awarded by HPD to qualified low-income housing projects in New York City. To be eligible, projects must be substantial rehabilitation or new construction with at least 20 percent of apartments reserved for low-income households. The credits are sold to investors to generate equity for the rehabilitation or new construction work.

**Major Capital**

**Improvement (MCI)** When owners make improvements or installations to a building subject to the rent stabilization or rent control laws, they can apply to the State's Division of Housing and Community Renewal (DHCR) for approval to raise the rents of the tenants based on the actual, verified cost of improvement or installation.

**Minority/Women-Owned Business Enterprise (M/WBE)**

Although definitions can vary slightly between jurisdictions according to factors unrelated to gender and ethnicity, a minority- and women-owned business enterprise is a business that is at least 51 percent owned, operated, and controlled by a woman or a member of a racial or ethnic minority group.

**Mitchell-Lama Program**

Created in 1955 under the Private Housing Finance Law, the Mitchell-Lama program provides affordable rental and cooperative housing to moderate- and middle-income families. There are currently 95 City-sponsored, moderate- and middle-income rental and limited-equity cooperative developments in the city, which contain over 47,000 units. HPD supervises waiting lists, management issues, and other oversight responsibilities for New

York City's Mitchell-Lama developments. In some cases, responsibility is shared with HUD. New York State also oversees a Mitchell-Lama portfolio within New York City. There are eligibility requirements related to income limits, family size, and apartment size for both City and State assisted Mitchell-Lama developments.

**New York City Economic Development Corporation (EDC)**

New York City Economic Development Corporation is the City's primary vehicle for promoting economic growth in each of the five boroughs. NYCEDC's mission is to stimulate growth through expansion and redevelopment programs that encourage investment, generate prosperity and strengthen the City's competitive position. NYCEDC also helps create affordable housing, new parks, shopping areas, community centers, and cultural centers.



### **New York City Housing Authority (NYCHA)**

NYCHA's 334 public housing developments house more than 400,000 New Yorkers across the five boroughs, and another 235,000 receive subsidized rental assistance in private homes through the NYCHA-administered Section 8 Program. HPD, in collaboration with NYCHA, rehabilitates NYCHA housing stock and constructs low- and moderate-income units on vacant NYCHA property.

### **New York City Housing Development Corporation (HDC)**

The New York City Housing Development Corporation provides a variety of financing programs for the creation and preservation of multifamily affordable housing throughout the five boroughs of New York City. HDC programs are designed to meet the wide range of affordable housing needs of

the city's economically diverse population.

### **New York State Division of Housing and Community Renewal (DHCR)**

The New York State Division of Housing and Community Renewal (DHCR) is responsible for the supervision, maintenance and development of affordable low- and moderate-income housing in New York State. DHCR oversees and regulates the State's public and publicly-assisted rental buildings; administers housing development and community preservation programs; and maintains and enforces the State's rent regulations.

### **New York State Housing Finance Agency (HFA)**

The New York State Housing Finance Agency offers financing to build affordable housing and preserve existing affordable housing in communities

across the State of New York.

### **NY/NY Agreements**

The "New York/New York" agreements are a series of three City-State agreements signed by three separate mayors since 1990 to fund the creation and ongoing operations of some 15,000 units of supportive housing for homeless New Yorkers with special needs.

### **Office of Management and Budget (OMB)**

New York City's Office of Management and Budget oversees an annual expense budget of \$69.9 billion and a capital budget of more than \$9.2 billion per year. With a staff of approximately 300 employees, OMB prepares and monitors the budgets and programs of over 80 City agencies and covered organizations such as the Transit Authority, Health and Hospitals Corporation and the Housing Authority.

### **Permanently Affordable Housing**

In the Inclusionary Housing Programs, housing that generates the zoning bonus must remain affordable for as long as the market-rate housing that receives the bonus continues to use that bonus.

### **Project-Based Section 8 Vouchers**

Project Based Vouchers are HUD rental vouchers designated to specific units that require tenants residing in that unit to pay 30 percent of their income towards rent, with the subsidy covering the remainder.

**Rent Guidelines Board (RGB)** The Rent Guidelines Board is a local body with a mandate in both state and local law to investigate conditions within the residential real estate industry and to establish fair rent adjustments for rent stabilized units.

**Section 8** HUD's Housing Choice Voucher program, commonly referred to as Section 8, is the nation's largest affordable housing program for renters. HPD's Section 8 program serves nearly 37,000 households and is the nation's fifth largest. Participants receive a voucher that covers the difference between 30 percent of their gross annual household income and the cost of their rent plus utilities. Payments are made by HPD directly to the participating landlord.

### **Senior Citizens Rent Increase Exemption (SCRIE)**

The Senior Citizens Rent Increase Exemption (SCRIE) program provides protection from rent increases for low- to moderate income seniors living in rent-regulated apartments.

### **Supportive Housing**

Supportive housing is affordable housing with onsite comprehensive social services to help

chronically homeless individuals with special needs to remain stably housed.

### **Tenant Interim Lease Program (TIL)**

The Tenant Interim Lease Program provides assistance and training to organized tenant associations in occupied Cityowned buildings of three or more dwelling units to develop economically self-sufficient, low income tenant-owned cooperatives. During City ownership, HPD provides major rehabilitation and management training. Rental income covers operating expenses, minor repairs, and management fees. Rents are restructured before buildings are sold to the tenant association in order for the buildings to remain financially viable after sale.

**U.S. Department of Housing and Urban Development (HUD)** The U.S. Department of Housing

and Urban Development is the nation's federal housing agency. HUD provides funding and programmatic support to sustain homeownership, create affordable housing opportunities for low-income Americans, and support the homeless, elderly, people with disabilities, and people living with AIDS. HUD also promotes economic and community development

and enforces the nation's fair housing laws.

### **Veterans Affairs Supportive Housing (VASH)**

The HUD-Veterans Affairs Supportive Housing (HUD-VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA).

### **Year 15 Program**

HPD's Year 15 Program seeks to preserve LIHTC units beyond "Year 15", the point at which tax credit investors may exit the program. Participating projects receive mortgage modifications and rehabilitation loans in exchange for extending regulatory agreements another 15 to 30 years.

## **Acknowledgments**

Housing New York is a massive enterprise, involving not just an unparalleled investment of resources, but the creative thinking and commitment of the teams at numerous City agencies and our partners at all levels of government and across the affordable housing community. This is the best team in the business – dedicated public servants who care about getting it right and getting it done for the people of New York and the future of our City. The progress detailed in this report would not have been possible without the herculean efforts of the following people and their extraordinarily dedicated teams:

**Vicki Been**, Commissioner, Department of Housing Preservation and Development

**Eric Enderlin**, President, Housing Development Corporation

**Shola Olatoye**, Chair, New York City Housing Authority

**Maria Torres-Springer**, President, Economic Development Corporation **Carl Weisbrod**,

Chair, City Planning Commission

and

**Steven Banks**, Commissioner, Human Resources Administration/Department of Social Services

**Dr. Mary Travis Bassett**, Commissioner, Department of Health and Mental Hygiene  
**Gregg Bishop**, Commissioner, Department of Small Business Services  
**Victor Calise**, Commissioner, Mayor's Office for People with Disabilities  
**Marco A. Carrión**, Commissioner, Community Affairs Unit  
**Rick Chandler**, Commissioner, Department of Buildings  
**Tom Finkelpearl**, Commissioner, Department of Cultural Affairs  
**Dean Fuleihan**, Director, Office of Management and Budget  
**Jacques Jiha**, Commissioner, Department of Finance  
**Feniosky Peña-Mora**, Commissioner, Department of Design and Construction  
**Lorelei Salas**, Commissioner, Department of Consumer Affairs  
**Vincent Sapienza**, Acting Commissioner, Department of Environmental Protection  
**Mitchell J. Silver**, Commissioner, Department of Parks and Recreation  
**Dr. Loree Sutton**, Brigadier General (ret.) and Commissioner, Department of Veterans Services  
**Polly Trottenberg**, Commissioner, Department of Transportation  
**Daniel Zarrilli**, Chief Resilience Officer, Mayor's Office of Recovery and Resiliency





And we want to say a special thanks to outgoing City Planning Chair **Carl Weisbrod** whose contributions have earned him a place in history as one of our city's great civic leaders. Through 25 years of service, Carl has made a lasting imprint on the City of New York, most recently with the passage of the nation's strongest Mandatory Inclusionary Housing program and the most sweeping overhaul of the zoning text

since 1961, which lowered the cost of building affordable housing and will foster a new generation of homes for seniors. We wish him well in his new role as Chair of the Trust for Governors Island, and thank him for his tireless work to keep our neighborhoods affordable, our economy competitive, our businesses thriving, and our communities strong.

Carl Weisbrod and Vicki Been celebrating the passage of MIH and ZQA.

We also want to express our profound gratitude to outgoing HPD Commissioner **Vicki Been**, the architect and driving force behind the Mayor's ambitious affordable housing plan. Under her bold, principled leadership, we financed 62,506 affordable residences, including the highest three years of new construction in the City's history. Through her brilliant legal acumen, encyclopedic knowledge of housing and land use policy, and can-do, roll-up-your-sleeves management style, she helped change the

paradigm for how we will grow as a City for generations to come. She led with warmth, integrity, humor, and compassion, and leaves a distinct stamp on the agency, not just through new policies and programs, but a cultural mindset committed to ensuring that we achieve more affordable housing for every public dollar spent and that our housing reaches the New Yorkers who need it most. As Vicki returns to her post at NYU Law School and the Furman Center, we thank her for her tireless service and take heart that as we navigate the challenges ahead, we will have her continued partnership in the ongoing fight to keep New York City a city for all.

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