

A man in a blue suit and green tie with his hands clasped, holding a black digital voice recorder.

Assessing De Blasio's Housing Legacy

Why Hasn't the "Most Ambitious Affordable Housing
Program" Produced a More Affordable City?



THE AUTHOR

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is an informed, independent, and unwavering voice for positive action representing low-income New Yorkers. CSS addresses the root causes of economic disparity through research, advocacy, and innovative program models that strengthen and benefit all New Yorkers.

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Reader Summary

The de Blasio administration came into office promising to address the deep inequalities that plagued New York City, with a distinct emphasis on housing affordability. Seven years later, thanks in large part to aggressive and persistent organizing and advocacy, some important strides have been made. Despite these gains, however, and despite headline-grabbing housing production numbers, housing in New York City has remained deeply unaffordable, speculation and segregation have persisted, and homelessness has reached record highs, all before the Covid-19 pandemic sent the city into a deep recession and exacerbated all the city's pre-existing racial and economic inequities. While the causes for New York's housing crisis are bigger than any one mayor, the de Blasio administration's approach to housing ensured that many of the system's most pernicious features would not only endure but expand.

This report looks back at de Blasio's housing legacy so that we may think creatively and act boldly toward an equitable recovery. Policy recommendations related to its key findings will be elaborated further in a forthcoming report from the Right to a Roof coalition entitled *The Right to a Roof: An Integrated Housing Plan to End Homelessness and Promote Racial Equity*.

Key Findings

- **A Mix of Gains and Losses:** Mayor de Blasio paradoxically presided over an expansion in affordable housing spending and production and an ongoing growth in homelessness and relentless rent burdens, particularly for low-income tenants. The affordable housing that was built and preserved under his mayoralty failed to match dynamics of housing need. Nonetheless, at the behest of housing movement organizers and advocates, the administration made several important strides, including establishing the Right to Counsel, creating and expanding rental assistance programs, mandating a housing set-aside for homeless New Yorkers in city-subsidized apartments, and appointing Rent Guidelines Board members who passed rent freezes or low rent increases for rent stabilized tenants.
 - o **Recommendation:** The next administration must develop an approach to housing production and preservation that directly confronts and explicitly addresses the destructive practices of speculation and segregation, and ensures all New Yorkers have safe and healthy housing.
- **Too Focused on Numbers over Need:** One of the mayor's primary sources of prestige—that his plan seeks to create and preserve 300,000 units of affordable housing, and that his housing department is well on its way to fulfilling that aim—also points to one of the problems with this approach: the administration has prioritized achieving its chosen metrics without ensuring that those metrics address the city's actually existing affordability crisis. In fact, the act of chasing large quantities of the wrong metrics incentivized the administration to prioritize plans and programs that were most expedient—those that produced the greatest number of units with a given amount of investment, or those most favored by the private developers and investors upon which their plans relied—rather than those which would have met the greatest need, or which could have done the least harm. This led to the production of large quantities of housing that is unaffordable to most neighborhood residents and unavailable to most homeless New Yorkers.
 - o **Recommendation:** The next administration must target its housing production goals and resources to the people and places who need it most by providing more and deeper affordability citywide.
- **A Siloed Approach to Housing Planning:** Rather than pursuing an integrated approach to housing, the mayor treated public housing and homelessness as fundamentally separate issues from those covered in his primary plan, Housing New York. This all but ensured that public housing and homelessness would be given lower priority relative to other housing programs. During his time in office, NYCHA'S capital budget backlog rose an alarming 471 percent from \$7 billion to \$40 billion, and the number of homeless New Yorkers rose by as much as 15,000.
 - o **Recommendation:** The next administration must create an integrated housing plan that brings together all the agencies involved in housing, building, and planning to create one coordinated strategy focused on ending homelessness and promoting racial equity.

Introduction

Eight years ago, Bill de Blasio ran for mayor in a campaign that emphasized the city's dire inequalities. He highlighted the ways the Bloomberg administration had, for the prior 12 years, prioritized the wellbeing of the rich at the expense of the poor, and in both his stump speeches and policy platforms he named housing as a key site of inequity and a top priority for his candidacy. De Blasio characterized the Bloomberg administration's affordable housing policies as "treading water, barely producing enough new units to offset the affordable homes we lose in a given year," and offered instead "fundamental change that addresses the struggle of millions of New Yorkers—policies that take dead aim at this Tale of Two Cities."¹ When he won the 2013 mayoral election, he promised bold visions and sweeping reforms from his administration.

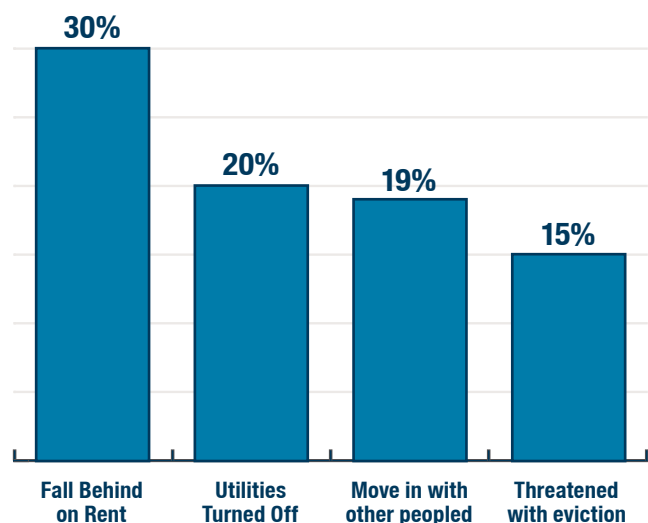
Today, however, after seven years in power, housing remains an acute crisis for many New Yorkers. In 2019, four in ten low-income New Yorkers (those under 200 percent of the Federal Poverty Line) were either homeless or severely rent burdened, paying more than half of their income in rent. Thirty percent of low-income renters fell behind on their rent, 20 percent faced utility shut-offs, 19 percent had to move in with others, and 15 percent faced threats of eviction.² (See Figure 1.) Working-class and poor New Yorkers clearly continue to experience housing hardships, with the most acute conditions disproportionately facing Black, Latinx, and Asian tenants. The Covid-19 pandemic and its economic impacts threw these facts into stark relief.

Ironically, this moment mirrors one faced by the very administration de Blasio succeeded and rebuked. In the final days of the Bloomberg administration, City Planning director Amanda Burden spoke frankly about the contrast between the growth over which the Bloomberg administration presided and the persistence of the housing crisis. "We had every year almost 30,000 permits for housing, and we built a tremendous amount of housing, including affordable housing, either through incentives or through government funds. And the price of housing didn't go down at all."³

Seven years later, Mayor de Blasio and his top deputies and commissioners are struggling with a similar dynamic. Despite significantly expanding the city's affordable housing programs, the price and paucity of available housing remains one of the greatest challenges facing low-income New Yorkers and communities of color. In fact, by some key metrics, the housing affordability crisis has worsened over the past seven years.

This outcome is a disappointment but not a surprise for housing advocates and organizers, who have long insisted that de Blasio make a stronger break from Bloomberg's approaches to housing and planning. From the start of his time in office, coalitions like Real Affordability For All presented the administration with alternative approaches that would have led the city down a very different path, characterized by deeper affordability and greater concessions from developers.⁴ Instead, the mayor has pursued a course on housing that reproduces the very conditions that have long characterized our inequitable system: homelessness, displacement, gentrification, speculation, and segregation.

FIGURE 1: SHARE OF LOW-INCOME RENTERS EXPERIENCING HOUSING HARDSHIPS, 2019



Source: 2019 CSS Unheard Third survey, as reported in Mironova, Oksana and Thomas J. Waters. *A Sudden Shock to an Overburdened System: NYC Housing & COVID-19*. Community Service Society, April 6th, 2020.

We find that despite some significant initiatives, city policy has remained more responsive to the demands of developers than the needs of New Yorkers. The de Blasio administration:

- pursued a deal-driven agenda that prioritized sheer quantity over deep affordability, and ultimately failed to challenge the city’s longstanding racial and economic inequities; and
- maintained a siloed approach to housing that created separate and unequal plans for private housing, public housing, and homelessness.

The outcome has been major losses despite noteworthy gains, continuity with past planning regimes despite important changes, and a city that remains unaffordable despite a historic investment in affordable housing.

Bill de Blasio is not solely responsible for these outcomes. In addition to mayoral action and inaction, they also stem from previous mayoral legacies, structural real estate power, state preemption and federal retrenchment. Nonetheless, the mayor failed to deliver on his promise to combat inequality by fundamentally changing the city’s approach to housing. As we chart our way out of the economic recession sparked by Covid-19, new mayoral candidates will be putting forward visions for how they will address persistent racial and economic inequality in our city. To make real progress, we will have to understand how we got to this point in the first place.

Rather than a comprehensive assessment of all the mayor’s promises, plans, accomplishments, and shortcomings, this report is instead a survey and overview of the mayor’s approach to housing and the reasons why it failed to transform dynamics in the city. We begin by addressing the administration’s progress and regress on the housing front, then dive deeper into the explanations for these outcomes. The goal of this report is to shine light on what went wrong in order to clarify the need for the next administration to take a dramatically different approach to housing planning, preservation, and development.

Gains and Losses

Seven years in, the most salient fact about the de Blasio housing legacy is that his administration paradoxically presided over an expansion in affordable housing spending and production and an ongoing growth in homelessness and relentless rent burdens, particularly for low-income tenants.

Affordable Housing Production

The mayor’s housing plan, *Housing New York/Housing New York 2.0*,⁵ set out to finance the construction or preservation of 300,000 units of private affordable housing—housing reserved for people in a specific income group—at a projected cost of \$16.9 billion in public capital funds and \$82.6 billion in private investment.⁶ Riding a wave of economic and population growth until the pandemic and its related recession, the de Blasio administration spent historic levels of public investment on housing development and preservation.⁷ From the beginning, however, the plan’s production goals—though ambitious in unit counts and investment—differed starkly from dynamics of housing need.

As of July 1, 2020, the de Blasio administration had financed the construction of 50,656 new affordable homes and the preservation of 114,934 more, for a total of 165,590 affordable housing starts.⁸ Since the Koch administration in particular, New York City has ranked high among U.S. municipalities for the extent of its own affordable housing finances, but the de Blasio administration has increased those allocations to record levels.⁹

The administration relies on a mix of pre-established financing schemes and newly developed resources to create and preserve this housing. Often these programs combine with state and federal initiatives, such as Low-Income Housing Tax Credits and Section 8 vouchers. Each program is financed in its own fashion and is targeted toward a range of specific income bands, or percentage of the Area Median Income (AMI).

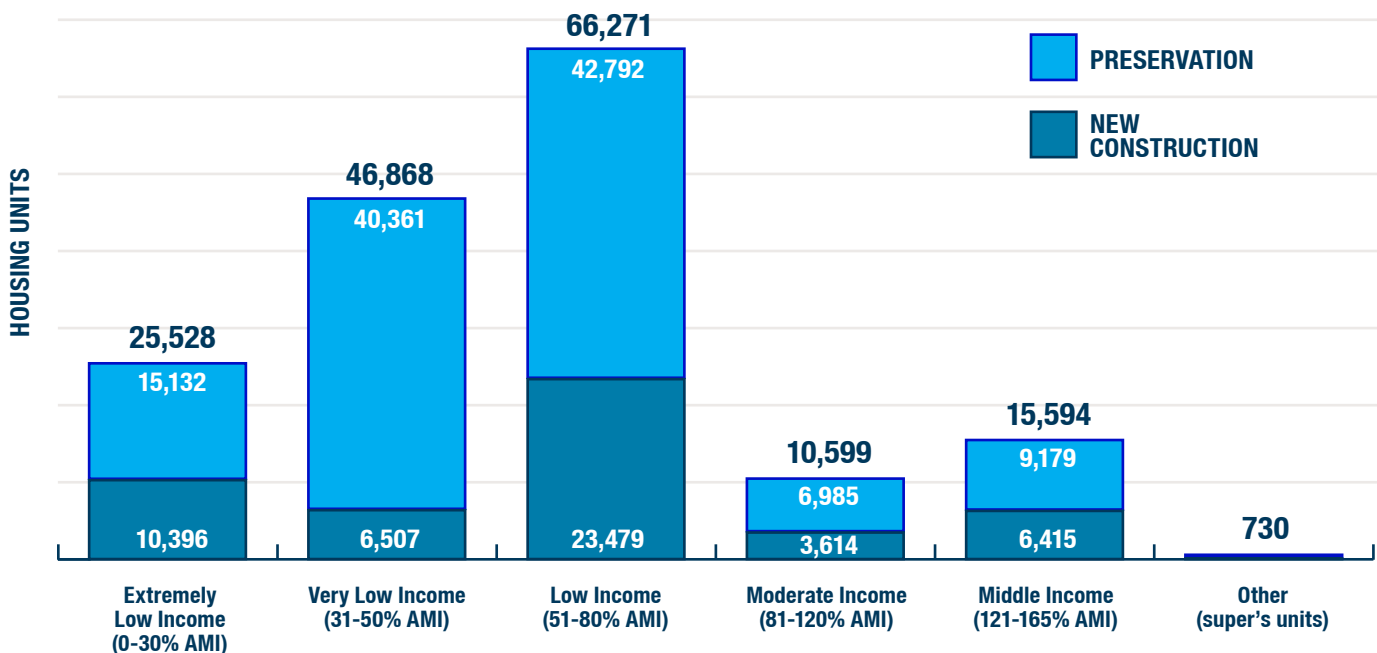
Several changes to these programs and the plan that guided them took place over the course of the de Blasio mayoralty, largely as a result of effective organizing and advocacy by community-based organizations, as well as pushes by the Public Advocate and the City Council. In Housing New York 2.0, the administration increased its target number of units to be preserved or developed by 100,000 and altered the city’s term sheets to include more possibilities for lower-income development. During his second term, following persistent organizing from homeless New Yorkers, the mayor committed to requiring 15 percent of new city-subsidized affordable construction be set aside for the homeless. Previously, the administration’s affordable housing term sheets provided few options for housing homeless New Yorkers, apart from supportive housing, which they plan separately.

As of July 1, 2020, the administration achieved the following breakdown of affordable housing construction and preservation by AMI levels. (See Figure 2.)

Within these unit counts and AMI groupings, the administration reports that they have produced 12,941 units for homeless New Yorkers (8 percent of total)¹⁰ and 9,180 units for seniors (6 percent of total).¹¹ Roughly half of these are preservation units, however, and are largely occupied, thus providing fewer immediate opportunities for homeless or senior households to find relief. Between Fiscal Years 2015 and 2019, only 2,618 homeless households were placed in Housing Preservation and Development (HPD)-financed units.¹²

The de Blasio administration has celebrated the fact that their affordable housing production has not only outpaced the Bloomberg administration, but has also produced a more equitable distribution of housing to lower income groups. This claim is somewhat difficult to evaluate, however, given that the Bloomberg administration refused to release comprehensive statements of housing production by AMI groupings. Instead, they grouped their affordable housing in the extremely broad categories of 0–80% AMI, 81%–120% AMI, and 121% AMI

FIGURE 2: HOUSING NEW YORK TOTALS BY AMI



Source: NYC HPD, NYC Open Data (July 2020).

and higher. By those metrics, the proportions between the Bloomberg and de Blasio administrations are quite similar. More detailed data released for the years 2009 and 2010, however, allows us to extrapolate a pattern in the Bloomberg administration which can then be compared to de Blasio's figures. By those metrics, it appears that de Blasio did, in fact, produce about 300 percent more housing targeted at 0–30% AMI than Bloomberg, 33 percent more housing aimed at 31%–50% AMI, and about 50 percent less housing targeted to households between 50% and 80% of AMI.¹³

As discussed below, however, de Blasio's distribution of affordable housing still failed to match the demographics of the city, with far fewer extremely low- and very low-income units offered than the city needed. Complicating matters further, the AMI in New York went up significantly from the start of the Bloomberg administration to the end of the de Blasio administration, even while wages in many low-income neighborhoods remained relatively stagnant (and in some cases fell year-to-year). This has two important consequences: first, some of the housing classified as 31%–50% AMI under Bloomberg would have been classified as 0–30% AMI under de Blasio; and second, AMI levels in low-income neighborhoods are increasingly in the 20 percent range, and still may not be served by the extremely low-income housing currently being produced. Similarly, household incomes that in the past would have counted in the 30%–50% AMI range dropped below 30% AMI, leaving those households ineligible for new units targeted to “very low income” populations. The magnitude of this problem is exacerbated by the extensive timing of housing production. The city sets AMI levels for development projects at the time of construction closing, which is often two years after a project was awarded in response to a Request for Proposals. During that time, citywide AMIs may increase far faster than neighborhood AMIs in areas where the most affordable housing has been constructed, thus limiting or eliminating local residents' eligibility for the exact units that were supposed to offer them rent relief and improved housing conditions.

Whose Needs Are Met, and Whose Are Neglected?

Housing New York paints an imperfect portrait of the city's demographics and housing demands. According to a 2019 analysis by the Association for Neighborhood and Housing Development, “Housing New York is developing at deep levels of affordability, but not deep enough for New York's needs.”¹⁴

This dynamic can be demonstrated by assessing who suffers the greatest distress in the current housing market compared to whom is prioritized in Housing New York. A January 2020 analysis by office of the City Council Speaker pointed out that the plan's income targets did not at all match the populations with the severest rent burdens—those paying a majority of their incomes in rent.¹⁵ By that metric, the plan meets less than 15 percent of the need for those most vulnerable to becoming homeless—severely rent-burdened extremely low- and very low-income New Yorkers—while overproducing for moderate- and middle-income New Yorkers.¹⁶ (See Figure 3.) Nearly 700 of these moderate and middle income-targeted apartments were removed from the city's Housing Connect portal after they failed to find qualified and interested renters. Nevertheless, the administration continues the highly dubious practice of counting these roughly “market rate” units toward their affordable housing metrics.¹⁷

Even as the homelessness crisis intensified, much of new affordable housing financed or permitted under de Blasio did not include a single unit specifically for homeless New Yorkers. The Coalition for the Homeless estimates that had the mayor's plan included from the beginning the 15 percent set-aside for homeless New Yorkers that de Blasio came to support after intensive organizing in 2020, the city would be on track by 2026 to build nearly three times the amount of housing for the homeless as the current plan envisions, on top of stated city commitments to supportive housing production.¹⁸

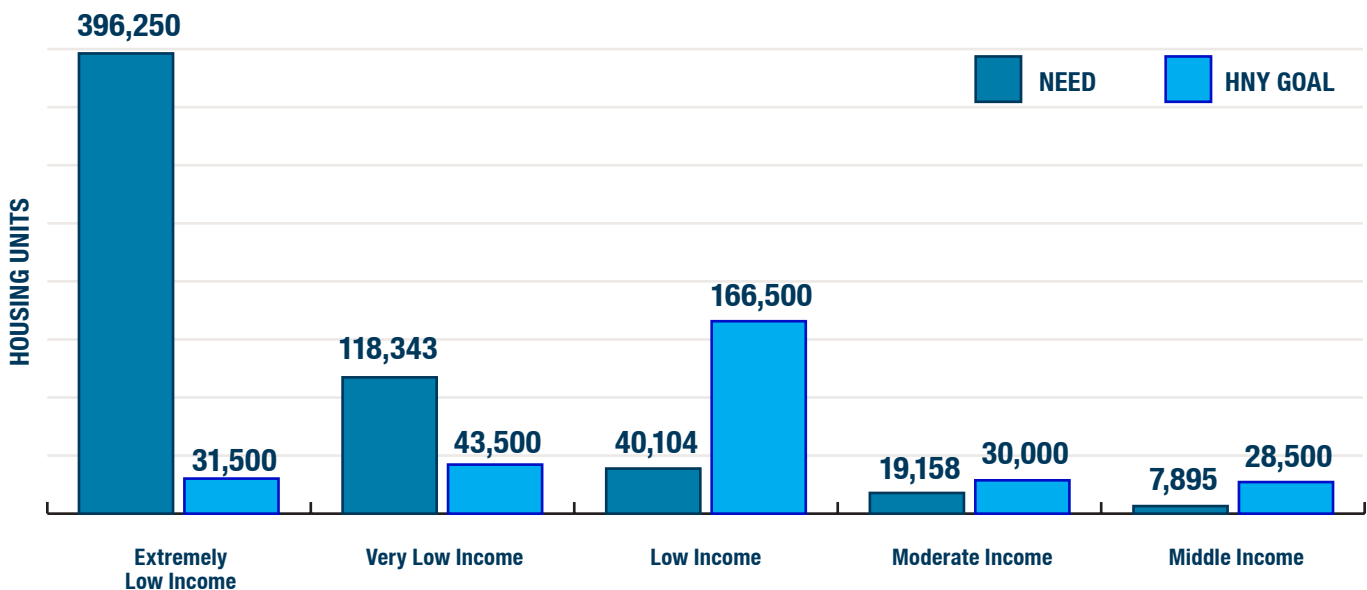
Instead, the administration pitched the plurality of programs toward 50%–80% AMI earners, the highest income levels permitted by the federal programs on which the city relies. By reserving 9% of total units to those earning 121%–165% AMI, the administration ensured that in a great many cases, the housing produced under this plan would be unaffordable to most people living in the neighborhoods where the housing is concentrated. The administration also largely moved away from initiating new affordable cooperative and homeownership development projects, even though the city and state have, through programs like Mitchell-Lama and HDFC cooperatives and Nehemiah Homes, supported such projects to great effect in the past.

The units developed in Housing New York were predominantly located in the Bronx and Brooklyn, with some in Manhattan. (See Figure 4.) Relatively few units have been produced in Queens and Staten Island, the boroughs with the smallest amounts of subsidized, public and regulated housing in the city, and with the largest pockets of low-density, high income and largely white neighborhoods. The de Blasio plan therefore

does little to challenge the long-standing dynamics of racial segregation, concentrations of affluence, political inequality, and uneven development in the city.¹⁹ High-income housing continues to be built in low-income neighborhoods, including, in some cases, “affordable housing” that is designated for people making much more than the neighborhood average. The opposite dynamic—the true test of integration, and the opposite of gentrification—remains relatively rare. Though the city studied this dynamic and, in 2020, released its *Where We Live* report, little has been done over the mayor’s seven years in office to actually change it.²⁰

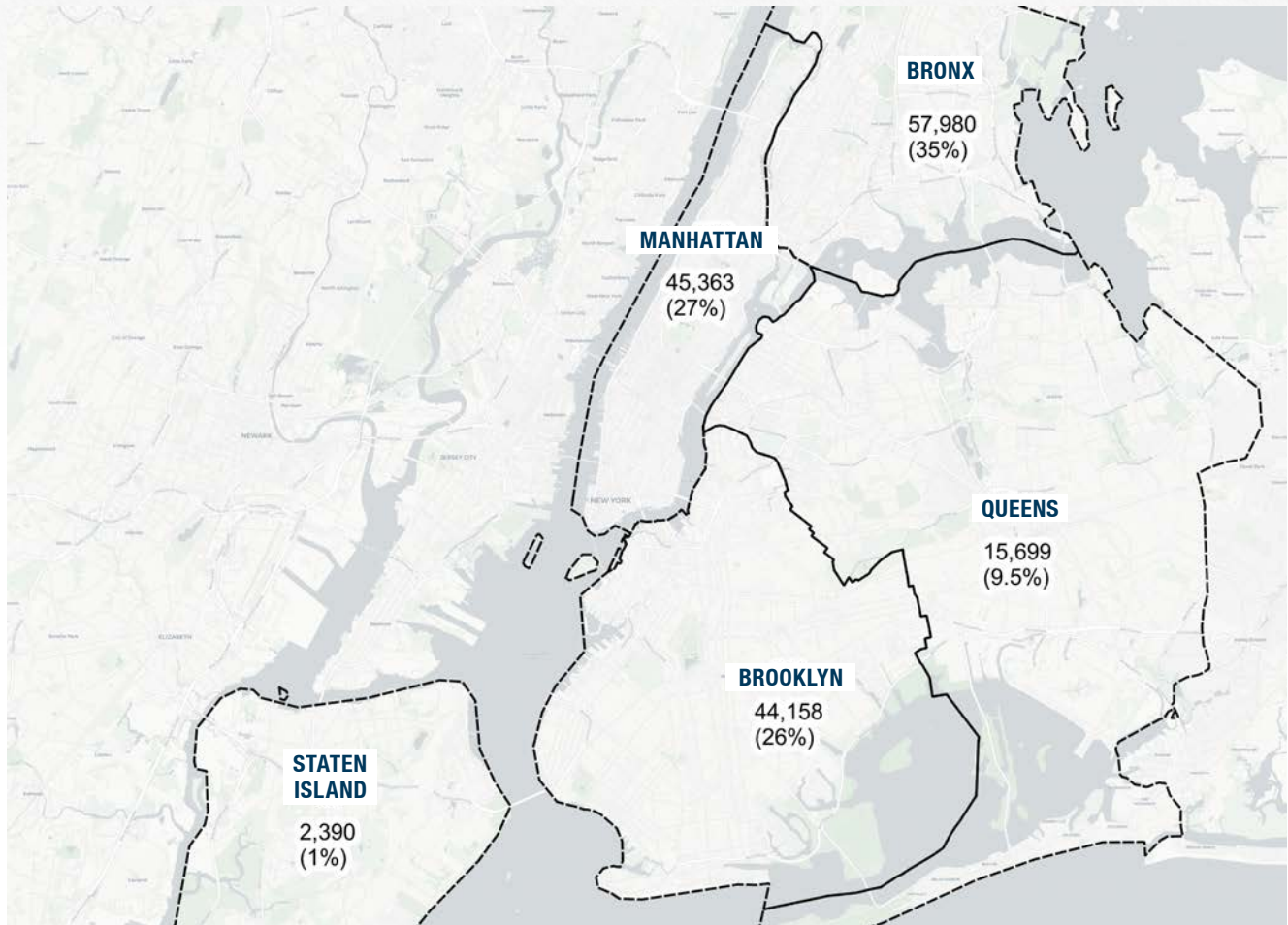
The overall stock of rental housing grew during de Blasio’s mayoralty, if not quite at the pace established by his predecessor. Between 2014 and 2017, the years of the most recent Housing and Vacancy Surveys, the city’s population increased by 131,619 while the housing stock grew by 69,147 homes. The number of apartments that were vacant and available to rent grew by 3,732, from 75,458 units to 79,190, and the official net rental vacancy rate expanded by half, from 2.45 percent to 3.63 percent.²¹

FIGURE 3: HOUSING NEED VS. HOUSING NEW YORK 2.0



Source: Office of the NYC Comptroller. *NYC For All: The Housing We Need*. November 29, 2018.
 Note: Need is defined by households that are severely rent burdened, severely crowded, or in long-term shelter.

FIGURE 4: HOUSING NEW YORK TOTALS BY BOROUGH



Source: NYC HPD, NYC Open Data (July 2020).

The de Blasio administration premised much of its overall approach to expanding affordability on these supply-side metrics. Activists, however, consistently questioned the supposition that the housing market operates as a singular unit, in which expanded supply at the top of the market leads quickly to reduced costs at the bottom.²² This critique proved prescient. Indeed, a closer look at the data reveals that vacancy rates are rising for higher-priced apartments and declining for lower-priced apartments: while the vacancy rate for apartments renting for over \$2,000 per month increased from 6.26 percent in 2014 to 7.42 percent in 2017, vacancies in apartments renting for less than \$800 decreased from 1.8 percent to 1.15 percent.²³ Furthermore, higher-priced apartments are

proliferating as lower-priced apartments are dwindling: while the number of units renting for more than \$1,500 grew by 17 percent, the number of units renting for less than \$1,500 declined by 14 percent, even as the proportion of New Yorkers who need such housing grew by 5 percent.²⁴ Thus most of the downward pressure on housing costs affected the top of the housing market, while the poorest New Yorkers continue to face diminishing options and rising prices.

Notably, while the number of available rental units increased modestly, the growth of unavailable units continued to explode. The number of such apartments, which include empty investment properties, pieds-à-terre, and illegal hotels, grew

more than 35 percent between 2014 and 2017, from 182,571 to 247,977, almost eclipsing the entire expansion of new housing units during this time.²⁵ As many of these apartments stayed empty, homelessness grew dramatically, and low-income households, particularly in immigrant communities, crowded into cramped and sometimes dangerous conditions. This is not a coincidence but rather the predictable expression of a hyper-commoditized and racially stratified housing market in a context of persistent and extreme inequality. Across administrations, city housing and planning policy has continued to encourage high-value production, suggesting that public policy remains more responsive to the demand for speculative investment vehicles and luxury commodities than to the demand for affordable housing.

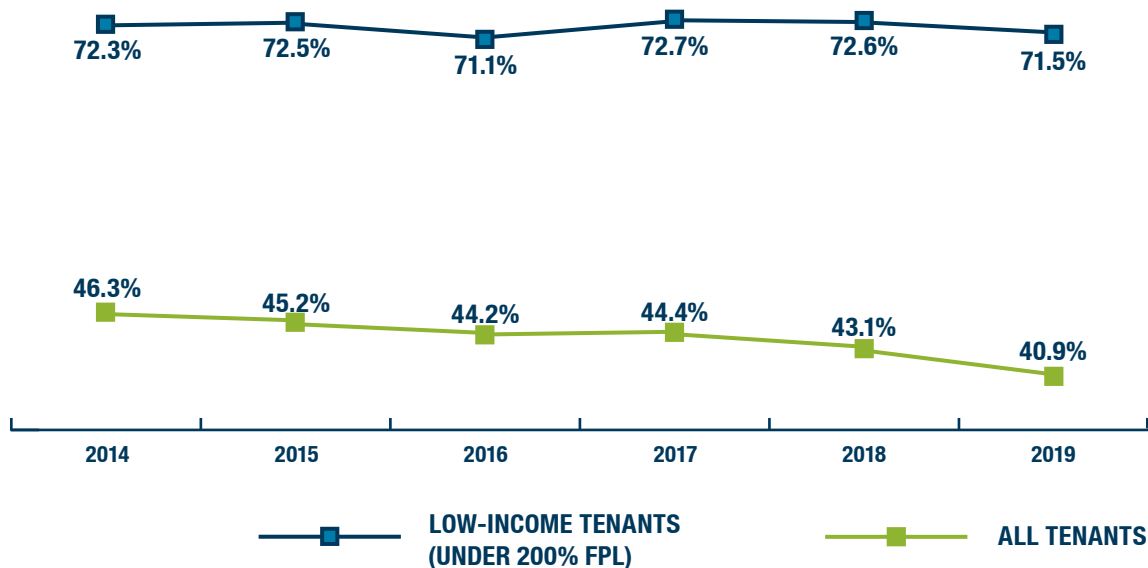
The Persistence of Unaffordability

Both the strengths and the limitations of de Blasio’s housing legacy can be seen in the rates of rents and rent burdens faced by New Yorkers over the past seven years. During the Bloomberg administration, the city crossed a dangerous

precipice: between 2008 and 2011, housing prices became unaffordable to a majority of New York renters (as measured by the standard formula of one’s ability to pay under 30 percent of their income in rent). According to the 2017 Housing and Vacancy Survey, the most comprehensive survey of local housing dynamics, housing unaffordability did not abate under de Blasio.²⁶ The American Community Survey suggests a somewhat lower overall rent burden, but also highlights a crucial dynamic: while the percent of all tenants with rent burdens appeared to decrease, from 46 percent in 2014 to 41 percent in 2019 (approximately the same rate as 2008), the percent of low-income tenants (those under 200 percent of the Federal Poverty Line) with rent burdens remained much higher at 72 percent over the course of the de Blasio administration. In fact, during this time the percentage of low-income New Yorkers paying more than half of their income in rent rose by one percentage point. (See Figure 5.)

Between 2014 and 2017, median contract rents (rent costs without additional bills) increased 8 percent, adjusted for inflation.²⁷ Even more alarming, however, was the concurrent explosion of median asking rents (the amount landlords seek

FIGURE 5: PERCENTAGE RENT-BURDENED IN NYC, 2014-2019



Source: American Community Survey 2014-2019, 1-year estimates.

to rent a vacant apartment), which jumped 29 percent adjusted for inflation. This increase reflects both the myriad ways rent regulated landlords could raise rents (particularly for vacant units) despite low Rent Guidelines Board rent increases, as well as the degree of unregulated tenants' vulnerability in the absence of Good Cause eviction protections or other means of controlling rents.²⁸

In many neighborhoods, rents and sales prices in unregulated but relatively affordable housing have escalated dramatically, with speculators purchasing and flipping buildings at an alarming pace. Displacement and harassment have persisted despite new legal protections. Incomes have generally risen, and the increase in the minimum wage has been particularly important for many households, but the city continues to be among the most unequal in the country. Poverty remains twice as prevalent among Black and Latinx New Yorkers as among white residents, and pockets of wage stagnation and joblessness persist in low-income neighborhoods across the city. According to CSS's Unheard Third survey of low-income New Yorkers, in 2019 Black and Latinx New Yorkers were two to three times more likely than white New Yorkers to face financial instability and experience multiple hardships (such as falling behind on rent or missing meals), with 45 percent of Bronx residents facing three or more such hardships in a year compared with 30 percent of Manhattanites. Meanwhile, since the Great Recession, rising wages have continued to be absorbed by rising rents, with New Yorkers' incomes increasing by 16 percent but rents growing by 22 percent.²⁹

While the de Blasio administration can claim credit for a rise in the amount of funding for affordable housing (prior to the 2020 budget) and the number of units created, and while the mayor supported the Fight For \$15 demand to raise the minimum wage, the administration cannot claim to have made meaningful progress on the issue at the heart of many New Yorkers' struggles: rents remain far too high, and wages are still too low.

Administrative and Policy Achievements

Following the long-standing demands of the New York City housing movement, the de Blasio administration pursued several administrative changes, board appointments, and policy reforms that have had important impacts on working-class and poor New Yorkers. Notably, these changes were almost entirely in the realm of tenant protections and anti-displacement initiatives, which did not directly threaten or detract from the goals of largescale private housing developers. This suggests that the mayor's political coalition did not rely on the support of relatively small private landlords (represented by the Rent Stabilization Association) to the extent that it included larger developers who increasingly maintain ownership of their projects (represented by the Real Estate Board of New York) and the for-profit affordable housing coalition represented by the New York State Association for Affordable Housing.

Some of the most important housing reforms established under the de Blasio administration came through persistent and contentious organizing from grassroots groups. These victories included:

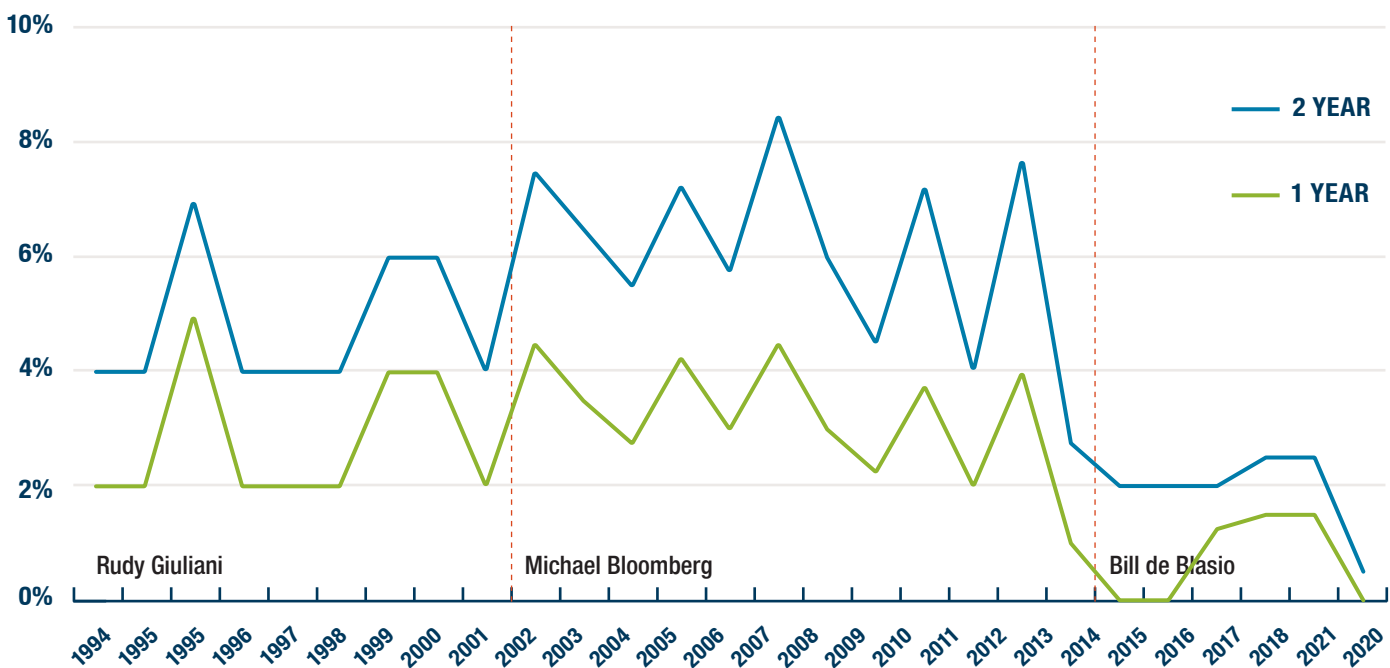
- A Right to Counsel (free legal representation for low-income tenants facing eviction) and increased spending on legal services (including Anti-Harassment Tenant Protection grants);
- The Neighborhood Pillars acquisition fund;
- An expanded Certification of No Harassment pilot program;
- A commitment to begin funding Community Land Trusts;
- An expansion of the HIV/AIDS Services Administration and the 30 percent rent cap for people receiving it;
- The Family Homelessness and Eviction Prevention Supplement (CityFHEPS) rental assistance program;
- A commitment to building 15,000 units of supportive housing;
- A pilot program promoting Accessory Dwelling Units in East New York; and
- A law mandating housing units be set aside for homeless New Yorkers in city-funded developments.

As a result of these and other measures, formal evictions declined from 26,900 in 2014 to 16,200 in 2019.³⁰ While 16,000 evictions are certainly still far too many, this 40 percent decrease is a significant feat, and the passage of new state-level rent laws through the 2019 Housing Stability and Tenant Protection Act may cause that figure to decrease even further. Additionally, thousands more homeless New Yorkers have a pathway out of the shelter system and off the streets, and into permanent, affordable housing—though, as we will discuss, many more homeless New Yorkers remain unable to do so.

Another key site of struggle and subsequent reform has been the Rent Guidelines Board, which, with de Blasio’s appointees in place, has provided a fairer look at the annual data and voted for 1-year rent freezes for three years, and lower than average increases in the others. (See Figure 6.) This shift follows tenant movement advocacy to reform not only the makeup of the board, but the most important metrics it uses in making its annual determination.

After years of calls from tenants and advocates to block landlords from using credit scores to bar applicants from city-funded apartments, the administration barred the practice instead and permitted rent histories to be used as credit histories, thus opening opportunities to many households who had previously been shut out. After it became a key issue for tenants and housing advocates in the 2013 election, the mayor pushed early in his administration for a surge of money and attention to the New York City Housing Authority (NYCHA). This included the termination of required annual payments to the city for policing and sanitation services, which cost the struggling public housing authority over \$100 million per year, and capital commitments through the NextGen NYCHA plan, which have grown over time (though never commensurate with private housing expenditures, as discussed later in this report).

FIGURE 6: RENT GUIDELINES BOARD RENT INCREASES, 1994 - 2020



Source: Rent Guidelines Board.

Numbers over Need

While the number of interventions into housing affordability under the de Blasio administration remains impressive, serious questions persist about the capacity of these interventions to address the housing crisis facing low-income New Yorkers. One of the mayor's primary sources of prestige—that his plan seeks to create and preserve 300,000 units of affordable housing, and that his housing department is well on its way to fulfilling that aim—also points to one of the problems with this approach: the administration has prioritized achieving its chosen metrics without ensuring that those metrics correspond to the city's actually existing affordability crisis. In fact, the act of chasing large quantities of the wrong metrics incentivized the administration to prioritize plans and programs that were most expedient—those that produced the greatest number of units with a given amount of investment, or those most favored by the private developers and investors upon which their plans relied—rather than those which would have met the greatest need, or which would have done the least harm. In so doing, the de Blasio administration limited their program's efficacy and foreclosed on opportunities to target housing toward those least served by preexisting programs, markets, and models.

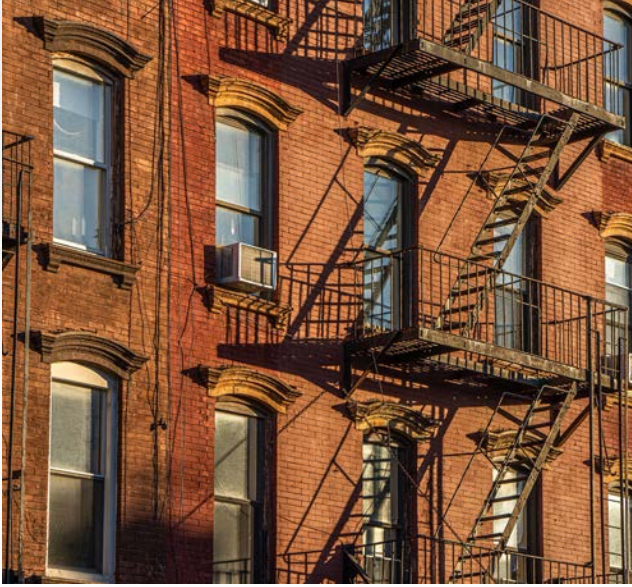
This problem was persistently pointed out by housing advocates, who offered alternative frameworks with drastically different income and unit-size targeting, as well as a rezoning program that would push developers toward both deeper apartment affordability and high construction wages.³¹ While achieving both deep affordability and high unit counts would alter the city's budget calculus, such a strategy could have made greater strides toward ending the most acute aspects of New York's long-term housing crisis. At the same time, the administration was met with great criticism over spending and prioritization of resources. Activists decried the fact that, for years, agencies like the Department of Social Services and the New York Police Department saw growing budgets, while too little was allocated to HPD and NYCHA to produce sufficient housing for low-income and poor New Yorkers. In short,

the choice to chase overall unit counts rather than deeper affordability led the administration to prioritize quantity over quality and headlines over impact, thus reproducing many of the problems they claimed to be solving.

Favoring For-Profit Developers Over Mission-Driven Nonprofits

While it is easy to find disparaging remarks about the mayor in the press from real estate industry insiders, and it is similarly easy to find statements from the mayor criticizing the industry, it is nonetheless clear that the de Blasio administration has treated private real estate firms, including for-profit developers, as essential partners. As one reporter wrote mid-way through the mayor's first term, "Since taking the reins, de Blasio has proven to be far from the radical leftist that many [real estate insiders] feared. Rather, he has arguably been a solid real estate advocate" by pushing to restore the 421a tax break, backing several controversial rezoning schemes, and—perhaps most troubling amongst community development practitioners—by continuing the previous administration's practice of favoring for-profit firms over nonprofits for publicly-subsidized housing development and preservation projects.³²

Between 2014 and 2018, for-profit developers accounted for 71 percent of new construction deals and 79 percent of the new units created. In the realm of preservation, the administration fared slightly better, but still favored for-profit firms a majority of the time: for-profit real estate companies accounted for 59 percent of the preservation deals and 67 percent of the preserved units (including the massive Stuyvesant Town deal with private equity firm Blackstone, the world's largest corporate landlord).³³ This continues a perilous trend from the Bloomberg and Giuliani eras, which the Association for Neighborhood and Housing Development has characterized as "the for-profitization of affordable housing" in New York.³⁴



Thirty-five percent of the units produced by nonprofits, for example, were geared towards extremely low-income households, whereas just 18 percent of the units developed by for-profit firms were for the poorest New Yorkers.

The administration justifies its preference for for-profits over nonprofits by arguing that the biggest developers and investors can deliver the biggest numbers: they are experienced in largescale construction and property management and have the access to private capital necessary to bridge the gap between subsidy rates and development costs. As a result, the city often structures its Requests for Proposals to require that bidders have big balance sheets, high degrees of previous experience developing large-scale projects and other qualifications that often disqualify most Community Development Corporations and other mission-bound nonprofit developers.

There are several problems with this premise and approach. First, plenty of New York City nonprofits have the capacity to complete large-scale development projects. They also have the local knowledge and community-driven missions to complete their projects sensitively and with the trust of residents and neighbors alike, and to be a resource to and advocate for the

community long into the future. Second, the administration's logic becomes a self-fulfilling prophecy when extended over time, as opportunities to gain experience are denied to small or mid-sized nonprofits aiming to make a bigger impact. Meanwhile, for-profit developers gain access to the kinds of projects that immediately yield two to three times more in developer fees than those for which nonprofits are most often selected. The smaller, scattered site, often occupied developments designated to nonprofit developers often yield less units over a longer time and are often much more difficult and time consuming to renovate, thus creating the conditions for for-profit expansion and nonprofit retrenchment. Finally, and most consequentially for the city's long-term affordability, for-profit developers and owners will never produce or preserve housing at the rates needed by those least served by the existing housing options. As their name implies, they are "for profit," a goal that is fundamentally at odds with the values of housing as a human right, a social good or—as has become tremendously clear—a means of health and resiliency. In contrast, mission-driven nonprofits are often willing to lower or defer their developer fee in order to ensure the affordability and impact of a housing project. Favoring for-profit developers over nonprofits prioritizes short-term deal making over long-term problem solving, ultimately replicating the problems the city faces and squandering major opportunities.

The results of this deeply disproportionate allocation of city contracts was an increase in expensive "affordable" housing, as allowed by HPD's term sheets. Thirty-five percent of the units produced by nonprofits, for example, were geared towards extremely low-income households, whereas just 18 percent of the units developed by for-profit firms were for the poorest New Yorkers. Conversely, whereas just 5 percent of the units built or preserved by nonprofits were reserved for moderate- and middle-income New Yorkers, 20 percent of units produced by for-profit developers were reserved for this much higher earning group.³⁵

Case Study: Nonprofit Developers and Deep Affordability

by Arunabha Uxa-Chakravarty, Celeste Hornbach, and Ismene Speliotis (MHANY Management Inc., a mutual housing association)

A specific project is illustrative of several of the dynamics discussed throughout this report. In late 2016, HPD released a Request for Proposals (RFP) to develop a large parcel of city-owned vacant land in Brooklyn’s Community District 5. In preparing its response, the nonprofit development team conducted a detailed analysis of neighborhood income levels in order to target the project’s affordability to residents living in the immediate surrounding area.

Based on the terms of the RFP, existing financing programs, and funding availability, the nonprofits projected that 58 percent of the units developed would be affordable to neighborhood residents, with 10 percent of the overall units available to formerly homeless households or people making less than 30% of AMI.

MHANY, 2017 UNDERWRITING INITIAL AFFORDABILITY BREAKDOWN

Income Limit	Max Income	No. of Units	% of Total
Formerly Homeless		28	10%
20% AMI	\$22,200	0	0%
30% AMI	\$33,300	54	20%
40% AMI	\$44,400	56	20%
50% AMI	\$55,500	40	15%
60% AMI	\$66,600	96	35%
70% AMI	\$77,700	0	0%
80% AMI	\$88,800	0	0%
Total		274	100%

Source: MHANY, 2017. Underwriting.

Once the nonprofits were awarded the site, predevelopment activities took a year and a half, during which time the city-wide AMI went up dramatically. The nonprofit development team received pushback on their financing model and were encouraged to increase the AMI income eligibility and rent of the units to reflect similar AMI bands to the RFP response, but based on the 2019 citywide AMI. The nonprofit developers were unwavering in their commitment to their constituency and spent several months going back and forth with the city to ensure that there were units included in the project that met the needs of the local community. This was accomplished by assigning 18 percent of the units to a 20% AMI band. This insured that residents of East New York, where the median income had remained flat, would have access to the apartments in the new development. The city agreed to this unit and income distribution as long as the city subsidy to the development did not increase.

The end result demonstrates not only the dynamics in play as nonprofit developers work to navigate the limited resources available to develop truly affordable housing, but the fact that it is possible to develop projects that make apartments available to neighborhood residents at rents that are affordable to them. In the final financing, the total percentage of units affordable to the local community did unfortunately decrease from 58 percent to 48 percent of the total units; however, the number of units affordable to formerly homeless families and community families earning less than 20% of AMI quadrupled from 10 percent to nearly 40 percent of the total units. In other words, the nonprofit developer was able to prioritize creating units affordable to the families in the neighborhood and families that are currently homeless. This outcome provides a model for directing resources to the households of greatest need: those that are the most rent burdened and often living in the most dire conditions; those at the highest risk of homelessness; and families that have already become homeless.

MHANY, 2017 UNDERWRITING FINAL AFFORDABILITY BREAKDOWN

Income Limit	Max Income	No. of Units	% of Total
Fair Market Housing		55	20%
20% AMI	\$22,200	49	18%
30% AMI	\$33,300	0	0%
40% AMI	\$44,400	60	22%
50% AMI	\$55,500	55	20%
60% AMI	\$66,600	0	0%
70% AMI	\$77,700	28	10%
80% AMI	\$88,800	27	10%
Total		274	100%

Source: MHANY, 2017. Underwriting.

The nonprofit developers' solution to this problem was not magic. The city insisted throughout the process that the goals of the developer could be considered as long as the subsidy levels did not exceed the amount allowed as per program term sheets. The nonprofits ultimately determined that it was worth raising the income levels for the low- to moderate-income bands from 60% to 70% and 80% of AMI³⁶ in order to provide apartments at the lower-income tiers, thus matching the income levels of neighborhood residents. This was also achievable by reducing and deferring their developer fee.

While we cannot definitively say that for-profit developers would be unwilling to underwrite in this manner and to this affordability, our experience as nonprofit developers with a dual responsibility as community advocates has demonstrated that for-profit developers are rarely, if ever, willing to compromise profits in return for creatively developing housing that better meets the local need for deeply affordable housing. Given that building housing at deep affordability is possible, but most developers do not choose this pathway voluntarily, it is up to the city to modify the rules and guidance on their term sheets and RFPs to reflect the need and prioritize the development of more units at deeper affordability.



Over de Blasio's terms in office, NYCHA's capital backlog rose an alarming 471 percent, from \$7 billion to \$40 billion

Public Land and Public Housing

Development on land owned by the city has not fared much better than city-subsidized projects on land owned by private developers. Between 2014 and 2018, 75 percent of requests for proposals were awarded to for-profit organizations, leaving just 25 percent for nonprofits.³⁷ Over roughly the same period, the city sold 202 public lots for \$1. Most of these deals were structured to require both for-profit and nonprofit sponsors, and at least four for-profit developers got exclusive rights to public land.³⁸ At the same time, the administration remained tentative in their approach to alternative programs proposed by community-based organizations, such as the advancement of community land trusts or the establishment of a New York City land bank.

Meanwhile, serious structural problems persist in New York City's public housing. NYCHA remains the nation's largest housing authority, with 176,000 units and over 500,000 residents, and was long considered the most successful.³⁹ But, after decades of government disinvestment, particularly starvation-level federal funding, by 2014 NYCHA was struggling with an accelerating deterioration of resident living conditions and chronic operating deficits.

Unlike some previous mayors, de Blasio paid significant attention to public housing. Early in his first term de Blasio relieved NYCHA of over \$100 million in required annual payments to the city for police services and payments in lieu of taxes, a welcome response to advocate demands for the prior 8 years. In 2015, a year after his Housing New York program was launched, he endorsed the NYCHA NextGeneration Plan and committed over \$1 billion in city capital to infrastructure improvements. But these city commitments proved to be insufficient and failed to keep pace with the accelerating deterioration of public housing. Over de Blasio's terms in office, NYCHA's capital backlog rose an alarming 471 percent, from \$7 billion to \$40 billion, due to both accelerating deterioration and inflating project costs. In addition, the separation between the two housing plans—the mayor's signature Housing New York

plan targeted to the private sector and the NYCHA plan—meant that the authority placed a poor second in the competition for city capital and financing resources, as discussed in the following section.

Two important demonstration programs were mounted on a limited basis by NYCHA: 1) an Alternative Work Schedule program to rearrange property management shifts to provide broader coverage, which had long been challenged by unions; and 2) an Optimal Property Management Operating Model program to decentralize property management and improve conditions by giving more autonomy to on-site housing managers. Both demonstrations met with questionable success and were never mounted on a citywide scale, although the forthcoming NYCHA transformation plan intends to pursue those strategies.

By 2018, it became clear that deep structural and operational problems existed within the authority itself, which were chronicled in a suit brought against NYCHA by the Southern District of New York. The de Blasio administration had not effectively identified or addressed the extensive reforms needed in NYCHA's property management operations. As a result of heated negotiations among Housing and Urban Development (HUD), the mayor, and the Southern District, the mayor was spared NYCHA going into federal receivership. Instead, a federal monitor had to be appointed (in 2019) to oversee NYCHA compliance with federal housing standards and guide the restructuring of the authority. The agreement also compelled the de Blasio administration to commit an additional \$3.5 billion in city capital toward needed capital improvements. What positive steps the mayor had taken to deal with a troubled NYCHA had been far from sufficient.

Missing the Mark on Mandatory Inclusionary Housing

One of the mayor’s signature housing policies, Mandatory Inclusionary Housing (MIH), raised concerns by crafting a policy to maximize the number of units produced rather than maximizing affordability levels or extracting greater concessions from developers. While affordable housing advocates and nonprofit developers have long called for some form of zoning reform that would require affordable units in new construction, the program this administration devised left many unsatisfied and others furious.

MIH updates the city’s zoning code to require that when the city increases the development capacity of a particular area (or “upzones” it), developers must set aside some of the apartments in new buildings for households making certain incomes. This can be done through city-initiated neighborhood rezonings or developer-initiated project rezonings. The stated goal of the program is to ensure that when the city makes land more profitable by increasing the number of housing units that can be produced in an area, some of that publicly-generated wealth is put toward producing affordable housing. Whereas previous iterations of inclusionary zoning relied on voluntary density bonuses, this system mandates that qualifying developers participate.

The program, however, is not designed to meet those least served by the existing housing market. As originally proposed, the program would serve New Yorkers with incomes in the 60%–120% AMI range; as revised by the City Council, the program can create housing for people making between 40% and 115% of AMI. Because metropolitan AMI levels skew higher than the city’s median income, and especially incomes in the neighborhoods that would eventually be targeted for upzonings, these income caps excluded many New Yorkers. Those priced out of MIH included the median households of the following types:

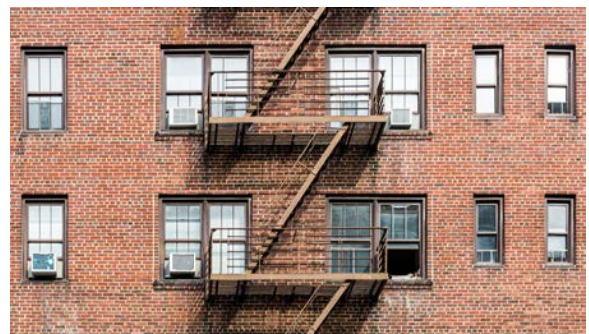
- Single mother households, in which more than one in four New York City children live;

- Fixed income seniors;
- People experiencing homelessness;
- Minimum wage workers with children;
- NYCHA residents, and those on public housing and voucher waiting lists; and
- Workers in a number of core industries, including health care aids, child care workers, taxi drivers, security guards, and automotive workers.⁴⁰

It is no coincidence that all of these groups are disproportionately represented by people of color. In fact, most Black, Latinx, and Asian New Yorkers cannot afford the vast majority of the housing produced through MIH, making it a program that contributes to rather than combats the racist dimensions of housing policy and real estate markets in New York City.⁴¹

The city’s studies around MIH did not even consider an option in which housing was offered for these income groups. An analysis by ANHD, however, demonstrated that in many neighborhoods, the program could have set aside 20 percent of new units for those making under 30% of AMI, and still

Most Black, Latinx, and Asian New Yorkers cannot afford the vast majority of the housing produced through MIH, making it a program that contributes to rather than combats the racist dimensions of housing policy and real estate markets in New York City.



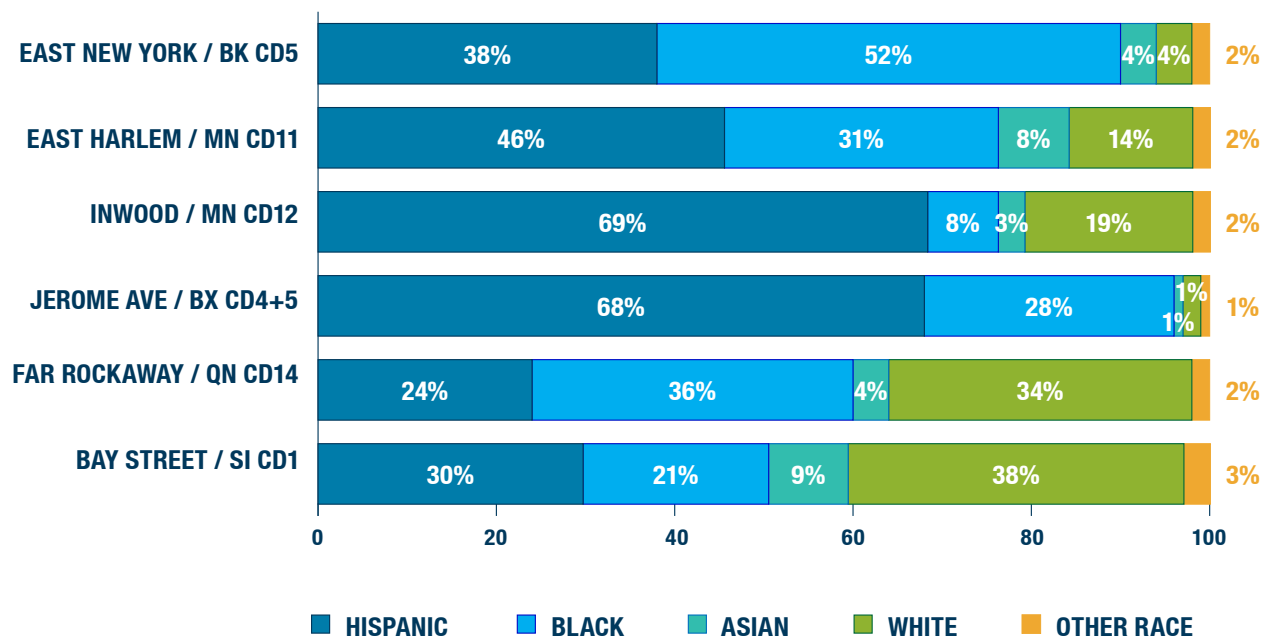
resulted in rates of return comparable to some of the other MIH options.⁴² Similarly, the Real Affordability For All campaign produced an alternative scheme that would have produced both a greater percentage of affordable housing per project and a greater depth of affordability, all while ensuring prevailing wages for building trades workers. Though the administration promised to study this alternative rezoning mechanism’s feasibility, they never pursued it in earnest, and instead moved forward with their less affordable program.

On top of these general program design deficiencies, MIH was implemented through a flawed series of neighborhood rezonings. The administration hoped to complete 15 neighborhood-scale MIH rezonings. In case after case, however, the de Blasio administration selected areas of the city that were generally working class, largely Black, Latinx, or Asian, and often surrounded by existing affordable housing. (See Figure 7.) In fact, in most of these areas, most of the recent housing production had been subsidized and affordable. By changing the

zoning code to allow for housing that was unaffordable to most neighborhood residents—including even the portion of new buildings set aside as “affordable housing”—the administration earned deep animosity and created the conditions to undermine its own stated goals of combating gentrification and producing a more affordable city.

The first neighborhood MIH rezoning was in East New York in 2016, an area where, at the time of the rezoning, the plurality of residents (43%) made less than 40% of AMI and would thus be ineligible for MIH housing (unless it were built with additional subsidies). East New York has not since seen a flurry of affordable development but rather a flurry of speculation, as investors have bought and flipped housing at a rapid pace. This dynamic began as soon as the rezoning was floated in the press, continued at least until the pandemic hit, and has been repeated in other neighborhoods targeted for rezoning.⁴³ The resulting increase in housing costs has destabilized renters and homeowners alike: a survey of East NY homeowners

FIGURE 7 - RACIAL DEMOGRAPHICS OF MIH NEIGHBORHOOD REZONINGS



Source: American Community Survey 2018, 5-year estimates, as reported in De la Uz, Michelle, Brad Lander and Barika Williams. “How the Gowanus Rezoning Could Push NYC Forward on Racial Equity.” City Limits, September 21, 2020.

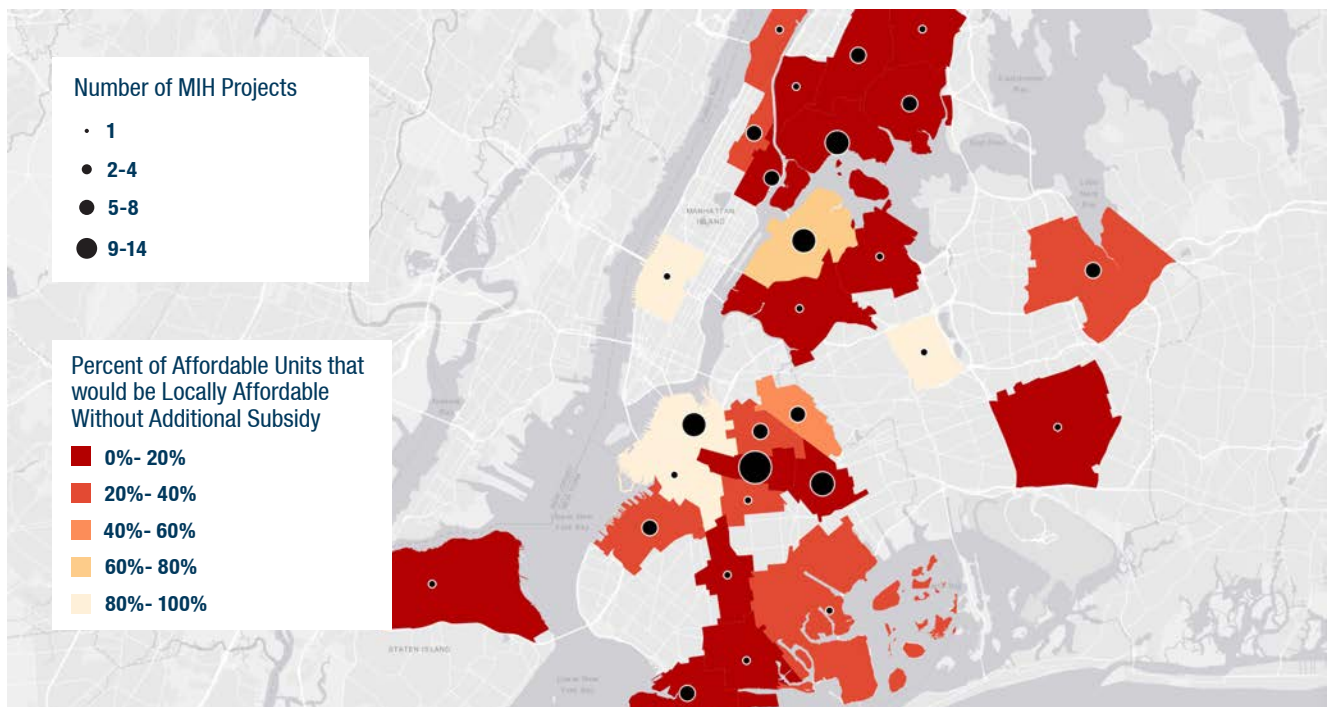
found that a majority (51%) were “unsure,” “worried,” or “very worried” about their ability to afford housing payments in the coming months.⁴⁴ De Blasio’s next neighborhood rezoning—the only one yet to complete the land use review process that is a wealthy and predominantly white neighborhood—was East Midtown. Because this was a commercial rezoning, however, no affordable housing would be produced. In East Harlem, which the administration upzoned in 2017, a majority of residents (54%) made less than 40% AMI, and thus would also be priced out of the “affordable” segments of MIH housing unless further subsidies were offered.⁴⁵

MIH’s outcomes were no better when rezonings were applied at a smaller scale for particular projects. As per the most recent data available, the city has rezoned specific blocks for MIH developments 70 times in 28 neighborhoods across the city.⁴⁶ Unless other subsidies were offered on top of MIH, in half of these projects both the market-rate housing and the affordable housing was targeted toward people making more than the

neighborhood’s average income. Not a single one of the 9,902 apartments built in 21 MIH projects in neighborhoods with average incomes under 40% of AMI would be affordable to the typical local resident—let alone anyone making less than the neighborhood average—without an additional subsidy. In only 23 percent of projects were a majority of “affordable” units affordable to average local residents. In total, 89 percent of apartments approved through project-specific MIH rezonings would be unaffordable to the average neighborhood resident without additional subsidies. Even among those projects’ “affordable” units, 75 percent were targeted toward people making more than the neighborhood average.⁴⁷ (See Figure 8.)

It was by no means inevitable that the MIH program would skew toward higher incomes while targeting of working-class, majority people of color neighborhoods. Designing a program that tilts toward higher incomes meant that the program would be more palatable to for-profit developers, including the Real Estate Board of New York, which endorsed MIH during the

FIGURE 8 - PROJECT-LEVEL MIH REZONINGS, BY NEIGHBORHOOD AND LOCAL AFFORDABILITY



Source: Project-level MIH data released by the Department of City Planning.



program's initial rollout.⁴⁷ The administration defended their siting choices on economic grounds, with agency heads and deputy mayors claiming that the policy worked best in areas with lower land values. This was contradicted by analysts positioned across the political spectrum who argued that the program is far better suited for high-income, majority white, transit rich but low-density neighborhoods, where MIH could bring some degree of affordability and integration.⁴⁹ Even the administration's own studies confirmed that the mechanism would work better in higher-rent areas than in already affordable parts of the city.⁵⁰

The administration thus made their program design and siting decisions for expedient, not economic, reasons: they sought to secure the support of the real estate industry, and they sought to avoid conflict with wealthy, white, and politically powerful constituents whose councilmembers would likely attempt to block any upzoning.⁵¹ In so doing, they enshrined a fundamentally racist approach to planning and development into a program they described as an antidote to gentrification and segregation. The result is a system that brings higher-income

white residents into low-income, predominantly people of color neighborhoods, making residents who can no longer afford rising rents in their home communities vulnerable to displacement. All the while, the administration continues to ignore the more urgent task of integrating the city's most exclusionary neighborhoods, despite its stated commitments to fair housing and its willingness to study and report on this disturbing dynamic.⁵²

Unsurprisingly, the administration's rezonings have garnered intense neighborhood resistance, resulting in several high-profile defeats and ongoing litigation. Where community-based plans were offered to achieve some of the program's stated equity goals through alternative means, the administration rejected the community's visions as insufficiently growth-oriented, despite the fact that these plans included visions for new housing production and job creation. The administration's difficulty in achieving its stated goals of 15 neighborhood rezonings is ultimately a direct consequence of its program's poor design and inappropriate implementation.

A Siloed Approach to Housing Planning

In addition to pursuing short-term, mistargeted outcomes over long-term, need-based programs, the de Blasio administration approached housing planning in a siloed manner. The mayor treated public housing and homelessness as fundamentally separate issues from those covered in his primary plan, Housing New York. This all but ensured that public housing and homelessness would be given lower priority relative to other housing programs, such as Department of City Planning-led rezonings, Economic Development Corporation-sponsored redevelopment projects, and Housing Preservation and Development (HPD)-managed production and preservation programs.

The de Blasio administration certainly did not invent this tiered approach to housing planning. It matches the existing agency structures and ways of governing in New York City, where the Department of Homeless Services exists as a discrete entity under separate deputy mayoral supervision from the Department of Housing Preservation and Development, and where NYCHA is structured as a public authority funded first and foremost by federal allocations. Perhaps more importantly, it also satisfies developers' desires to be given political priority and to be treated as the primary solution to the city's housing woes. But perpetuating this approach to planning has deeply deleterious impacts on the city: it reinforces structural racism by prioritizing those segments of housing planning which better serve higher-income, predominantly white New Yorkers over those which might address the more urgent needs of lower-income, predominantly Black, Latinx, and Asian New Yorkers facing the twin crises of disinvested public housing and deepening homelessness.

The mayor treated public housing and homelessness as fundamentally separate issues from those covered in his primary plan. This all but ensured that public housing and homelessness would be given lower priority relative to other housing programs.

Public Housing: First-Order Crisis, Second-Tier Priority

It is universally recognized that NYCHA is in trouble: the authority faces a multibillion-dollar budget shortfall, the buildings require major renovations, and the residents in many developments face chronically injurious conditions, including lack of reliable heat and hot water, mold, leaks, lead paint, and more.

It is also demonstrably clear that while NYCHA's troubles have accelerated in recent years, the roots of its crisis go back long before this mayor. Capital problems for NYCHA began under the Giuliani and Bloomberg administrations, and result in large part from federal spending cuts that go back to the Reagan administration, as well as to shifts away from public housing that began with the Nixon administration. It would therefore be unfair and inaccurate to lay the blame for NYCHA's ailing present and worrisome future exclusively at the feet of the current administration. The de Blasio administration's approach to NYCHA, however, was hampered by his separation of public housing into a realm—and a problem—off on its own, subject to federal decisions and separate from the other affordable housing metrics he planned to meet.

Because the administration was so focused on achieving its goal of developing or preserving 300,000 units of affordable housing, it is especially important to consider the ramifications of not including NYCHA within this realm. That decision led to significant funding disparities between public and private housing preservation funds and reduced the administration's interest in focusing on NYCHA, despite public housing being the single largest affordable housing program in the city and serving as a home to some of the lowest-wage workers in the city. NYCHA and public housing advocates thus had to compete with private projects and private developers for access to public dollars, including Housing Development Corporation financing and Low-Income Housing Tax Credit allotments.

This was the case for both capital commitments from the city and for the financing of Rental Assistance Demonstration (RAD) conversions. Looking back as the administration’s legacy, it is clear that private development won over public housing, which struggled from plan to plan to find a way out of its fiscal spiral.

Despite this siloing, the administration certainly cannot be said to have ignored public housing, and in fact it promoted several different mechanisms for closing NYCHA’s nearly \$40 billion capital budget backlog. In addition to immediately ending the practice of making NYCHA pay for its public police and sanitation services, the de Blasio administration released three different NYCHA plans:

- NextGen NYCHA, which promoted several revenue raisers but was most notable for advancing private infill development on NYCHA land (a program previously promoted by the Bloomberg administration);
- Permanent Affordability Commitment Together, which aimed to place 62,000 public housing units—roughly a third of the NYCHA stock—into the federal RAD program, in which private developers take over as building owners and managers and renovate buildings using privately-leveraged financing; and

- The Blueprint for NYCHA, which would transfer ownership of the remaining two-thirds of NYCHA’s public housing stock to a publicly chartered Preservation Trust, which would in turn use federal funds and private bonds to rehabilitate the distressed housing.

These plans were met with a range of responses from residents, advocates, and elected officials, varying from deep distrust to enthusiastic support. The Community Service Society’s 2019 Unheard Third survey showed a public housing community evenly divided over their reactions to privately based funding mechanisms like infill and RAD. (See Figures 9 and 10.) While many residents have embraced the opportunity for much-needed repairs and renovations, plenty of others distrust private developers’ motives and fear the slippery slope toward privatization. Reactions to the Blueprint proposal are still being formed, with several groups—including the Community Service Society⁵³—offering support for this “public-to-public transfer” model, but echoing resident leaders’ concerns about NYCHA’s top-down process and poor timing in the midst of the pandemic. It is noteworthy that this most ambitious proposal was only proffered at the end of the de Blasio administration.

FIGURE 9 - NYCHA RESIDENTS ON MIXED-INCOME INFILL CONSTRUCTION, 2019

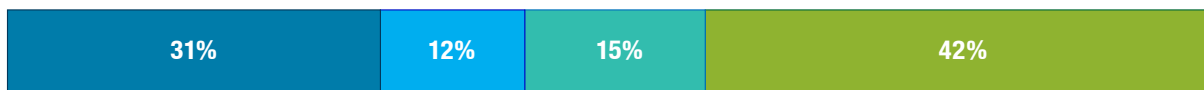


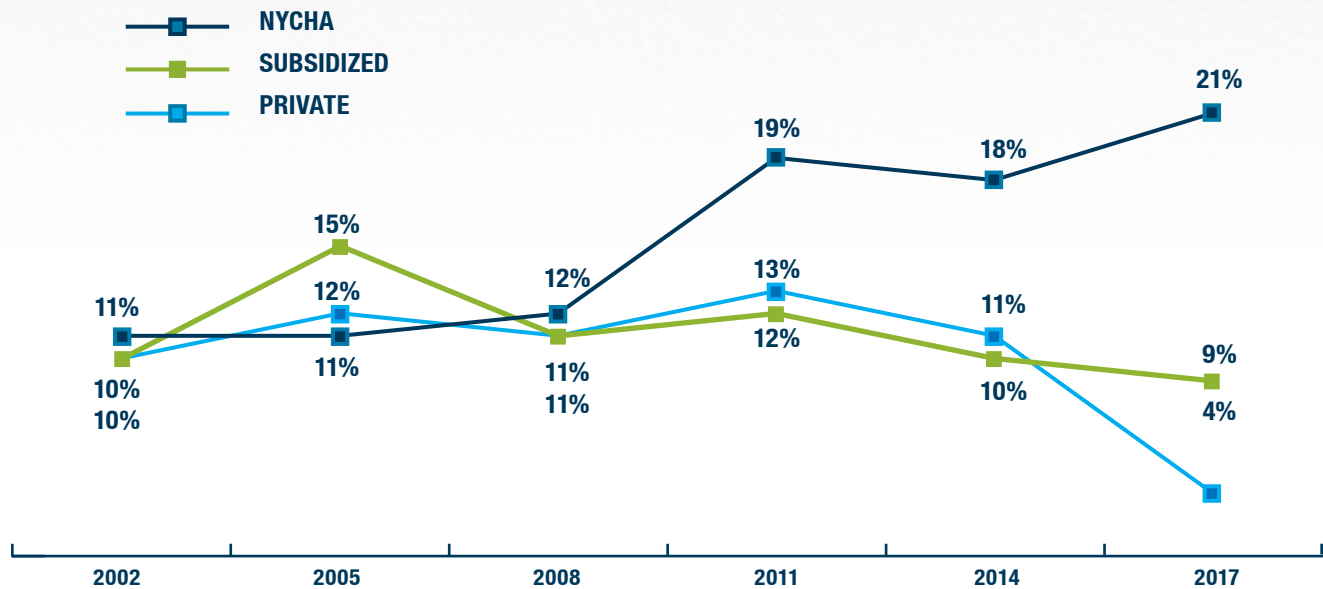
FIGURE 10 - NYCHA RESIDENTS ON PACT/RAD CONVERSION, 2019



FAVOR STRONGLY
 FAVOR NOT SO STRONGLY
 OPPOSE NOT SO STRONGLY
 OPPOSE STRONGLY

Source: 2019 Unheard Third survey, as reported in Bach, Victor, Oksana Mironova and Thomas J. Waters. NYCHA In Flux: Public Housing Residents Respond. July, 2020.

FIGURE 11 - LOW-INCOME HOUSEHOLDS REPORTING 4 OR MORE HOUSING DEFICIENCIES



Source: 2002 – 2017 Housing and Vacancy Surveys, as reported in Bach, Victor, Oksana Mironova and Thomas J. Waters. NYCHA In Flux: Public Housing Residents Respond. July, 2020.

As these plans move forward in fits and starts, problems persist in public housing. These problems, however, are treated by the city as somehow different from those of residents in privately-owned housing. While private housing tenants can call 311 to report a problem in their building, public housing tenants are told to go directly to the NYCHA Customer Complaint Center with their problems. This can pose a challenge if the tenant ever needs to go to housing court, as there is no independent verification of problems in their building. Relatedly, while code violations in private housing are listed on the Department of Buildings and Housing, Preservation and Development websites, no such accountability exists for public housing. This separation was not a creation of the de Blasio administration, but its perpetuation ensured that public housing would continue to be treated as a second-tier concern for city government.

The results were as tragic as they were predictable. In 2001, the percentage of households reporting four or more

deficiencies was largely the same across public, subsidized, and private housing at 11 percent to 12 percent. By 2011, the percentage of public housing residents living in this condition shot up by 7 percent, while those in other housing types rose only 1 percent. During the first three years of the de Blasio administration, the percentage of private housing tenants living in these conditions dropped laudably from 11 percent to 4 percent. The percentage in subsidized housing dropped by 1 percent. The percentage from public housing, however, continued to rise from 18 percent to 21 percent, or more than one in five public housing households.⁵⁴ (See Figure 11.)⁵⁵

Deferred maintenance and substandard inspections can have deep, long-lasting, and detrimental consequences for residents. Perhaps the most horrific expression of these failures was the ongoing and deepening lead paint scandal in public housing. For years, NYCHA submitted false certification filings to the federal government claiming that they had inspected for lead paint

when they had not. This not only violated local and federal laws and regulations but jeopardized the health and development of children living in at least 9,000 apartments—and likely as many as 20,000—with known lead exposure, which can have severe and lifelong health and development consequences.⁵⁶

Clearly, the de Blasio administration's unwillingness to give equal priority to public and private housing has had deep consequences for NYCHA buildings, and more importantly for NYCHA residents, who were treated as second class citizens. While NYCHA already faced a crisis when de Blasio entered office, that crisis has deepened during his time as mayor.

Homelessness: The Ultimate Housing Issue, Sidelined

Like public housing, the Housing New York plan initially treated homelessness as a separate issue from affordable housing, despite the fact the de Blasio administration inherited a homelessness crisis of historic proportions. This somewhat baffling decision can be explained in three ways.

First, on ideological grounds, it reflects the assumption that homelessness is primarily caused by behavioral factors rather than the supply and stability of affordable housing and should therefore be treated as a social service issue rather than a housing issue. Second, on economic grounds, leaving homelessness out of the primary housing plan reflects the fact that developing and preserving housing for extremely low-income people requires higher subsidies than prioritizing housing for higher-income workers (even though housing homeless people in shelters and other temporary housing is, over the long term, far more costly than developing permanent housing)⁵⁷. Last, on political grounds, this choice allowed the administration to sidestep some of the neighborhood opposition that can arise in reaction to proposals for housing for the formerly homeless (even though such reaction also

inevitably manifests over the expansion of the shelter system and the proliferation of homeless individuals on sidewalks and subways, both of which are the result of failing to secure housing for the homeless).

Ultimately this was an untenable position. Organizing from groups representing homeless New Yorkers forced the issue back onto the agenda first of the City Council and then of the mayor, who revised his administration's housing plan in 2017 to include set-asides for homeless households: 5% of the proposed Housing New York units, or 15,000 out of 300,000, would be designated for the homeless. Of that, just 6,000 units—less than half the homeless set-aside—would be new construction for households currently in shelters, even though new construction units tend to become available faster than preservation units.⁵⁸

With few measures in place powerful enough to address the crisis, homelessness continued the dramatic rise that began under Bloomberg. When de Blasio took office, there were 53,173 people living in Department of Homeless Services (DHS) shelters, including 22,548 children in families, 19,456 adults in families, and 11,169 single adults, plus an additional 11,000 in other shelter systems and on the street. These numbers rose precipitously and peaked in January 2019, when 63,839 people slept in DHS shelters, including 22,013 children in families, 21,883 adults in families, and 18,694 single adults. Thousands more lived in other city-run shelters, in three-quarter houses, on the streets, or doubled- and tripled-up in apartments, leading to an estimated total homeless population as high as 79,000 in 2019.⁵⁹

With few measures in place powerful enough to address the crisis, homelessness continued the dramatic rise that began under Bloomberg.

Between 2015 and 2018, the number of babies born to mothers living in shelters jumped from 877 to 1,319. Meanwhile, families needing shelter had a harder time finding it. The percentage of eligible homeless families having to re-apply for shelter rose from 43.8 percent to 46.2 percent for families with children, and from 55.5 percent to 64.4 percent for adult families.⁶⁰ Family homelessness became more geographically widespread over the course of the de Blasio administration, moving from a phenomenon restricted to a few very poor districts to a phenomenon that exists across the city.⁶¹

Though the number of homeless children and families remains alarming, the greatest increase in homelessness under de Blasio came from single adults, whose numbers have risen 78 percent. Not only are more single adults resorting to homeless shelters, but the duration of shelter stays has increased as well. By 2020, their average shelter stay hit 429 nights, up 62 percent from 265 in 2011. Whereas in 2016 one in 20 single adults spent three to four years in shelters, by 2020 that percentage had doubled to one in 10.⁶² For the first time in the city's history, in October 2020 single adult homelessness surpassed 20,000 people.⁶³

The main pathway the city provides out of the shelter system, housing vouchers, has been unstable and insufficient. The Bloomberg administration at first expanded the number of vouchers offered through its Advantage program, but the city and state abruptly ended that program in 2013, causing many to lose their homes and leading to a major spike in homelessness. The de Blasio administration once again expanded the number of vouchers the city would make available through their CityFHEPS program, but across the city people have struggled to find housing due to rampant “source of income” discrimination, an illegal practice the city's enforcement units have not ended.⁶⁴





Thirty-five percent of the units produced by nonprofits, for example, were geared towards extremely low-income households, whereas just 18 percent of the units developed by for-profit firms were for the poorest New Yorkers.

Additionally, the value of the vouchers consistently falls short of the rents in available apartments, leaving shelter residents with virtually useless vouchers. While the federal government’s calculation of “Fair Market Rents” for New York City has reflected the rise in housing prices, the value of vouchers has failed to keep pace.⁶⁵ For example, a family of four might receive a CityFHEPS voucher worth \$1,580 per month,⁶⁶ meanwhile, median asking rents in 2019 ranged from \$1,875 in the Bronx to \$3,300 in Manhattan.⁶⁷ There is therefore an exceedingly small number of available apartments renting at current voucher levels. In 2019, the vacancy rate for apartments that rented for the amounts covered by the voucher was just 1.82 percent to 2.96 percent, depending on the number of rooms.⁷⁰ Despite this obvious mismatch, the administration has not supported efforts to increase the voucher’s value.

Meanwhile, with more than half of single adults in shelter estimated to have a mental illness, and many struggling with substance abuse disorder and other disabilities, the need for “supportive housing”—or traditional housing with on-site services—has grown while the rate of placement has slowed.⁶⁸ After an initial surge in 2014, the number of supportive housing placements mostly declined under the course of de Blasio’s mayoralty, from 2,174 in 2014 to 1,448 in 2018, due to both city and state failures to meet supportive housing development commitments.⁶⁹ This created a major crunch, with the ratio of approved supportive housing clients to actual placements reaching five-to-one.⁶⁹

As a result of an inadequate commitment and behind-schedule supportive housing, undervalued vouchers, and limited housing construction targeted toward the homeless, the rate of placements in permanent housing remained flat, even as escalating housing costs pushed more and more New Yorkers into homelessness. The administration’s political priority has instead been on providing very basic shelter, thus reducing the visibility of homelessness without resolving the conditions that are increasing it. Spending on shelters more than doubled between 2014 and 2018,⁷⁰ with the Department of Homeless Services (DHS) budget hitting a record \$1.8 billion in 2018, plus an additional \$650 million allocation toward expanding and improving the shelter system. Removing state and federal contributions, the city is responsible for \$1.04 billion in DHS spending, plus a relatively meager \$147 million in HPD spending on housing geared toward the homeless.⁷¹

While investing in shelters may be better than allowing shelter conditions to deteriorate further, the choice to continue spending on shelters rather than building permanent housing for the lowest-income New Yorkers assumes that homelessness will continue into the future. The homeless organizing group Picture the Homeless argues that “the city could finance its share of the cost of housing every homeless family with the money that it is already set to spend on

operating shelters over the next 3 years.” By separating homelessness from affordable housing, however, the administration all but ensured that this approach would not be taken: housing development dollars would instead be spent on building and preserving less-affordable housing, while enormous sums would continue to be spent on shelters.

The de Blasio administration has, however, made a commitment to ending what they call “long-term street homelessness.” Despite this promise, the number of people living on the streets continues to remain high.⁷² In 2014, the survey that aims to count those living on the streets and subways counted 3,357 individuals; in 2017, the number increased to 3,892; in 2020, it was 3,857.⁷³ These numbers fluctuate based as much on the temperature on the day of the survey as any actual changes in the dynamics of street homelessness, but they suggest that street homelessness has certainly not declined from the point de Blasio took office, and instead seems to have risen. Advocates believe the city’s estimates are severely underreported.

Perhaps as a result of their failure to make good on this promise, and in response to reactionary anti-homeless campaigns from the tabloids and the police unions, the administration came to rely on policing as a key aspect of its street homelessness management program.⁷⁴ Social service outreach workers are often joined by armed police officers, creating the false impression that homelessness itself is a crime, and that forcibly moving homeless people from one place to another resolves the affordable housing crisis. Instead, this creates a dangerous situation for homeless people, who are frequent targets of police harassment and violence.⁷⁵ The Journey Home, the de Blasio administration’s plan to address street homelessness, calls for DHS and the NYPD to lead what they describe as a “24/7/365 Street Homelessness Joint Command Center,” and for the MTA, New York City Transit, the NYPD and the Department of Health Care Services to expand their “Subway Diversion Initiative,” which aims to displace

homeless individuals from public transit.⁷⁶ This culminated during the pandemic in a continued, nightly eviction of homeless New Yorkers from the subways as the system closed overnight. In the 2020 budget, the NYPD’s homeless outreach unit was dissolved, but anti-homeless policing has continued, particularly in areas where wealthy residents have complained about the conversion of hotels into temporary homeless housing.

This violent endpoint is the ultimate result of an approach to homelessness that separates the problem from its true source: an out-of-control housing market that has long been de-coupled from both wage and welfare rates. Instead of investing more now on capital expenses for low-cost housing production, it spends more over time on temporary housing costs, creating a permanent homeless population. Meanwhile, the city has been very willing to expend capital resources on affordable housing production, but it has done so in a market-driven model that produces too little for those with the greatest need. The result is the paradox in which we lived at the precipice of the pandemic: a time of record expansions of affordable housing spending and production, and a time of historic homelessness and continued gentrification. Truly, it was a tale of two cities.

As a result of an inadequate commitment and behind-schedule supportive housing, undervalued vouchers, and limited housing construction targeted toward the homeless, the rate of placements in permanent housing remained flat, even as escalating housing costs pushed more and more New Yorkers into homelessness.

More Than a Mayor

The problems New York City faces in fixing its perpetual low-income housing crisis are bigger than any one mayor, in terms of the timespan of the crisis, its geographic scale, and the levels of government involved in both perpetuating and addressing it. Any reasonable assessment of a particular mayor's record on housing, then, must also address these larger forces.

The Impacts of Previous Mayors

First, it must be noted that de Blasio entered the mayoralty after 20 years of Bloomberg and Giuliani administration housing policies, which were characterized by regressive approaches to questions of development, preservation, affordability, and equity.

Many of the most critical concerns during the de Blasio era were thus already in place when he took office. Homelessness had already skyrocketed, particularly after the Bloomberg and Cuomo administrations' disastrous decisions to end the Advantage subsidy program.⁷⁷ Similarly, rent burdens had already risen to majority-unaffordable heights under Bloomberg, and many neighborhoods—particularly in Manhattan, Brooklyn, and Western Queens—were already undergoing gentrification, thanks to both city policies that aided luxury developers at the expense of low-income tenants and an overall unwillingness to permanently preserve affordable housing. The apartments that were deregulated during these years—including 276,856 rent stabilized units between 1994 and 2015, and over 16,082 Mitchell Lama rental units between 1990 and 2014—are not easily recovered.⁷⁸ On top of the loss of private affordable housing units, the precipitous tilt toward financial insolvency at NYCHA was already well underway when de Blasio took office.

Federal Disinvestment and State Preemption

Beyond the question of past mayors, there is also the key issue of federal disinvestment and state preemption, both of which can frustrate any mayor's attempts to end the housing challenges faced by low-income New Yorkers. Federal aid to cities has declined precipitously over the past 40 years, with public housing taking some of the most severe hits. Under President Reagan, for example, the Housing and Urban Development budget was slashed by 80 percent, and while the Obama stimulus package brought some funding back to public housing it was nowhere near sufficient. The federal government, with its expansive taxing and borrowing powers, is perhaps the only public entity with the scale of resources and scope of powers to fully address the housing question in New York City and beyond. A recent analysis by Alex Schwartz, for example, estimates that the cost of subsidizing every rent-burdened New Yorker under 80% AMI to the degree that their rent would be affordable would be \$6.6 billion annually, or 7.3 percent of the city's annual budget, on top of the roughly \$1.3 billion the city already budgets for housing programs.⁷⁹ This is a sum far more easily carried by the federal government than New York City or any other municipality.

Similarly, the state government forms an important barrier to progressive housing policy at the city level. While the U.S. federal system generally empowers states to a larger degree than cities (which are treated under law as "creatures of the states"), contemporary New York City faces a greater degree of state control than many other cities. Since the 1975 fiscal crisis, several crucial aspects of urban policy have been controlled at the state rather than the city level, including most importantly the powers of taxation (except the general property tax rate) and the power to limit private rents. Any progressive restructuring of income and business taxes, or new taxes on property and financial transactions, must be approved by the state legislature, which, until recently, was politically divided

and unlikely to consider such legislation. This limits the amount of money available for housing programs, and thus restricts the depth and length of affordability for city housing programs. On rent regulations specifically, the so-called Urstadt Law denies the city home rule over rent control, rent stabilization, or other programs meant to regulate the private housing market. Such limits effectively deny mayors the capacity to bring more housing typologies into the rent regulation system, or to propose new systems that would go further than the existing state laws.

The Power of Real Estate

Finally, on top of the federal and state governments, mayors who seek to change the housing landscape—de Blasio arguably among them—must have a strategy to deal with the enormous structural power of the real estate industry over city planning, housing, and development policy. This is an issue that extends far beyond the boundaries of New York City, with what one analyst calls “a Niagara of capital” flowing into real estate in general, and urban housing in particular.⁸⁰ In New York City, following a long period of deindustrialization, the real estate industry—combined with finance and insurance—emerged from the post-1975 crisis as one of the most politically powerful business lobbies. Property taxes continue to account for the plurality of city revenues, developers and landlords remain an important (if recently challenged) political donor base, and high-end property development persists as one of the city’s leading growth sectors.

Any planning paradigm premised on the perpetual growth of real estate profits will always work in opposition to the project of racial equity, universal affordability, and the decommodification of housing.

Seeing no reliable partner in the federal or state government, the de Blasio administration strategically aligned itself with the real estate community and sought to stoke its growth as a means toward producing a more equitable city.⁸¹ As we have discussed already, the progress attained through this grand bargain (rarely expressed and often breached) was simultaneously undermined by rising unaffordability. This should come as no surprise: any planning paradigm premised on the perpetual growth of real estate profits will always work in opposition to the project of racial equity, universal affordability, and the decommodification of housing.

All of these factors—federal disinvestment, state preemption, and real estate industry power—are crucial to understanding why the city remains unaffordable to low-income people, but they do not excuse the administration’s shortcomings. Whatever the structural limitations, the New York City mayor remains an extremely powerful position. Politically, New York City largely operates on a modified “strong mayor” system of government.⁸² While the City Council plays an important role, the mayor controls agency appointments and dictates agency policy goals and priorities, establishes the executive budget, and sets the short and long-term planning agenda. Structural and historical hurdles are real, but they do not exempt the mayor from responsibility for his policies.





Conclusion: Toward a Just Recovery

Much of this analysis has necessarily excluded the year 2020, in which seemingly everything changed for New York City, and beyond, due to the onset of the Covid-19 pandemic. The prior years were characterized by economic and population growth in the city, and a mayor charged with reducing inequality but struggling to overcome inequities in housing.

As described earlier, de Blasio managed to produce and deliver a housing program that was historic in size, if not a fundamental departure in its approach and assumptions from that of the previous administration. The administration produced a record number of new and preserved affordable housing units and spent more on housing than any mayor before him. At the same time, however, this spurt of production was matched by unrelenting rent burdens for low-income tenants, growing homelessness, and deteriorating conditions in public housing. Some of this persistent inequity can be explained through factors bigger than the mayor and his administration, but plenty of fault lies in the mayor's approach to the housing question, which both prioritized deals over impacts and siloed some of the lowest-income New Yorkers—public housing residents and homeless households—into separate housing programs that failed to meet their needs.

And then there came a pandemic. While plenty can be said about the handling of housing questions during the pandemic at the city, state, and federal level, what is perhaps most salient to the issues discussed in this paper was the rapid move to

shrink critical agency budgets. Among other major cuts, HPD's budget was reduced by a staggering 40 percent, or nearly half a billion dollars. While roughly half of this money was returned months later, the remaining cuts will still put a strain on the final stages of de Blasio's housing program, flawed though it may have been.⁸³ At a time when New Yorkers are losing jobs and incomes, when housing insecurity is on the rise, and when many have no safe space to protect themselves from the pandemic, many important affordable housing projects will be delayed, and some will disappear altogether.⁸⁴

In just six months, New Yorkers will begin voting for a new mayor. This new executive will inherit a diminished budget and a period of profound uncertainty in the housing sector, but they may also enter office with a warrant for change and an opportunity to pursue a new direction from prior administrations. We must call for a bolder approach to housing preservation and development that brings together all forms of housing, and invests in long-term solutions for those suffering the most from present inequalities. We must pursue an approach to planning that is not dictated by or dependent upon for-profit developers and finance institutions, but rather draws from the strengths of grassroots organizations and the ideas of working-class communities. The legacy of the de Blasio administration shows that while prioritizing housing is a precondition for progress, the way we build and preserve matters at least as much as the quantity of housing we produce.

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