



MITCHELL-LAMA RESIDENTS COALITION

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WEBSITE: www.mitchell-lama.org

Landlords' latest gambit to gut pro-tenant law fails as SCOTUS refuses to hear their case

The latest effort by landlords to destroy New York State's Housing Stability and Tenant Protection Act crumbled in February, as the US Supreme Court, which had earlier declined to hear two other landlord groups' lawsuit on much the same issue, declined in February to hear the current cases. That move left intact the law, passed several years ago, that provides the strongest protections tenants have had in years.

Plaintiffs in the current case were two groups of landlords represented by 74 Pinehurst LLC and 335-7 LLC. They had argued that the rent stabilization law was unconstitutional because it had lowered the value of their property, and therefore amounted to an unconstitutional "taking." They also said the law violates the Due Process clause of the Constitution, according to [Courthouse](#)

[News Service](#), because they could not remove tenants to enable their own family members to occupy the apartments.

But SCOTUS' refusal to hear the case allowed last year's decision of the US Court of Appeals for the Second Circuit to stand. That decision held that law was not a "taking" since the owners had "decided to welcome tenants into their buildings and could still evict those who violated their leases," as reported in [City Limits](#).

But landlords may not be giving up. Commenting on the decision, the executive director of the Community Housing Improvement Program, one of the earlier landlord groups, promised that his group would "continue pushing for reforms" of the tenant protection act at the state level, according to [Bisnow](#), a real estate reporting service.

Park Reservoir cooperators lose in effort for special election to topple current board

Cooperators at Park Reservoir, a Mitchell-Lama development in the North Bronx, lost their bid to oust the current board of directors by holding a special election.

In early February, the state's Division of Homes and Community Renewal declined to either require a new

election or set a special meeting to hold an election for the purpose of removing the current board.

The shareholders had argued that their earlier attempts to hold an election were thwarted because
(Continued on page 8)

Bill to ease SCRIE process for older M-L residents

A bill passed by the City Council in February would simplify the process of applying for a rent increase exemption for older adults living in Mitchell-Lama housing.

If and when signed by the Mayor, the bill would require the City's Department of Housing Preservation and Development to provide a simple application form for the exemp-

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tion, known as SCRIE (Senior Citizens Rent Increase Exemption).

The form would be pre-filled by HPD, thereby eliminating much of the burden for the tenant.

In a Council [press release](#), Councilman Eric Dinowitz stated that "Everyone deserves to age with dignity and security. When we talk about affordable housing it's not just about a roof over our heads, it's about the life-sustaining stability that affordable housing provides. . . . "By simplifying the SCRIE process for city-run Mitchell-Lama tenants, we're not only giving much-needed support to our older neighbors, but also setting a precedent for future measures to enhance the affordable housing stock, especially for vulnerable populations."

Under SCRIE, as explained by HPD,
(Continued on page 8)

**Strengthen MLRC
Join today (use form on page 2)**

**MLRC
General Membership Meeting
Saturday, March 23, 2024 at 10 a.m.**

**The meeting will be
held online via Zoom.
Members will be
informed by regular mail**

CONTACT: Info@mitchell-lama.org

Mitchell-Lama Residents Coalition
PO Box 20414
Park West Station
New York, NY 10025

Succession at M-L coops: what must boards consider?

Dean M. Roberts, Sr. Partner & Chair
Norris McLaughlin

The following is selected from a discussion at Habitat, an online and on-air publication covering co-op and condo board management. For the full discussion, see the [transcript](#). Reprinted with permission.

The basic premise of succession at Mitchell-Lama co-ops is that families should not be displaced because a shareholder has died. So if you are an adult family member, either by blood or in a non-traditional sense, you may apply to take over ownership if you have lived in the apartment with the tenant for two years before the person passes or permanently vacates.

Rejection [of a shareholder seeking succession] is risky. The state and city, which regulate Mitchell-Lamas, have strict regulations regarding succession.

While boards aren't directly involved, there are a lot of administrative costs that co-ops have to bear in the succession process. And it's their fiduciary duty to ensure that the managing agent knows the government procedures and the process is followed.

Co-ops can reject an application if [the applicant] is not financially qualified. But an affordable Mitchell-Lama apartment is an incredible windfall, and people are highly incentivized to litigate if their claim is denied. I can think of literally less than a handful of cases where a

co-op has been successful in rejecting one.

Consistency is key. I think the prudent thing for boards to do is to have a discussion with their managing agent as to what that co-op's policies are and make sure there are clear guidelines, especially when it comes to occupancy.

Under state and city regulations, boards can apply their occupancy standards to succession. If a married couple with children has a three-bedroom apartment and the children move out and a spouse dies, they'd end up with a single elderly shareholder in that unit.

Boards can vote to have occupancy standards applied to succession rights so there isn't a misallocation of apartment resources, but they have to be uniformly applied.

Tenants file lawsuit against owner in collapsed Bronx bldg.

Tenants who live in the partially collapsed building at 915 Billingsley Terrace in The Bronx have signed onto a lawsuit accusing the owner, David Kleiner, of deliberately allowing the premises to crumble and deteriorate in an effort to drive them out. The suit also accuses the owner of violating rent-stabilization laws and of pressuring them to waive their rights to sue. Since 2019, the building has garnered at least 133 violations including hazardous conditions, according to a report in [The Gothamist](#).

UPCOMING EVENTS

MLRC General Membership Meeting

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Saturday, March 23, 2024
10:00 a.m. - noon

Members will be notified regular mail

For more information, e-mail:
info@mitchell-lama.org

Mitchell-Lama Residents Coalition, Inc.

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Mail to: MLRC, PO Box 20414, Park West Finance Station, New York, NY 10025

NYCHA's first hearing on plan to demolish Chelsea Elliott and Fulton Houses sparks pro and con responses by tenants

Residents of NYC Housing Authority's Chelsea Elliott and Fulton Houses presented conflicting views in February at the Authority's first of three public hearings on its plan to demolish the deteriorating buildings and replace them with new housing, retail space and community areas.

Supporters of the \$1.5 billion plan argued, at the Fulton Center in Chelsea, that the deterioration had progressed so far that repairs would be virtually useless.

They were also encouraged by the plan's agreement to have 94 percent of the current tenants remain where they are until the new units become available, for which they will have first option to inhabit. The remaining six percent would be relocated within the community, all at the same rental of thirty percent of their

household income.

Opponents voiced fears that the redevelopment would, invariably, result in the displacement of long time residents who would have no real option of comparable affordable dwellings. Redevelopment and displacement have gone hand in hand in the city, and elsewhere, for decades.

When the redevelopment proposal was first presented to residents several years ago, the majority of tenants voted to oppose it, citing fears of displacement. But many later argued that the Authority's onsite repairs were often of almost no value, given the long-running deterioration.

In a second polling of tenants, in June of last year, the majority supported the redevelopment.

Developers are the Related Companies and Essence, both selected by tenants.

MLRC members learn of info requests, income caps, and advocacy efforts at January meeting

Freedom of Information Law (FOIL) requests, creation of an ombudsman to advocate for Mitchell-Lama tenants, proposal for a bill to grant tenants the right of a first refusal if a landlord wants to sell, and issues involving rent increase exemptions for seniors and disabled residents were among the key issues discussed at the MLRC general meeting on January 20th.

Held via Zoom, the meeting attracted around ninety members. It was presided by Co-Chair Jackie Peters.

Concerning FOIL, the co-op committee reported on its efforts to distribute information on how shareholders can make a request to obtain financial information about their developments and construction projects at their complexes.

The group announced that in the meantime, instructions on making a request online are available at the Mayor's [Office of Environmental Information](#), and at the City's [Open Records Portal](#).

Regarding the right of first refusal, Warren Harding, chair of Mitchell-Lama United, discussed a law called TOPA, the tenant Opportunity to Purchase Act, which requires owners to give

tenants the first option of buying the building. If the tenants agree, they can then convert the building into "limited-equity cooperatives, community land trusts, or even public housing," according to [Housing Justice for All](#).

Harding also noted that MLU is actively supporting an Ombudsman Law which would create an office to advocate for M-L residents, and to provide information to residents in clear, non-legal-ese terminology.

Also on the legislative front, the steering committee reported that MLRC will focus on adding a cost-of-living adjustment for seniors and disabled residents, currently in around 70,000 households, receiving rent increase exemptions (SCRIE and DRIE).

City Councilwoman Gail Brewer reported that she will reintroduce to the Council a bill keying the income cap of those residents to the Consumer Price Index.

On a related issue, MLRC plans to work with Senator Liz Krueger, who chairs the Senate's finance committee, and has proposed to have Medicare monthly payments excluded from calculations of income.

New York City's rentals are highest in nation

It's official: For renters, on average, New York City is the most expensive place to live in the United States.

A report issued in January by [Zumper](#), which defines itself as the nation's "largest privately-held rental marketplace," found that the median, or most typical, monthly rent for a one-bedroom apartment here was \$4,040, the highest in the country.

That's more than two and a half times higher than the median rent for the nation as a whole, which amounted to \$1,496.

And for the same month compared with the year before, New York's one-bedroom rent jumped 9.5 percent.

Following New York City was, surprisingly, Jersey City, where rent for the same type of apartment reached \$3,220.

Zumper's findings reinforce an earlier [report](#) by New York State Comptroller Thomas P. Napoli, which found that housing costs in New York City and the surrounding suburbs have grown more than sixty-eight percent over the last decade, the largest increase among selected major metropolitan areas in the U.S.

Good news for tenants?

Zumper, however, argues that its findings amount to good news for tenants, at least nationally, because rental inflation has finally cooled.

Although tenants in this city and the other super-high rent areas (Jersey City, Boston, San Francisco, Miami, etc.) might beg to differ, Zumper argues that "The year of the American renter has officially begun."

In other parts of the country, Zumper found, rental prices were "decreasing more rapidly across the Sun Belt," and although price increases continued throughout most of the Midwest," the national picture for tenants is rosy.

"At \$1,496 and \$1,847, respectively," the report continued, "the national medians for both one and two bedrooms remain flat over last month."

And they're actually "a full percentage point lower than its September 2023 peak of \$1,511."



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Dayton Beach Park shareholders will finally hold elections, after years of legal battles

Elections for board members of Dayton Beach Park, a M-L cooperative in Far Rockaway, for years prevented by the city's department of Housing Preservation and Development because of numerous violations—including bribery—by current board members, will be allowed to proceed in May.

Notwithstanding the findings of an independent audit, which included non-shareholders voting and serving on the board, illegal stock certificates resulting in huge maintenance increases, plus other violations, current board members will be allowed to run.

A report in the *Rockaway Times*, a local newspaper, noted that HPD agreed to allow the elections to bring the long-running dispute to an end, and to avoid more years of legal wrangling. The actual election, however, will be monitored by an outside firm.

The local councilwoman, Joann Ariola, said that while she was "disappointed" in HPD's decision to allow current board mem-

bers to run, she was pleased that the voting will now proceed.

"I urge all shareholders to come out and vote once the date of the election is set in stone," she said, "so this chapter in the history of Dayton Beach Park can finally come to a close."

Findings of the independent monitor that kept elections at bay included:

- Some past board members were not shareholders;
- Non-shareholder board members were provided with stock certificates, implying that they paid equity. Some of them even violated rules by voting to refinance the corporation's mortgage to the tune of \$47 million, which resulted in huge increases to actual shareholders;
- Some board members were treated preferentially, such as getting larger apartments, even though they did not meet M-L occupancy standards. They also received favored treatment for such amenities as parking spots.

One45 Harlem proposal back on track with support from Councilman Yusef Salaam

The on-again/off-again controversy regarding One45, a proposed multi-housing project containing a mix of affordable and market rate apartments in Harlem, is on again.

The location, a graffiti-ridden lot serving as a truck depot at West 145th Street and Columbus Avenue, has long been the site of a battleground between the owner, Bruce Teitelbaum, and the former Councilwoman representing the district, Kristin Richardson Jordan.

Teitelbaum, a former aide to ex-Mayor Rudy Giuliani, proposed that fifty percent of the proposed 915 units be affordable; Jordan held out for one hundred percent, fearing that anything less would spur gentrification and the inevitable displacement of long time residents. That discord appeared to lay to rest the project.

But Jordan is now gone, and her replacement, Yusef Salaam, has indicated his support for resucce-

tating the proposal. Salaam is one of the Exonerated Five, a group of young Black men falsely accused and convicted of a rape in 1989. They were exonerated and released in 2022.

Teitelbaum has said that he and Salaam have been discussing reviving the project, and that there will be "something encouraging to announce soon after the start of the new year," according to the *N.Y. Daily News*.

A revised proposal calls for two towers, no museum, and a separate eight-story building available solely for seniors and those in need of supportive housing.

Obstacles still remain, however. Notwithstanding Council support, financing for the proposal is an issue. Teitelbaum is reportedly hoping that NYS Gov. Hochul will come up with a new tax abatement or other financial benefit for developers.

Housing vacancy rate in NYC drops to less than two percent

Having difficulty getting an apartment for rent in New York City? You're not alone: the vacancy rate for our city's rental units is at an all-time low of 1.4 percent.

This is the finding of the City's latest [Housing and Vacancy Survey](#), conducted annually by the U.S. Census Bureau. In the survey's words: "The net rental vacancy rate in 2023 for all housing accommodations in New York City was 1.41 percent. . . This was one of the lowest net rental vacancy rates on record since the NYCHVS began in 1965 and stands in contrast to the historically high net rental vacancy rate in 2021 of 4.54 percent."

And for the lowest rents, of course, the picture is even more bleak: less than one half of one percent (0.39%).



MLRC Developments

These developments are members of the Mitchell-Lama Residents Coalition

Individual Membership: \$15 per year
Development Membership: 25 cents per apt
 (\$30 minimum; \$125 maximum)

Donations above membership dues are welcome

Adee Towers	Masaryk Towers Tenants Assn
Albany Executive House Apartments	Meadow Manor
Amalgamated Warbasse	Michangelo Apartments
Arverne Apartments	109th St. Senior Citizens Plaza
Atlantic Plaza Towers	158th St & Riverside Dr. Housing
Bethune Towers	Parkside Development
Castleton Park	Pratt Towers
Central Park Gardens	Promenade Apartments
Clayton Apartments	RNA House
Coalition to save Affordable Housing of Co-op City	Riverbend Housing
Concerned Tenants of Sea Park East, Inc.	River Terrace
Concourse Village	River View Towers
Dennis Lane Apartments	Rosedale Gardens Co-op
1199 Housing	Ryerson Towers
Esplanade Gardens	Starrett City Tenants Assn
Franklin Plaza	St. James Towers
Independence House Tenants Assn	St. Martins Towers
Independence Plaza North	Strykers Bay Co-op
Inwood Towers	Tivoli Towers
Jefferson Towers	Tower West
Knickerbocker Plaza	Trinity House
Linden Plaza	Village East Towers
Lindsay Park	Washington Park SE Apts
Lindville Housing	Washington Square SE Apts
Lincoln Amsterdam House	Westgate Tenants Assn
Manhattan Plaza	Westgate
Marcus Garvey Village	Westview Apartments
	West View Neighbors Assn

Efforts to stop displacement curtailed**'Neighborhood preference' for affordable housing lotteries to drop to 15 percent**

Efforts to counter displacement of residents in areas of new construction, and efforts to combat racial discrimination in those same areas—once a single, united battle—have now been pitted against each other, thanks to the gutting of a program initially developed to meet both goals.

In the 1960's and 1970's heyday of the federal Urban Renewal program, under which vast numbers of mostly Black and Hispanic residents were forced out of their neighborhoods to make way for new housing construction—most of which went to wealthier primarily white citizens—affordable housing activists and civil rights workers argued that "*Urban renewal means Negro removal.*"

Organizing against displacement in the city continued during the following decades. (Similar efforts are underway elsewhere in the country. In Louisville, Ky., the municipality is proposing a [bill](#) that "would require developers seeking public funds or resources to prove that projects in historically-Black neighborhoods will not displace residents or businesses.")

Partly as a result of the activists' efforts, and partly to persuade whiter and wealthier residents to allow for more affordable housing in *their* neighborhoods, Mayors Bill de Blasio and Michael Bloomberg promised all neighborhoods that around half of the units in newly built affordable housing would go to current residents, regardless of ethnicity. The policy was called Neighborhood Preference.

In effect, it was a proposal, at least in part, to mitigate rampant displacement of Black and Hispanic residents.

But that very policy was itself a motor of racial discrimination, according to the nonprofit Anti-Discrimination Center.

The Center argued, in a court case filed in 2015, that lottery housing (buildings utilizing a lottery to win affordable units) that was built in largely white areas, Black people and Latinos outside of those areas would, in effect, be disadvantaged, since they would have fifty percent less of a chance than residential white people to acquire a valued apartment.

Likewise, in minority neighborhoods, the Center argued, preference for current Black and Latino residents would serve to reinforce existing discrimination: they'd be financially encouraged to remain in segregated areas.

The Center won. Efforts to stop displacement withered.

In January, a ruling by Federal Court Judge Laura Taylor Swain noted that the existing preference policy "causes a disparate impact against African American and Hispanic New Yorkers, perpetuate segregation and constitutes intentional discrimination in violation of the Fair Housing Act, and New York City Human Rights Law."

Under the [court agreement](#), preference for affordable units in new lottery housing will drop from fifty percent to twenty percent within the next five years, and after that to fifteen percent.

AFL-CIO investment trust financed \$2.2b for affordable units in NYC & upstate

Since its inception in 1984 the AFL-CIO's Housing Investment Trust, founded to "help unions earn a competitive return on pension fund assets and create union jobs and housing," according to an official statement, has invested \$2.2 billion for more than 46,000 units of housing (of which 91 percent is affordable) throughout the five boroughs and several upstate areas.

The [data](#), released by the Trust, provides a breakdown of total units, affordable units, and investment amount per project.

For example, at Amalgamated Housing in the Bronx, the trust invested \$13 million for 105 affordable units.

At West End Towers in Manhattan, the trust invested \$23 million for 143 units, of which 28 were affordable.

Equivalent data for all the developments is provided borough by borough.

Nationwide, the trust has invested or allocated \$10.4 billion for 124.9 thousand housing and health facilities by 2022, according to its latest published annual [report](#).

HPD offers new incentives to build affordable units in high rent areas

Housing developers planning construction in wealthier NYC neighborhoods are being offered a new incentive to hold the majority of apartments at rents affordable to residents at a variety of income levels.

The incentive, known as [Mixed Income Marketing Initiative](#), will offer developers—both for-profit and non-profit—significant tax breaks and other subsidies if they agree to hold seventy percent of the new units affordable to residents earning varying amounts of income. The remaining thirty percent may be rented at market or luxury levels.

To be administered by the City's department of Housing Preservation and Development, the initiative reflects the Adams Administration's push to generate more affordable apartments in neighborhoods historically reluctant, if not outright hostile, to such units.

Those neighborhoods include not only traditionally wealthy enclaves like the Upper East Side and the Financial District, but more moderate areas like Park Slope and Bayside, Queens, which are nevertheless unaffordable to large swaths of New Yorkers, according to a report by David Brand in [The Gothamist](#).

Developers accepting the program will also be required to allow the affordable units to be governed by the city's rent stabilization rules.

Atty General: Scores of NYCHA employees charged in 'pay for play' corruption scheme

A kickback scheme involving scores of NYCHA employees was exposed in February by the federal Justice department.

Superintendants, assistants and numerous other NYCHA workers had granted small contracts in exchange for more than two million dollars from contractors in a "pay for plan" procedure, according to US Attorney Damian Williams.

He added that the scheme was in place in at least one hundred NYCHA developments, as reported in [The Gothamist](#).

The ten worst offenders in the scheme, according to the New York Daily News, pocketed more than one million in bribes. In response to the expose, Bronx Democratic Rep. Ritchie Torres introduced a bill to have NYCHA publicly disclose information on all contracts, regardless of dollar amount.

Harvard: Housing costs at 'staggering heights': homelessness in US reaches all-time high

The following is based on a press release of a [report](#) from Harvard's Joint Center for Housing Studies

Climbing rents have propelled cost burdens to staggering new heights: in 2022, half of all US renters were cost burdened. The number of renter households spending more than thirty percent of their income on rent and utilities rose by two million in just three years to a record high of 22.4 million

A new [report](#) from Harvard's Joint Center for Housing Studies found that among these renters, 12.1 million had severe burdens, paying over half of their income for housing, also an all-time high.

And while rental markets are finally cooling, evictions have risen, the country is seeing the highest homelessness counts on record, and the need for rental assistance is greater than ever.

Rentals have cooled but remain at historic highs

Rent growth has almost completely stopped, following historically high rent increases in pandemic-era 2021 and 2022. In the third quarter of 2023, rent growth plummeted for professionally managed apartments to just 0.4 percent, down from 15.3 percent in early 2022.

This abrupt deceleration was geographically widespread, with rents even falling in some markets. Although the slowdown is a welcome change for renters, asking rents still remain well above pre-pandemic levels.

New housing starts have fallen

Amid market slackening and high financing costs, multifamily starts have fallen sharply in recent months. In October 2023, starts receded to 402,000 units, a thirty percent decrease year over year. Nevertheless, units that were already in the construction pipeline continue to come online in large numbers.

Unaffordability at new heights

The extended period of rising rents during the pandemic put unaffordability at an all-time high. The share of cost-burdened renters rose to fifty percent, up 3.2 percentage points from 2019, and the financial strain has been felt across the income spectrum.

Since 2019, cost-burden shares have risen the most for middle-income renter households earning between

\$30,000 and \$74,999 annually.

Higher-income households also saw their burden rate increase by 2.2 percentage points. Even lower-income renters making less than \$30,000 annually saw their cost-burden rate rise by 1.5 percentage points to eighty-three percent, with the majority (sixty-five percent) experiencing *severe* burdens, marking yet another all-time high.

Availability of low-rent units keeps dropping

The country's dwindling supply of low-rent units has only made things worse. In 2022, just 7.2 million units had contract rents under \$600, a loss of 2.1 million units since 2012. The spike in rents during the pandemic accelerated this trend, with more than half a million low-rent units lost between 2019 and 2022.

Rents significantly outpace incomes

Additionally, rent increases are outpacing income gains. In 2022, median rents were 21 percent higher than they were in 2001, while renters' incomes have risen just 2 percent during the same period.

Record number of homeless

Though pandemic-era protections and financial supports temporarily reduced eviction filings, these resources have largely expired, and housing instability is again on the rise. Homelessness has grown, hitting an all-time high of 653,100 people in January 2023.

Indeed, the number of people experiencing homelessness jumped by nearly 71,000 in just one year and in 2023, the total number of people experiencing homelessness in unsheltered locations reached 256,610, the highest on record.

Rental Stock Is Aging

The rental stock—buildings containing rental units—is older than it has ever been: the median age was forty-four years in 2021, up from thirty-four years two decades ago. And many units fall short of baseline habitability and safety: nearly four million renter households live in physically inadequate units.

The rental stock also needs significant energy efficiency and electrification

improvements. Rental homes—especially those in small multifamily buildings—use more energy per square foot than owner-occupied homes. Additionally, more than eighteen million occupied rental units (forty-one percent) are located in areas with substantial expected losses from weather and climate hazards such as wildfires, flooding, earthquakes, and hurricanes.

Need for rental assistance is greater than ever

During the pandemic, the increase in financial aid demonstrated that such assistance and supports keep tenants stably housed and landlords solvent. As these resources have expired, however, the housing safety net is once again overwhelmed and underfunded.

And while states and localities have acted to fill some of the gaps, a larger commitment from the federal government is required to expand housing supports and preserve and improve the existing affordable stock. Only then will the nation finally make a meaningful dent in the housing affordability crisis making life so difficult for millions of people."

Lander: Pandemic-related loss of staff at HPD causes backlog in affordable housing starts

A plummeting drop of staff at the City's Department of Housing Preservation and Development, a direct result of the pandemic, was responsible for a serious backlog of affordable housing starts, according to a [report](#) released in February by City Comptroller Brad Lander.

"The number of affordable housing starts declined significantly during FY22," the report noted, "dropping to just 14,793 units – nearly 12,000 units less than the average number of affordable housing starts over the four previous fiscal years."

Between April 2020 to October 2022, HPD lost 286 seasoned personnel, which caused significant increases in construction and preservation delays.

Not all the news was bad, however. The report praised HPD for hiring "an additional 863 full time employees in the past six fiscal quarters, while losing only 651 people. Likely as a result, the agency increased its spending rate from 60% of capital plan commitments in FY22 to 90% in FY23."

Affordable housing news from around the nation

National: Low-income coalition critiques new federal tax proposal

A bipartisan proposal to resuscitate the Low Income Housing Tax Credit, a former major financial spur to affordable housing, came under sharp criticism in January from the National Low Income Housing Coalition. Contained within an \$80 billion package, the proposal restores a 12.5 percent increase to the Credit that had expired in 2021, and allows more private borrowing to construct non-market rate housing.

But it does not deal at all with homelessness, nor "help to build or preserve homes affordable to households with the greatest and clearest needs," the Coalition argued in a [press release](#). "Apartments built with the [LIHTC] are typically too expensive for extremely low-income households to afford."

The group said the primary cause of homelessness "is the lack of rental households with the lowest incomes and the widening gap between wages and housing costs."

Bryan, Ohio: Pastor faces criminal charges for providing shelter to homeless

Rather than sit by idly while homeless people sleep on the street because of a paucity of traditional shelters and affordable housing, a pastor in this small Ohio town invites them into his church to spend the night in a clean, warm and safe environment.

For that, he faces criminal charges.

City officials claim that the pastor, who owns Dad's Place—a small building offering dinners, movies, and community events in addition to traditional worship services—is in violation of zoning laws and safety rules. They cite a gas leak recently discovered. The pastor, Chris Avell, called the charges nit-picking, according to a report in [Huffington Post](#). He said the key issue is the lack of affordable housing throughout the city. His attorney blames the mayor who, he believes, "is on a mission to beautify the town and boot homeless people out."

Calif: Major west coast manager fined \$2.04 million for rent gouging

Invitation Homes, a leading manager of single-family rental houses on the west coast, will be fined \$2.04 million for illegally hiking rents on around nineteen hundred homes in California between

2019 through 2022, according to the state's [attorney general](#), Rob Bonta. The firm will also pay \$2.04 million in civil penalties, and it has already refunded or credited tenants who paid more than state law allows. Nationwide, the firm manages around 80,000 homes.

Richmond, Va.: Black church to use land for affordable housing

A plan to develop a 1.5 acre property it owns, which now includes some retail stores and the church itself, into a development comprising 192 apartments and forty town houses suitable for low income residents was announced by Village of Faith Ministries, as reported by [Next City](#). Construction will be provided by D.R. Horton, which defines itself as "America's largest home builder."

Wellston, Mo.: Residents win battle to save public housing units

A plan to demolish 201 units of deteriorated public housing in this small suburb was fought successfully by the tenants through a combination of organizing and fortuitous events, including the pandemic, a federal shutdown which kept the department of Housing and Urban Development from functioning, and the resignation of a corrupt county executive, as reported by Amy de la Hunt in [Shelterforce](#).

As word of the planned demolition spread, religious, legal aid and other community groups began to organize in opposition. That effort resulted in a "\$44.5 million community reinvestment project that renovated and saved 186 of the homes," financed through a combination of US tax credits and vouchers.

Tennessee: Medicaid cutoff blamed for huge spike in evictions

In 2005, the state stopped Medicaid for around 190,000 people, arguing the cut was needed to rein in costs. As a consequence, when compared with other Southern states, Tennessee "saw a 24.5% greater increase in the average annual number of evictions" according to a new report in [Axios](#), an online news source reporting on a [study](#). The study's findings noted that dropping Medicaid has "implications for the housing stability of Medicaid recipients today, many of whom are being disenrolled because of the unwinding of the Medicaid continuous enrollment provision that is occurring across the country."

Local Housing Briefs

Old Brooklyn funeral home may convert to housing

The owner of a century-plus funeral home in Brooklyn is seeking approval to convert the building into an apartment/commercial complex. If all goes according to plan, the Dahill Funeral Home, founded in 1911, will contain 155 apartments, of which 40 will rent at below-market rates. Commercial space and a medical office will also be included, according to [The Real Deal](#).

Bill seeks to guarantee right to counsel for all NYS tenants

The Right to Counsel Coalition, a group comprising tenant leaders and other housing activists, have introduced a bill to guarantee free legal representation for any tenant throughout the state facing eviction. Sponsored by **State Senator Rachel May** and four other senators, the bill, S2721, would expand the rights guaranteed to New York City tenants to all tenants statewide. It calls for funding of \$500 million per year.

The bill was introduced as evictions within the city surged during the second half of 2023, according to [The Gothamist](#). Records at the city's Department of Investigation show that city marshalls were involved in around 12,000 NYC evictions in 2023, close to double the previous year.

Manhattan rental broker fined \$260,000 for exorbitant fees

The real estate broker firm City Wide Apartments will be forced to pay out \$260,000 for charging tenants exorbitant broker's fees. Of that, \$50,000 is the actual fine, and \$250,000 will go to tenants who were overcharged during the years, as reported by [The Gothamist](#). Efforts in the city and state to cap brokers' fees in the past few years have consistently failed in the face of organized real estate opposition.

More than a quarter of NYC's rental households were behind on rent in 2021

In June 2021, more than a quarter of rental households in the New York City metropolitan area were behind on rent, according to a new [report](#) by the state comptroller's office. The national figure was fifteen percent. Although the city's figure dropped slightly over the next two years, it remained at eighteen percent; for the nation as a whole that year, it was twelve percent. In terms of rent-burdened families, Brooklyn led the five boroughs at more than 323,000 households.

Office building into migrant shelter? Owner discussing possibility with City

A 17-story commercial building in the center of Manhattan's garment district may become a shelter for homeless migrant people.

Recently occupied largely by We Work, the firm that provides fully-furnished offices for startup companies, the building, 315 West 36th Street, now sits largely vacant following We Work's decision to stop paying rent, given its own financial straits.

An article in [Bisnow](#), an online

real estate reporting service, said the building's owner, Walter & Samuels, is currently discussing the feasibility of transforming it into a shelter with the administration of Mayor Eric Adams. If successful, the plan goes through, the shelter would occupy the space for three years.

WeWork had occupied nine stories of the building since 2015, but stopped paying rent last year. The firm is now engaged in bankruptcy proceedings.

Northwest Bronx zoning proposal receives mixed reactions in neighborhoods

Under a new rezoning proposal from the Department of City Planning, neighborhoods in the Northwest Bronx would become the site of at least two thousand new affordable apartments, plus thousands of new jobs, as well as a science hub and health center.

As reported by [The City](#), the proposal is based on the plan to create four new MetroNorth stations in

Co-Op City, Hunts Point, Morris Park and Parkchester, for which a community review process is now in effect.

City Council members and the borough president have reportedly signed onto the proposal, but some community planning boards have expressed traditional concerns of displacement of residents and small businesses, as has happened in the borough's Mott Haven area.

Former Bronx ADA & family indicted on housing scheme

A former Bronx assistant district attorney and some of her relatives were indicted by Manhattan DA [Alvin L. Bragg, Jr.](#) for defrauding HPD by providing "false information on applications to rent and own affordable housing units in a scheme that secured the family members hundreds of thousands

of dollars in benefits for which they were ineligible, or which they illegally obtained."

Those indicted include former ADA Jennifer Jacques, 38, her brother Samuel Jacques, and their mother, Marielle Jacques, 66.

Bill to ease SCRIE process for older M-L residents

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a tax credit given to the owner covers the difference between the rent and what the tenant is responsible for paying at the frozen rate.

The longer the tenant is in the

program, the greater the benefit, HPD notes. If the tenant enters the program today, continues to renew and meet all eligibility requirements, the current amount to pay for rent today could be the same in 20 years.

Park Reservoir cooperators fail in effort for special election to topple current board

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the efforts " failed to generate a quorum," as reported in [The Riverdale Press](#). The state letter noted that their investigation found that, by properly

following the bylaws, "the cooperative board of directors exercised their business judgment to cancel the election, which is entitled to deference under New York law."

Proposed 'social housing' agency sought in Albany

A new state-created agency—currently in the proposal stage—may generate much needed affordable housing for New Yorkers, without depending either on private construction corporations or on federal funding.

The proposed agency, to be known as the Social Housing Development Authority, would finance the construction of new mixed-income apartment buildings by issuing municipal bonds, that is, by borrowing. Interest on the bonds would be paid for by rents.

If it comes to fruition, the new SHDA would still be able to work with private sector developers and managers, but would not be dependent on the degree of profit typical of for-profit firms.

A report in the [New York Times](#) noted that the bill for the new agency is sponsored by Emily Gallagher, a Democratic state assemblywoman, representing northern areas of Brooklyn.

[Housing Justice for All](#), a statewide nonprofit activist group supporting the bill (S.8494 in the State Senate, and A.9088 in the Assembly), noted that at least a quarter of all units created by the new agency would be reserved for very low-income, or even no-income, households. Also, all the apartments would remain affordable forever.

Supporters of the proposal include the New York Working Families Party, the Building Construction Trades Council, the New York City District Council of Carpenters, the United Federation of Teachers, and the city's chapter of Democratic Socialists of America.

Legal Aid Society sues Adams Admin for refusing to act on new voucher laws

A refusal by Mayor Eric Adams to fully implement new laws that increase accessibility to City vouchers resulted in a class action lawsuit filed against the Administration by the Legal Aid Society in February, [The Gothamist](#) reported.

The laws, passed by the City Council, were initially vetoed by the Mayor; the veto was then overridden by the Council. The laws allow tenants to acquire CityPHEPS vouchers, which pay a tenant's rent up to thirty percent, while the City covers the rest.

In January, Deputy Council Speak Diana Ayala asked the Social Service Commissioner, Molly Park, if it was true that the Administration was not enforcing the law, according to a report in [City Limits](#).

Park acknowledged that because of "financial, operational and legal issues," the laws "cannot be implemented at this time."