



New York State Comptroller
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New Yorkers in Need

The Housing Insecurity Crisis

February 2024

Message from the Comptroller

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Having safe and adequate housing is one of the most essential necessities in our society. Beyond providing shelter, our homes are places of security and rest, and offer us space for quiet contemplation, shared joys with loved ones and productive enterprises. Owning one's home has long been described as "The American Dream."

Yet for too many Americans, finding and keeping an adequate and affordable place to live has become all too difficult – stretching household budgets, forcing trade-offs with other essentials, like food and health care, or leading to living in crowded, poorly maintained or even hazardous conditions. The consequences of this housing insecurity are wide-ranging, with economic, social, physical and mental health impacts.

For almost 3 million New Yorkers, housing costs constitute more than 30 percent of household income, the most commonly used threshold of affordability. In New York, cost burdens are among the most severe in the nation, with one in five households experiencing a severe cost burden, meaning more than 50 percent of income is for housing costs. While low-income renters are the most cost-burdened, these financial pressures are increasingly felt by middle class households.

This report is the third and final report in the "New Yorkers in Need" series. It examines housing insecurity in New York, including high cost burdens, inadequate housing conditions and quality and other housing stress that may lead to evictions, foreclosures and homelessness. Past reports in the series examined poverty rates and food insecurity; in comparison, housing insecurity is more prevalent. The federal government must take the lead in tackling this challenge with increased resources to boost housing production and provide greater rental assistance, and the State must operate more efficiently, effectively and transparently in the execution of its housing policies, spur local action and continue to mitigate evictions and homelessness.

Thomas P. DiNapoli
State Comptroller



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Executive Summary

Introduction

The United Nations Universal Declaration of Human Rights states that everyone has the right to an adequate standard of living that includes housing.¹ In New York, the Constitution states the “aid, care and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions,” and defines a role for State government in the provision of housing for low-income households and others.²

The private market produces most of the housing in New York and nationally, and many Americans can secure a place to live without assistance or impediment. However, a large part of the population is not adequately housed. In 2022, there were approximately 3 million New York households living in housing insecurity – the absence of or limited or uncertain availability of safe, stable, adequate and affordable housing. These households overwhelmingly face burdensome costs for housing, but may also contend with inadequate or unsafe housing conditions, overcrowding, or the risk of eviction, foreclosure, or homelessness. Research shows housing insecurity leads to negative consequences for individuals, families, and even neighborhoods, and is recognized by medical professionals as a “social determinant of health.”

Findings

This report discusses housing insecurity, including homelessness, in New York. Among the report’s major findings:

- **Cost burdens are the primary driver of housing insecurity.** In 2022, New York had 2.9 million households paying 30 percent or more of their income for housing. This constituted 38.9 percent of households, the third highest rate of housing cost burden among states. Approximately 20 percent of New York households were severely cost-burdened, paying more than 50 percent of their income for housing.
- **New York consistently ranks as one of the states with the highest cost burdens** for both owners (3rd in 2022) and renters (13th in 2022). The share of New York’s renters who are cost burdened (52.4 percent) is far greater than the share of homeowners (28.0 percent). High rental burdens are a problem in regions across the state, but are more prevalent in urban areas.
- **Several factors affect cost burdens, including the availability of housing at a variety of price points.** Between 2012 and 2022, New York added 462,000 housing units, an increase of 5.7 percent that was far below other states, with New York ranking 32nd in the nation. Owner-occupied housing grew by 8.3 percent compared to 6.4 percent for renter-occupied housing. Monthly household costs grew more rapidly for renters (39 percent) than for homeowners (28 percent) between 2012 and 2022.
- **Rates of rental cost burden have increased across all income groups since 2012.** Renters tend to be less affluent than homeowners, and renters earning less

than the median tend to be most burdened: while 9 in 10 renter households with incomes below \$35,000 experienced a cost burden, 16 percent of households with income greater than \$75,000 were burdened in 2022.

- **Physically inadequate housing appears less prevalent than cost burdens.** Statewide, only 5 percent lived in crowded housing and less than 1 percent lived in housing with inadequate plumbing or kitchen facilities between 2016 and 2020.
- **Significant racial disparities exist among households suffering from housing insecurity.** In New York, 55 percent of households headed by a Hispanic person (any race), 50 percent of households headed by a Black or African American person and 48 percent of households headed by an Asian person had at least one housing insecurity problem, compared with 31 percent of households headed by a white person. People experiencing homelessness were also disproportionately Black and Hispanic or Latino.
- **Housing insecurity among New York’s seniors exceeds the national average.** Forty-three percent of New York households with a person age 75 and older and 37 percent of those with at least 1 person age 62 to 74 faced housing insecurity, compared to 34 percent and 29 percent, respectively, nationally.
- **Evictions have been higher in New York than the national average,** spiking in 2002 and 2009 after the dot-com and Great Recessions. State and federal moratoriums on evictions, combined with resources to help tenants recover from rental arrears through the Emergency Rental Assistance Program, resulted in a decline in evictions filed in New York in 2020 and further in 2021. Evictions grew almost threefold in 2022.
- **New York’s rate of homelessness, at about 5 per 1,000 people, was highest among states** and more than double the national rate of about 2 homeless per 1,000 people in January 2023. The number of homeless has increased significantly over time and grew by more than 39 percent in the most recent year alone, due in part to the influx of asylum seekers in New York City.

Recommendations

Addressing this critical crisis will require action by all levels of government. These actions must be geared toward increasing the supply and diversity of housing; and providing increased assistance to renters to ease housing insecurity, including homelessness. The scale of the problem is beyond the capacity of solely State government to solve; the pervasiveness of the problem nationally requires the federal government to take a leading role in crafting solutions and providing resources to bolster a portion of the safety net that is letting too many Americans fall through its tattered pieces.

Increased Federal Assistance and Discretion

As with other safety net programs, the federal government appropriately plays the largest role including providing assistance to state and local governments, providing rental assistance and subsidizing public housing. Major federal housing assistance grant programs totaled more than

\$1.3 billion in New York in federal fiscal year 2021 and funded programs to serve the homeless and facilitate development and rehabilitation of affordable housing units and homeownership, among other purposes.

Subsidies provided through the U.S. Department of Housing and Urban Development (HUD) supported more than 985,000 New Yorkers in over 594,000 units in 2022, including those in public housing. These subsidy programs are well targeted and offer meaningful support to enrolled households; however, the overall demand outstrips the available funding, with eligible households waitlisted for an average of 27 months for public housing and 30 months for Housing Choice Vouchers (HCVs), the two largest programs. Additional federal funding is needed to increase the number of HCVs available to states and public housing authorities. Additional study and consideration should be given to the impact of increases in the fair market rents in areas where gaps in wages and market rents appear to be growing over several years.

In addition, the federal government should authorize additional Low-Income Housing Tax Credits (LIHTCs), and consider whether changes are necessary to the structure of the program to further incentivize the development of units that are more deeply affordable. LIHTCs are the nation's largest source of affordable housing financing, and supported approximately 1,504 housing projects in New York with almost 160,000 housing units between 2010 and 2020. Additional funding for private activity bonds that provide favorable financing for affordable housing is also necessary. These incentives are central to the State's ability to continue to produce affordable rental units.

In addition, the federal Centers for Medicare & Medicaid Services should grant states wider discretion in the use of Medicaid dollars to support the provision of supportive housing, with requisite mechanisms for reporting and accountability. Housing is recognized by the U.S. Department of Health and Human Services as a "social determinant of health," and as housing insecurity and mental health issues have increased in the wake of the COVID-19 pandemic, the merit of such an approach to facilitate increased production of supportive housing is compelling.

State and Local Policies

While the State has devoted enormous resources to affordable housing production and housing assistance – including \$5.7 billion in capital funding largely directed toward the development and preservation of affordable multi-family housing and supportive housing – improving housing insecurity will require it to operate more efficiently, effectively and transparently.

Improve Transparency and Effectiveness of Current Resources and Programs

First, the State must greatly enhance reporting around resources allocated for housing, targets and goals for spending, geographic distribution, and actual spending, subsidy and/or completion rates on a per-unit basis. This must be done for all tools the State uses: operating spending, local assistance, capital contributions and tax credits. This information is needed to evaluate the State's programs and consider where additional resources may be merited, particularly with respect to expanding rental assistance.

Second, the State must better administer and assess the programs it is currently operating. For example, as recommended by audits by the Office of the State Comptroller, the State should improve its distribution of available HCVs, better monitor and enforce maintenance and other

conditions at Mitchell-Lama and other regulated units, aggregate data on clients experiencing homelessness and ensure those clients are properly assessed and receive the services and shelter assistance to which they are entitled.

Spur Local Actions

The State must take action to stimulate community-appropriate development actions and enhance the supply and diversity of the housing stock. First, each local government should conduct a review of local zoning rules, which would allow communities an opportunity for a holistic analysis of regulations, which for many local governments has not been conducted in decades. Second, the State can provide planning and logistical support and other resources to communities willing to update zoning regulations and take meaningful actions to eliminate restrictive zoning practices or facilitate increased development. Third, the Governor and Legislature can approve requests from cities and other communities seeking statutory changes accompanied by home rule messages that would allow for the development of more housing.

Mitigate Evictions and Homelessness

Using federal and State dollars, the Emergency Rental Assistance Program has provided a critical lifeline to tenants and helped reduce evictions filed during the pandemic; the New York State Office of Temporary and Disability Assistance (OTDA) should perform an analysis to determine to what extent such support should continue and whether the thresholds for eligibility should be adjusted. This analysis should also encompass other major rental assistance programs funded by the State, as there may be opportunities to harmonize or improve the programs. In addition, the State should continue funding for legal representation for low-income households facing eviction.

What Is Housing Insecurity?

There is no single accepted definition of housing insecurity, also referred to as housing instability. Researchers and policymakers often consider issues such as high cost relative to income; substandard housing quality and conditions, including crowding; moving frequently; evictions and foreclosures; and other housing-related stress such as risks related to the ability to pay for and remain in suitable housing.³ These definitions often take into account not just characteristics of specific housing units, but also of the neighborhoods in which they are located. Fundamentally, housing insecurity is the absence of or limited or uncertain availability of safe, stable, adequate and affordable housing.⁴

Secure housing is essential to physical, social and psychological well-being. Housing and neighborhood conditions are recognized by the U.S. Department of Health and Human Services as “social determinants of health” - nonmedical factors that influence health outcomes.⁵ Extensive research links housing inadequacy or insecurity to negative health and economic outcomes, and the challenges are often particularly severe for children.⁶

- **Substandard housing conditions, such as lead exposure, poor ventilation, and pest infestation, are associated with or have been demonstrated to lead to poor health outcomes.**⁷ Living in overcrowded housing can lead to poor mental health, food insecurity, and infectious diseases such as hepatitis and tuberculosis.⁸
- **Negative outcomes can be heightened for children and those experiencing eviction or at risk of homelessness.**⁹ A study of low-income mothers who had been evicted found increased rates of depression, and these mothers reported worse health outcomes for themselves and their children.¹⁰ Children in families that move frequently tend to have increased risks of teen pregnancy, early drug use, and depression.¹¹
- **Shelter costs are typically the largest monthly household expense, and a heavy financial burden for housing can leave families with less to spend on food and health care.** In addition, stress associated with managing cost burdens can affect mental health and have additional consequences when these costs lead families to forego preventative or necessary medical care.¹²
- **The neighborhoods in which housing-insecure families live can have negative economic and health consequences.** For example, living near high-volume roads can result in increased asthma rates. Some research suggests that neighborhood segregation widens health disparities through its impact on access to schools, jobs, and health care, among other things.¹³

This report examines three categories of housing insecurity:

- High housing cost burdens;
- Physical inadequacy, including overcrowding and substandard conditions; and
- Housing stress, including evictions and foreclosures, which may result in homelessness.

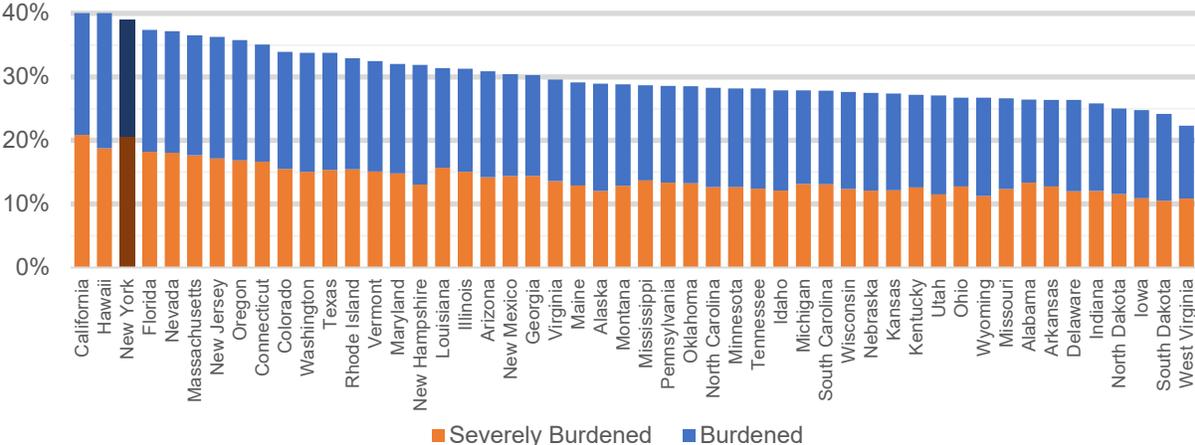
High Housing Cost Burdens

The U.S. Department of Housing and Urban Development (HUD) and other federal agencies define cost-burdened households as those for which housing costs exceed 30 percent of gross income.¹⁴ Severely cost-burdened households pay more than 50 percent of income towards housing.

New York Ranks Third in Cost Burden

New York had 2.9 million cost-burdened households – 38.9 percent of the state’s households – as in 2022, the third highest rate among states, after California and Hawaii. Approximately 20 percent of New York households were severely cost-burdened.

Figure 1
Share of Cost-Burdened Housing Units, by State, 2022



Notes: Includes renter and owner housing units. Rates exclude housing units for which cost burdens were not computed. Burdened units are those with housing costs between 30 and 49.99 percent of their income; severely burdened are those with housing costs in excess of 50 percent of income.

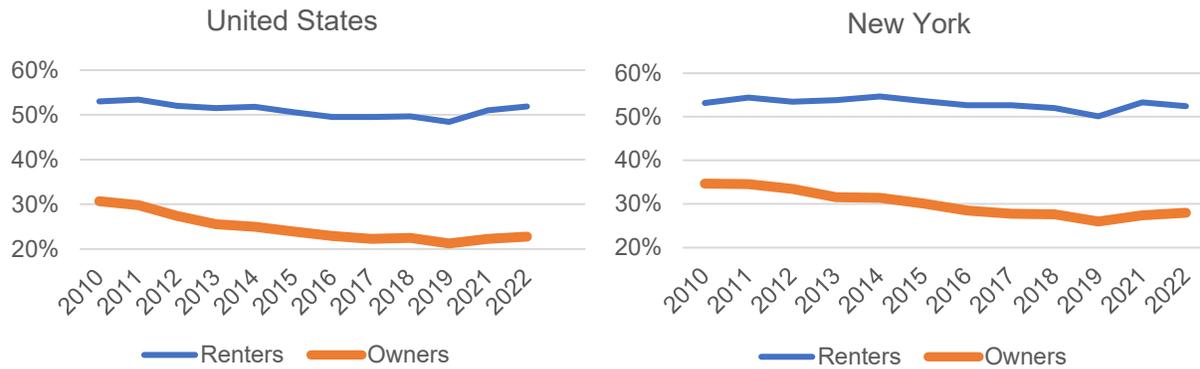
Source: American Community Survey, 1-year Estimates for 2022, Tables B25091 and B25070

Renters Tend To Be More Burdened Than Homeowners

As in all states, the share of New York’s renters who are cost burdened (52.4 percent) is far greater than the share of homeowners (28.0 percent).¹⁵ (See Figure 2.) However, New York consistently ranks as one of the states with the highest burdens for both owners (3rd in 2022) and renters (13th in 2022). Nationally, 22.8 percent of homeowners and 51.9 percent of renters were cost burdened in 2022.¹⁶ California (20.9 percent) and New York (20.6 percent) lead the nation in the share of severely cost-burdened households.¹⁷

As shown in Figure 2, the gap between renter and owner cost burdens has increased since 2010 both nationally and in New York. In New York, the renter cost burden rate rose from 18.5 percentage points higher than the owner rate in 2010 to 24.4 percentage points higher in 2022.

Figure 2
Shares of Cost-Burdened Renter and Owner Households, U.S. and New York, 2010 – 2022



Notes: Data from 2020 excluded due to low response rates compromising the reliability of the data. Rates exclude housing units for which cost burdens were not computed.

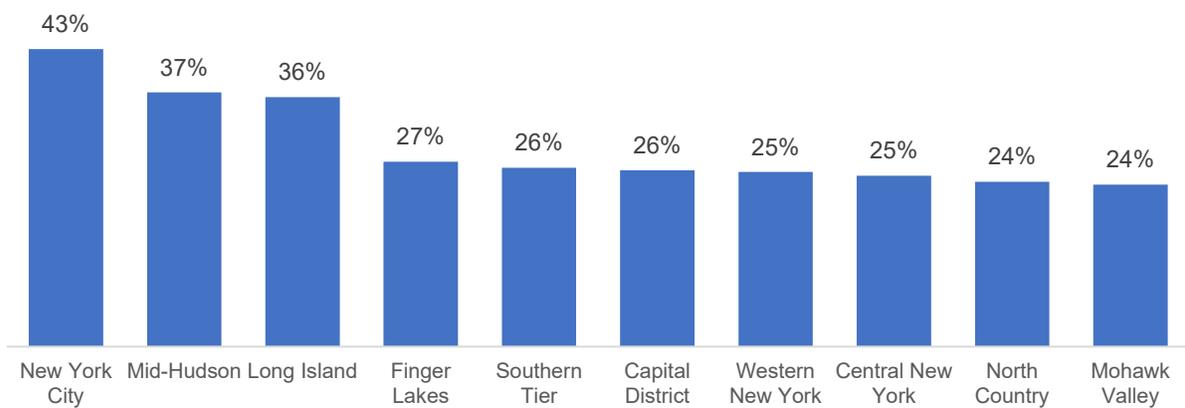
Source: American Community Survey, 1-year Estimates for 2012-2022, Tables 25091 and B25070

Local Incidence of Cost Burdens

The most recent and reliable data on local housing burdens are available through HUD and average the five years ending in 2020. The data, known as Comprehensive Housing Affordability Strategy (CHAS), are prepared by HUD using detailed nonpublic American Community Survey (ACS) data.

For both owners and renters, housing costs burdens are highest in New York City (43 percent of households). More than one-third of households in the Mid-Hudson and Long Island regions are cost burdened, higher than regions in the rest of New York, where aggregate burdens range from 24 percent in the North Country and Mohawk Valley to 27 percent in the Finger Lakes.

Figure 3
Share of Cost-Burdened Households, by New York Region, 2016 – 2020



Note: Excludes households for which cost burdens were not calculated.

Source: HUD CHAS

Review of local data, summarized in Figure 4, indicates:

- **High rental burdens are a problem across the State.** At least 40 percent of rental households were burdened across all regions. The greatest share was on Long Island, which has the smallest share of renters (under 20 percent).
- **Downstate homeowners tend to be more burdened than upstate.** While more than 30 percent of owners were cost-burdened in downstate regions, less than 18 percent were in upstate regions.

Figure 4
Housing Units, Renter Households and Cost-Burdened Households,
by New York Region, 2016 – 2020

Region	Number of Occupied Housing Units	Share of Renter Households	Share of Cost-Burdened Households	
			Owners	Renters
New York City	3,191,690	67.2%	32.5%	48.6%
Mid-Hudson	828,940	34.1%	30.3%	49.9%
Long Island	945,630	18.7%	32.8%	51.4%
Finger Lakes	492,245	32.3%	17.8%	46.3%
Southern Tier	262,585	32.4%	16.2%	47.2%
Capital District	443,050	34.8%	17.7%	40.7%
Western New York	586,585	32.9%	16.2%	44.4%
Central New York	308,755	32.0%	16.2%	43.6%
North Country	163,400	31.8%	16.2%	40.7%
Mohawk Valley	194,345	29.7%	16.7%	40.1%

Note: Share of Cost-Burdened Households excludes households for which burdens were not computed.
Source: HUD CHAS

- **High cost burdens are more prevalent in urban areas than in other parts of the region.** More than one-third of households (owners and renters) were burdened in Buffalo, Syracuse, Albany, Rochester and Yonkers, as shown in Figure 5. In every region, high cost burden is more common in cities and villages than in unincorporated areas. For example, in the Mid-Hudson region, 43.6 percent of city households had housing costs exceeding 30 percent of income, compared to 32.8 percent of households in the region living outside urbanized areas.¹⁸

Figure 5
Housing Units, Renter Households and Cost-Burdened Households,
Selected Cities in New York, 2016 – 2020

City	County	Number of Occupied Housing Units	Share of Renter Households	Share of Cost-Burdened Households		
				Owners	Renters	All
New York City	New York City	3,191,690	67%	33%	49%	43%
Yonkers	Westchester	75,865	53%	30%	51%	41%
Rochester	Monroe	88,005	64%	22%	51%	40%
Albany	Albany	41,615	63%	19%	50%	38%
Syracuse	Onondaga	56,385	61%	17%	50%	37%
Buffalo	Erie	110,895	58%	17%	48%	35%

Note: Share of Cost-Burdened Households excludes households for which burdens were not computed.

Source: HUD CHAS

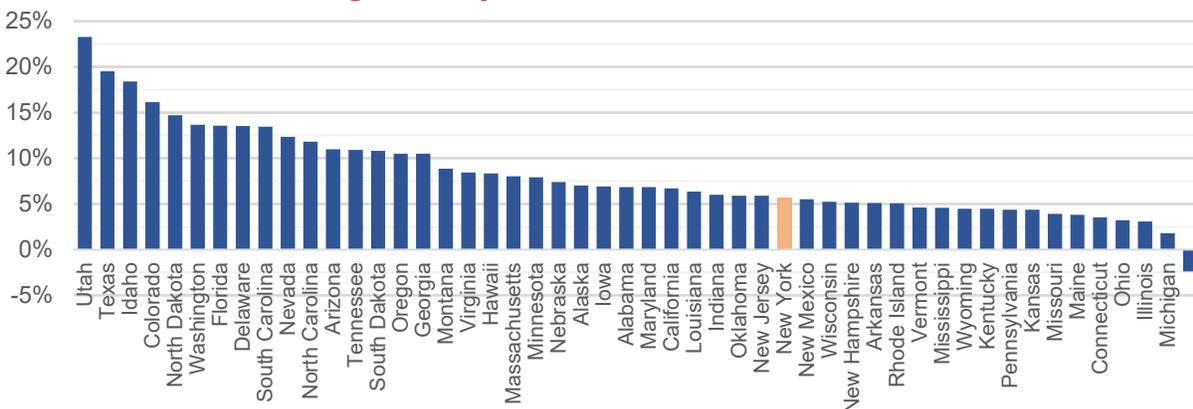
Factors Affecting Cost Burdens

Two factors determine burden: gross costs and incomes. The gross costs of housing are determined by a multitude of factors, including housing supply, that is, the availability of homes at a variety of price points for renters and owners; the attractiveness or economic vibrancy of a location; mortgage interest rates; local real estate taxes; utility costs; and local zoning regulations, among others.¹⁹

Lagging Housing Production

Between 2012 and 2022, New York added 462,000 housing units to reach more than 8.5 million units. The increase – 5.7 percent – was greater than population growth but less than job growth (8.3 percent) during this period, and was far below other states, with New York ranking 32nd in the nation. States like Texas and Florida had double-digit gains, while New York’s neighbors also produced modest gains, with Massachusetts and New Jersey outpacing New York at 8.0 and 5.9 percent, respectively.

Figure 6
Percent Growth in Housing Units, by State, 2012 – 2022



Source: American Community Survey, 1-year Estimates for 2022 and 2012, Table B25001

Supply increased for two types of homes: single family homes, predominantly for owners, and multi-family housing with 10 or more units, catering to renters. The number of smaller buildings with between two and nine units, which can often be more affordable, declined. The growth in housing units has been primarily in owner-occupied housing, which grew 8.3 percent compared to 6.4 percent for renter-occupied housing during this time. As shown in Figure 8, New York’s occupied housing grew more slowly than the national average for both renters and owners.

Figure 7
Change in Housing Units, by Type of Structure, New York, 2012 – 2022

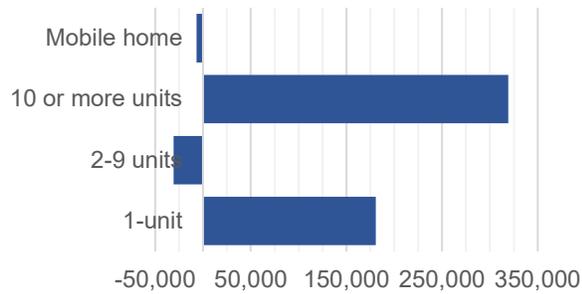
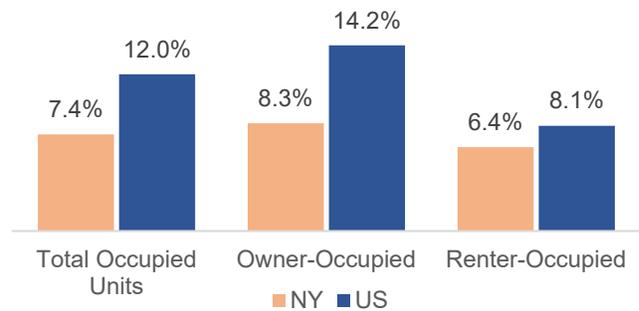


Figure 8
Percent Change in Occupied Units, U.S. and New York, 2012 – 2022



Source: American Community Survey, 1-year Estimates for 2022 and 2012, Tables S2504, B25136 and B25024

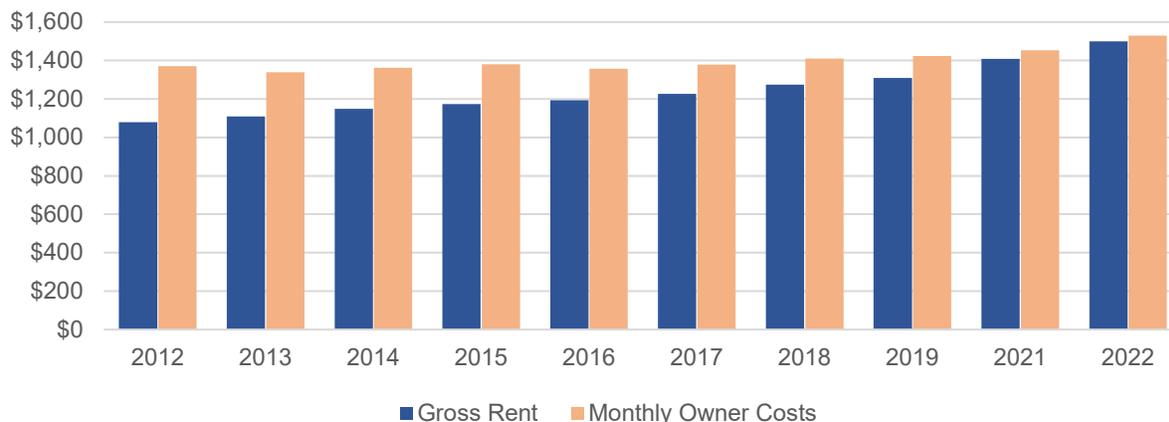
In a 2023 report, the Congressional Research Service notes that housing supply may be low nationally, with important implications for affordability: “Relatively low housing supply, especially when demand for housing is strong, can cause undesirable friction in the housing market. One of the main results of low supply has been decreasing affordability.... and individual preferences may be harder for the housing market to meet due to supply or price constraints.”²⁰

One consequence of lagging growth in supply has been that New York’s vacancy rate for rental units statewide has declined to 3.5 percent, according to the U.S. Census Bureau.²¹ Aggregate information on New York’s varied communities is not available, although New York City and some other local governments do analyze their rates. Vacancy rates tend to be lower for more affordable units. A “Deep Dive” analysis published by the Robin Hood Foundation finds the number of vacant New York City rental apartments declines steadily as monthly asking rents decline, particularly for units below \$2,300 monthly asking rent.²²

Growing Housing Costs

Monthly household costs for owners and renters in New York were similar in 2022, as a result of more rapid increases in rent than in homeowner costs. Between 2012 and 2022, gross median monthly rent increased by almost 39 percent compared to a 28 percent increase in monthly median homeowner costs.²³ Approximately 60 percent of owner-occupied units have a mortgage; median monthly costs for these units were higher (\$2,355 in 2022), but increased more slowly (19.7 percent) than costs for renters during this period.²⁴

Figure 9
Monthly Median Gross Rent and Monthly Median Housing Costs for Homeowners, New York, 2012 – 2022



Notes: Data from 2020 excluded due to low response rates compromising the reliability of the data. Gross rent is the contract rent plus the estimated average monthly cost of utilities and fuels. Monthly owner costs include payments for mortgages or similar debts, real estate taxes, insurance, utilities, fuels and, where applicable, condominium fees.

Source: American Community Survey, 1-year Estimates for 2012 - 2022, Tables B25064 and B25088

While renters are subject to regular increases in rent as their leases expire, homeowners can lock in the price of housing over a long period through a fixed-rate mortgage and may even reduce their monthly costs through refinancing. One reason owner cost burdens may have fallen through 2019 is a low interest rate environment, which allowed homeowners to procure or refinance their mortgages at historically low rates. By contrast, renter cost burdens were far more stable over most of the last decade before rising sharply in 2021.

Part of the growing housing costs faced by both owners and renters is real estate taxes. While owners pay these taxes directly or through their mortgage, renters face these costs as well, as they are passed down in monthly rents. In 2022, median real estate taxes in New York for owner-occupied housing with a mortgage were \$6,566, more than double the national median of \$3,237; however, median housing values were only 22 percent greater.²⁵ Property tax *bills* are among the highest in the nation in some counties, including those on Long Island and the Hudson Valley, which tend to have high owner cost burdens relative to other State regions.²⁶ The property tax structure has been cited as creating disincentives for developers to create multi-family rental housing in New York City, constraining supply and increasing rental costs.²⁷

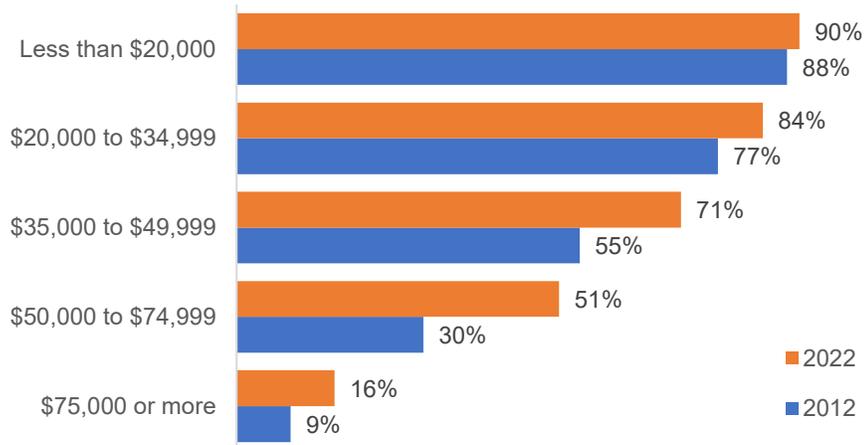
Highest Burdens on Low-Income Renter Households

Sixty percent of all burdened households in New York in 2022 were renters. One reason more renters were cost burdened is because homeowners tend to be more affluent than renters. In 2022, homeowners in New York had a median household income of \$106,477, more than double that of renters at \$52,928.²⁸

Renters earning less than the median tend to be most burdened. Of cost-burdened renter households, almost 1.3 million, or 73 percent, had household income less than \$50,000. The prevalence of cost burdens declines as household income increases; while 9 in 10 renter

households with incomes below \$35,000 experienced a cost burden, 16 percent of households with income greater than \$75,000 were burdened in 2022.²⁹ Rates of burden have increased across income groups, with the greatest increases for middle-income groups, since 2012.

Figure 10
Shares of Renter Households That Are Cost Burdened,
by Household Income, 2012 and 2022



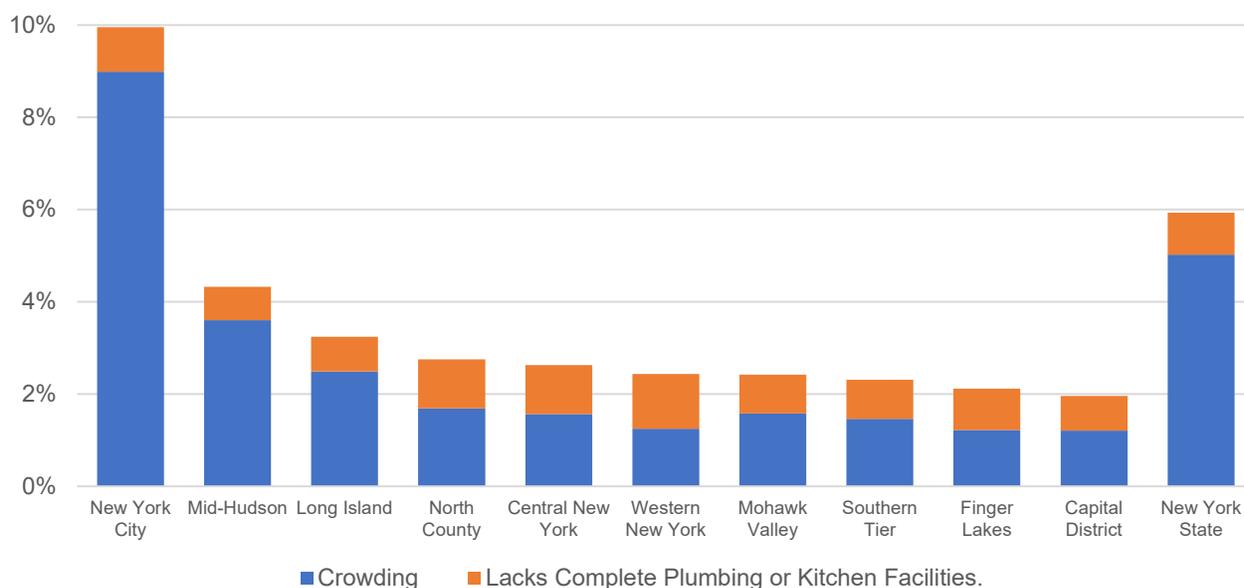
Source: American Community Survey, 1-Year Estimates for 2022, Table B25106

Housing Conditions and Quality

A second measure of housing insecurity relates to the quality of housing. Poor housing conditions, such as overcrowding, inadequate plumbing and kitchen facilities, and other deficiencies, such as holes in the walls and presence of rats, can make housing uninhabitable, unhealthy, inhospitable or even dangerous. A unit is considered overcrowded if there is more than one person per room.³⁰

The CHAS captures data on crowding and inadequate plumbing and kitchen facilities, which are far less common than high cost burdens. Statewide, only 5 percent lived in crowded housing and less than 1 percent lived in housing with inadequate plumbing or kitchen facilities between 2016 and 2020. Overcrowding is far more common for renters than for homeowners: in the 2016 to 2020 period, 3.9 percent of rental households were crowded – three times the average for homeowners (1.2 percent).

Figure 11
Share of Households Experiencing Crowding or Lack of Complete Plumbing or Kitchen Facilities, by New York Region, 2016 – 2020



Note: Excludes units for which rates were not computed.

Source: HUD CHAS

Beyond crowding and adequate plumbing and kitchen facilities, housing suitability can be affected by a wide range of other physical defects or problems, many of which can potentially pose safety and health hazards. These include deficiencies such as leaks, cracks or holes, heating problems, presence of rodents and peeling lead paint. Statewide data are not available for these deficiencies, but the New York City Department of Housing Preservation and Development periodically conducts the New York City Housing and Vacancy Survey (NYCHVS), which gathers maintenance data.

The most recent survey, conducted in 2021, identified a host of deficiencies in New York City rental housing. Rodents were present in almost 1 in 4 units, and 1 in 6 units had leaks, cracks or holes. Issues with heating were also prevalent.

Figure 12
Maintenance Deficiencies Reported,
New York City Occupied Rental Units, 2021

Maintenance Deficiencies	Estimate	Percent
Presence of Rodents	766,700	24%
Leaks	563,700	18%
Cracks or Holes	526,600	17%
Additional Heating	489,900	16%
Heating Breakdown	327,900	10%
Mold in Unit	280,900	9%
Broken Plaster or Peeling Paint	222,900	7%
Toilet Breakdown	189,100	6%
Elevator Breakdown	188,400	6%

Note: A single unit may report multiple deficiencies.

Source: New York City Housing and Vacancy Survey, 2021

The NYCHVS data show these deficiencies tend to be more prevalent in rent stabilized, rent controlled and public housing – units that are regulated with the intention of preserving affordability.³¹ A [2023 audit](#) by the Office of the State Comptroller found hazardous conditions at four New York City Mitchell-Lama Housing developments, a program under which affordable rental and cooperative (co-op) housing is provided to middle-income families. A subsequent [audit](#) found hazardous conditions in two developments outside New York City. In addition, serious, systematic deficiencies have been identified at the New York City Housing Authority (NYCHA), the largest public housing authority in the nation. NYCHA’s recently updated Physical Needs Assessment indicated \$60 billion in necessary short-term rehabilitation costs, with \$23 billion in work needed in apartments to address bathrooms, kitchens, lighting walls, ceilings, flooring and more.³²

Who Suffers from Housing Insecurity?

Significant Racial Disparities in Housing Insecurity

Significant racial disparities exist in New York and in other states among households suffering from housing insecurity. In New York, 55 percent of households headed by a Hispanic person, 50 percent of households headed by a Black or African American person and 48 percent of households headed by an Asian person had at least one housing insecurity problem, compared with 31 percent of households headed by a white person.

Figure 13
Share of Households Suffering from Housing Insecurity, by Region and Race and Ethnicity of Head of Household, 2016 – 2020

Region	Non-Hispanic			Hispanic (Any Race)
	White	Black or African-American	Asian	
New York City	38%	51%	52%	57%
Mid-Hudson	35%	49%	35%	51%
Long Island	34%	45%	40%	50%
Finger Lakes	24%	46%	33%	48%
Southern Tier	25%	55%	41%	45%
Capital District	24%	45%	32%	40%
Western New York	23%	42%	40%	44%
Central New York	24%	45%	39%	42%
North Country	25%	40%	30%	39%
Mohawk Valley	23%	49%	32%	42%
New York State	31%	50%	48%	55%

Note: Housing Insecurity includes cost-burdened households, those with crowding, and those lacking complete plumbing or kitchen facilities.

Source: HUD CHAS

Because homeowners tend to be more affluent and less burdened than renters, another concerning disparity relates to racial and ethnic homeownership gaps that are higher in New York than the nation, as [reported](#) by the Office of the State Comptroller in 2022. New York's homeownership rates were lowest for Hispanic or Latino households. While these gaps originate in historic injustices against communities of color, there is also evidence of persistent inequitable real estate, banking and financing practices, most recently [documented](#) by the Office of the New York State Attorney General.

Housing Insecurity Among Seniors Exceeds National Average

Forty-three percent of New York households with a person age 75 and over and 37 percent of those with at least 1 person age 62 to 74 faced housing insecurity, much greater than the national rates (34 percent and 29 percent, respectively). Seniors are more likely to be retired from the workforce and on fixed income.

Figure 14
Share of Households Suffering from Housing Insecurity, by Region and Age, 2016 – 2020

Region	No One Age 62 or Over	At Least 1 Person Age 62 to 74, But No One Age 75 or Over	At Least 1 Person Age 75 or Over
New York City	48%	48%	52%
Mid-Hudson	39%	38%	45%
Long Island	37%	37%	46%
Finger Lakes	28%	26%	32%
Southern Tier	30%	21%	28%
Capital District	27%	25%	33%
Western New York	27%	24%	30%
Central New York	27%	24%	30%
North Country	28%	22%	23%
Mohawk Valley	26%	23%	26%
New York State	39%	37%	43%
United States	32%	29%	34%

Notes: Housing Insecurity includes cost-burdened households, those with crowding, and those lacking complete plumbing or kitchen facilities. Excludes households for whom cost burdens were not computed.

Source: HUD CHAS

Housing Stress: Evictions, Foreclosures and Homelessness

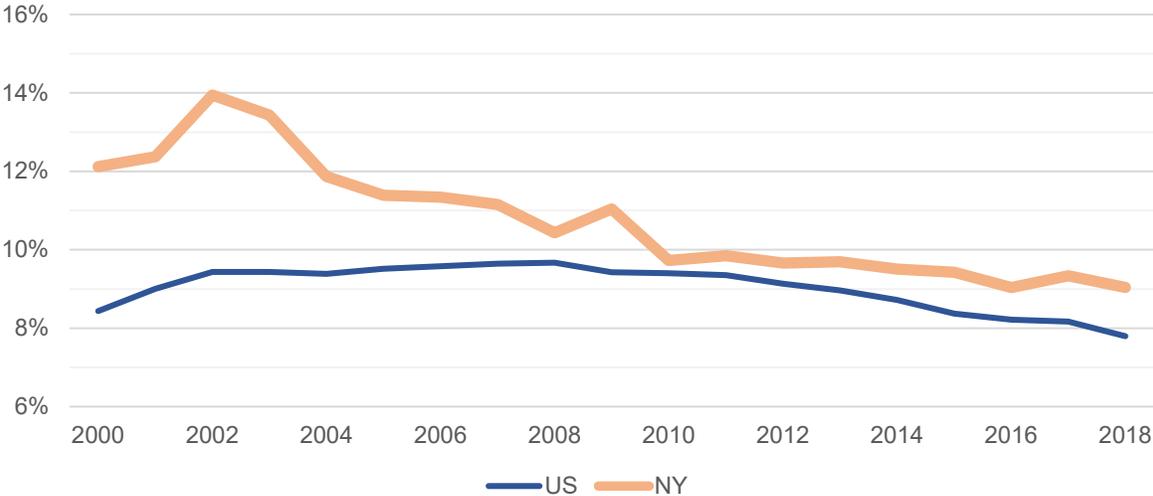
Housing stress can manifest itself in many ways, including frequent movement between housing units; falling behind on rent, which poses the risk of eviction; formal evictions and foreclosures that cause the loss of a stable home; and homelessness.

From August 2020 to October 2023, an average of 27.7 percent of adults in New York households surveyed by the U.S. Census Bureau reported they were not current on rent or mortgage where eviction or foreclosure in the next two months was either “very likely” or “somewhat likely.” Nationally, the share was even greater: 32.7 percent.³³

Evictions

Eviction and the threat of eviction are major sources of housing insecurity stress.³⁴ Figure 15 shows eviction filing rates in New York and the United States from 2000 through 2018, the period for which national data are available from the Eviction Lab at Princeton University. New York has been consistently higher than the national average, with filings against as high as 14 percent of rental households in 2002. Rates in New York spiked in 2002 and in 2009, but have generally declined steadily since the dot-com recession. In 2018, New York had the 10th highest eviction filing rate, 9 evictions filed per 100 households.

Figure 15
Eviction Filing Rates as a Share of Rental Households, U.S. and New York, 2000 – 2018



Source: Eviction Lab at Princeton University

In the wake of the COVID-19 pandemic, New York enacted a moratorium on rental evictions for tenants suffering financial hardship and failing to pay rent due during the COVID-19 emergency under the Tenant Safe Harbor Act, which applied retroactively beginning March 7, 2020 and was ultimately in effect until January 15, 2022.³⁵ In addition, certain eviction proceedings were

temporarily suspended.³⁶ The federal government also placed a moratorium on residential evictions that was initially effective on September 4, 2020 and was extended through 2021, ending for all states on August 26, 2021.³⁷ The federal government also provided rental assistance for low-income and moderate-income tenants to help them recover from rental arrears through the Emergency Rental Assistance Program (ERAP). Acceptance into the program also conferred protections to tenants, including prohibiting eviction for one year from the date of the approved application. New York received \$2.9 billion in ERAP, which the State supplemented with \$1.5 billion of its own resources through State Fiscal Year (SFY) 2023-24.

These protections and resources reduced eviction filings statewide. Data from the New York State Office of Court Administration show a 58 percent decline in eviction filings in 2020 statewide, with comparable or greater decreases in the State's largest cities.³⁸ Eviction filings declined by an additional 37 percent in 2021 before rising in 2022 when the State's moratorium expired. Even as eviction filings grew almost threefold in 2022 to 186,013, they were still 27 percent below the 2019 level. Similarly, warrants issued for eviction by city and district courts in 2022 numbered 40,666 and were 63 percent below the number issued in 2019.³⁹

Figure 16
Evictions Filed in New York and Selected Cities, 2019 – 2022

	Evictions Filed				Percent Change			
	2019	2020	2021	2022	2019-2020	2020-2021	2021-2022	2019-2022
New York	254,557	105,774	66,421	186,013	-58%	-37%	180%	-27%
New York City	171,533	75,038	42,108	108,138	-56%	-44%	157%	-37%
Buffalo	9,016	2,730	1,709	8,724	-70%	-37%	410%	-3%
Rochester	7,353	2,532	1,872	6,494	-66%	-26%	247%	-12%
Syracuse	3,893	1,151	666	3,611	-70%	-42%	442%	-7%
Yonkers	5,146	1,979	1,564	3,374	-62%	-21%	116%	-34%
All Others	57,616	22,344	18,502	55,672	-61%	-17%	201%	-3%

Notes: Excludes commercial evictions; includes residential and unknown filings. Data from Town and Village Courts statewide and from City and District Courts.

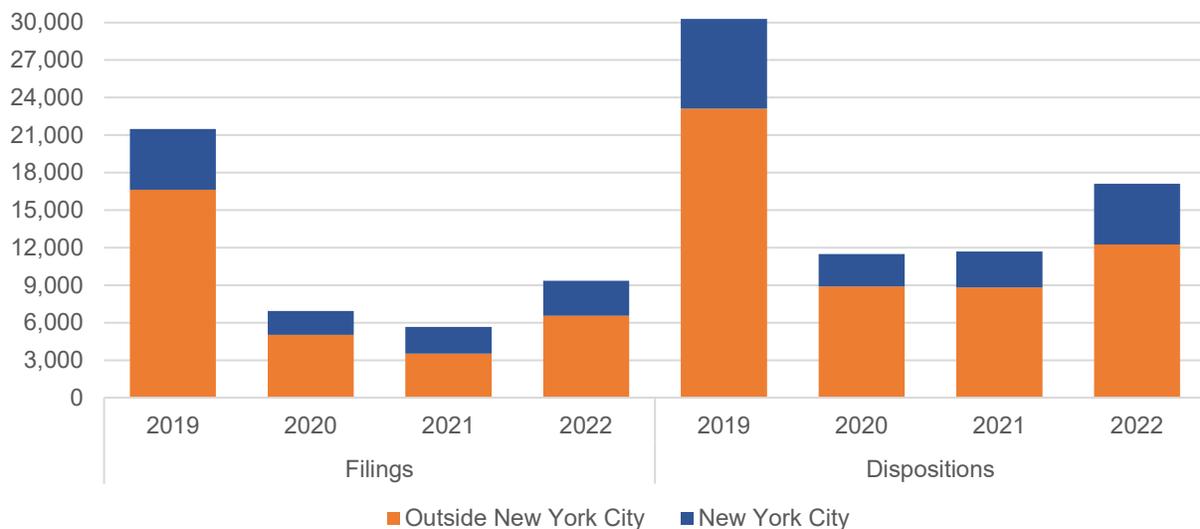
Source: Office of Court Administration

In New York City, there is evidence that low-income households are facing growing financial pressures with respect to housing. In City Fiscal Years (FY) 2020 and 2021, the number of cases of low-income renters facing eviction and homelessness who were assisted by the City with legal services in Housing Court declined; however, the number has since rebounded to reach 34,218, 6.3 percent higher than in 2019. Similarly, rent collection rates at the New York City Housing Authority (NYCHA) have plummeted from 89.6 percent in FY 2019 to 62 percent in FY 2023, with 68,609 households in rental arrears, a delinquency rate of 45 percent.⁴⁰ As reported by the Office of the State Deputy Comptroller for New York City, NYCHA households did not receive assistance from ERAP through the end of SFY 2022-23, although assistance began to reach these households in the current State fiscal year.⁴¹

Foreclosures

Foreclosures result from the failure of a homeowner to remain current on their note and mortgage obligation.⁴² The New York State COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 temporarily suspended eviction and foreclosure proceedings and provided for a moratorium on foreclosures for owners declaring hardship until May 1, 2021.⁴³ The protections were subsequently extended until January 15, 2022.⁴⁴ Foreclosures filings declined by more than two-thirds in 2020 and continued to decline in 2021 outside New York City; they began to rise again in 2022 but were 56 percent below 2019 levels. Final dispositions, or sales resulting from judgment rendered in favor of the lender, also declined by almost two-thirds in 2020, but were on the rise by 2021.

Figure 17
Foreclosure Cases, Filings and Dispositions, 2019 – 2022



Source: Office of Court Administration

Homelessness

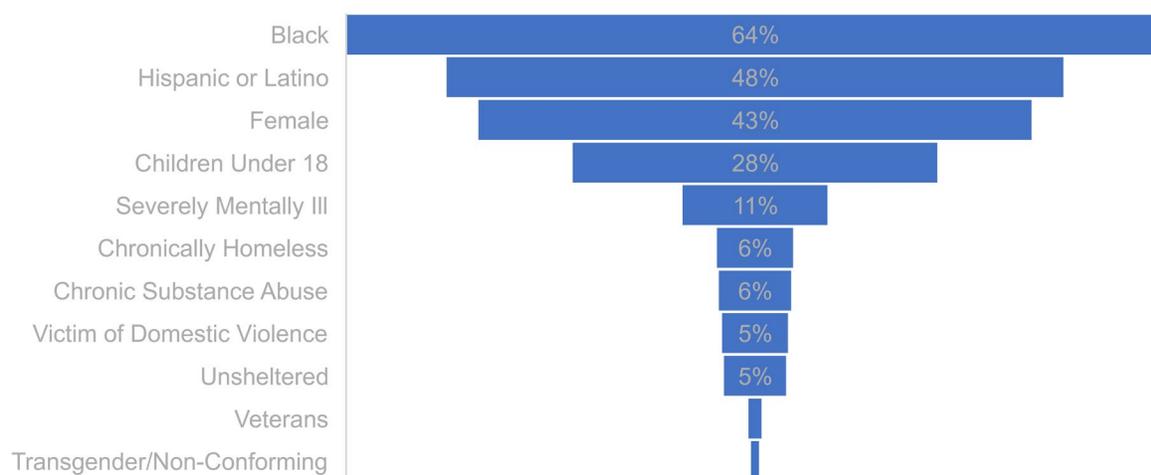
Housing insecurity – particularly severely crowded housing, hazardous living conditions, and evictions – can often trigger homelessness.⁴⁵ Homelessness can be temporary – prompted by a major life event, like job loss or illness – episodic, or chronic, defined as lasting longer than one year. Research indicates mental illness is a risk factor for homelessness, and that deteriorating physical and mental health, as well as substance abuse, are associated with homelessness.⁴⁶

Measuring homelessness is difficult because homelessness can be temporary, cyclical or even hidden, individuals are mobile and definitions of homelessness can vary.⁴⁷ The most commonly used data are U.S. Department of Housing and Urban Development’s (HUD’s) Point-in-Time count of the homeless population, ordinarily conducted on a single day in January of each year.⁴⁸ The most recent count was conducted in January 2024, but data will not be available for a few months.

In January 2023, HUD estimated New York had 103,200 homeless people – about 1 in 7 of the nation’s homeless population. New York’s rate of homelessness, at about 5 per 1,000 people, was the highest among states and more than double the national rate of about 2 homeless per 1,000 people.

People experiencing homelessness in New York in 2022 were disproportionately Black. About half were Hispanic or Latino. Seventeen percent suffered from severe mental illness or chronic substance abuse. Additional characteristics are noted in Figure 18.

Figure 18
Selected Characteristics of the Homeless Population in New York, 2023



Note: Veterans were 1 percent and Transgender/Non-Conforming less than 1 percent.
 Source: HUD, CoC Homeless Populations and Subpopulations Reports

Homelessness has been increasing in New York, growing by 57 percent since 2010. New York had one of the largest single-year increases in homelessness last year, growing 39 percent from 2022 to 2023, likely reflecting the influx of asylum seekers that began in April 2022. One bright spot is that homelessness for veterans has declined significantly in New York over time thanks to dedicated federal funding and State initiatives, as discussed in [a report](#) by the Office of the State Comptroller.

One notable attribute of the homeless population in New York is the low share of homeless that are unsheltered – only 5 percent in 2023, lower than all other states except Vermont. In contrast, 68 percent of California’s homeless population are unsheltered, the most of any state. The reasons for unsheltered homelessness are complex, reflecting policy choices by governments about the extent to which they provide or require shelter and permanent housing, as well as choices by homeless individuals.

A major reason for New York’s high shelter rate is litigation that created enforceable rights to shelter in New York City. In 1981, New York City entered into a consent decree that required, among other things, that the City “shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason to physical, mental or social

dysfunction is in need of temporary shelter.”⁴⁹ The right was extended subsequently to single homeless women, homeless families, and runaway and homeless youth.⁵⁰

HUD has established groupings of counties to serve and assist homeless people called “Continuums of Care”, or CoCs, which generally are contiguous counties. New York’s rates of homelessness vary greatly across CoCs: The New York City CoC’s rate of homelessness was 10.6 per 1,000 population, more than three times as great as that in the Albany CoC, which had the next-highest rate at 2.8 per 1,000 people. Rates were lowest in the Rockland CoC at 0.5 per 1,000 people.

Figure 19
Homeless Population in New York Continuums of Care, 2023

Continuum of Care Name	Homeless Population	Homeless per 1,000 People	Percent Unsheltered	Percent Change from 2010
New York City	88,025	10.6	4.6%	66%
Albany City & County	889	2.8	11.4%	37%
Schenectady City & County	430	2.7	1.6%	11%
Ithaca/Tompkins County	273	2.6	4.0%	274%
Kingston/Ulster County	435	2.4	15.6%	-1%
Poughkeepsie/Dutchess County	691	2.3	2.7%	45%
Elmira/Steuben, Allegany, Livingston, Chemung, Schuyler Counties	594	2.0	3.2%	132%
Wayne, Ontario, Seneca, Yates Counties	426	1.6	0.2%	468%
Binghamton, Union Town/Broome, Otsego, Chenango, Delaware, Cortland, Tioga Counties	676	1.5	11.4%	189%
Syracuse, Auburn/Onondaga, Oswego, Cayuga Counties	924	1.4	3.1%	10%
Yonkers, Mount Vernon/Westchester County	1,317	1.3	4.3%	-2%
Columbia, Greene Counties	135	1.2	6.7%	-56%
Nassau, Suffolk Counties	3,536	1.2	5.6%	12%
Newburgh, Middletown/Orange County	491	1.2	13.2%	-3%
Buffalo, Niagara Falls/Erie, Niagara, Orleans, Genesee, Wyoming Counties	1,560	1.2	2.0%	37%
Jamestown, Dunkirk/Chautauqua County	136	1.1	1.5%	55%
Rochester, Irondequoit, Greece/Monroe County	803	1.1	5.2%	13%
Troy/Rensselaer County	156	1.0	14.7%	-50%
Utica, Rome/Oneida, Madison Counties	282	1.0	10.3%	-18%
Glens Falls, Saratoga Springs/Saratoga, Washington, Warren, Hamilton Counties	332	0.9	1.5%	78%
Franklin, Essex Counties	63	0.8	4.8%	350%
Jefferson, Lewis, St. Lawrence Counties	182	0.7	18.7%	50%
Rockland County	157	0.5	27.4%	11%
New York - Balance of State	687	1.31	7.0%	-17%
New York State	74,178	3.77	5.4%	13.1%

Policies

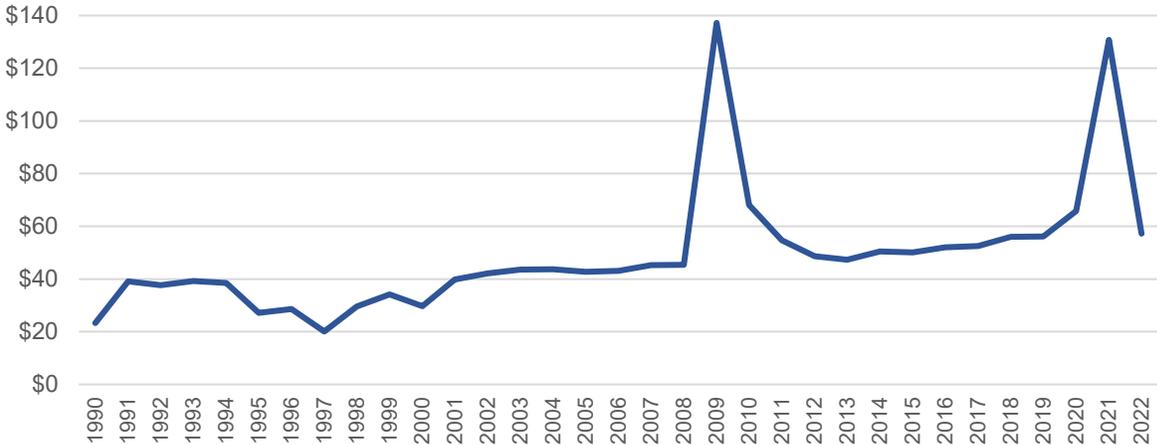
U.S. housing policies are shaped by the federal government, state and local governments, as well as private markets, institutions and individuals. The tools of government – including direct funding, taxation, tax incentives, exemptions and deductions, regulations, zoning codes and other laws – affect the provision of housing and its quality and affordability. The following section reviews major federal and State policies that relate to housing insecurity, particularly with respect to the ability of low-income households to access adequate rental housing.

Federal Policies

The federal government has provided housing assistance since the 1930s. While the federal government initially took a more active role in housing creation for renters, notably through the development of public housing authorities, it has shifted to more indirect forms of support since the 1980s, including voucher programs and a variety of tax expenditure programs and loan guarantees. Most of these policies are administered by HUD, but several are administered by other federal agencies, including the U.S. Departments of Agriculture (USDA) and Treasury.

As shown in Figure 20, inflation-adjusted authorization for federal housing assistance grew modestly from 1990 to 2007; however, assistance was boosted dramatically in the wake of the Great Recession. In response to the COVID-19 recession, the federal government enacted provisions both for increased assistance and protections for renters and owners at risk of eviction or foreclosure.

Figure 20
Federal Budget Authorization for Housing Assistance, 1990 – 2022
(Billions of 2022 Dollars)



Source: Federal Budget for Federal Fiscal Year 2023, Historical Tables

Federal housing support generally has three major forms, and often interacts with state-provided resources:

- Housing assistance for renters, including federally subsidized public housing;
- Assistance to state and local governments, primarily through tax credits and grants; and
- Assistance for homeowners, including federally insured mortgage loans and rural housing support.

Housing Assistance for Renters

As shown in Figure 21, HUD subsidies provided rental assistance for more than 985,000 New Yorkers in over 594,000 units in 2022, including those in public housing. These programs are intended to assist low-income individuals, who tend to be cost burdened at the highest rates. Ninety-five percent of families in these HUD programs were very low income, earning 21 percent of the local median household income. Almost three-fourths were households headed by a female and 28 percent had a disability, reflecting disproportionately high shares of poverty among these groups in New York, as documented in the Office of the State Comptroller’s report on [New Yorkers in Need: A Look at Poverty Trends](#). Average monthly household expenditure is \$481, less than one-third of gross rents in New York in 2022.

Figure 21
Selected Characteristics of HUD Assistance Programs for Renters, 2022

	All HUD Programs	Public Housing	Housing Choice Vouchers	Project Based Rental Assistance	Supportive Housing	
					Elderly	Persons with Disabilities
Subsidized Units Available	594,438	185,707	278,200	108,208	13,407	1,897
Number of People	985,104	317,609	486,730	159,193	14,514	1,852
Avg. Monthly Family Expenditure	\$481	\$536	\$469	\$445	\$344	\$356
Avg. Monthly HUD Expenditure	\$1,154	\$1,023	\$1,088	\$1,598	\$776	\$746
Annual Household Income	\$19,983	\$22,816	\$18,979	\$18,821	\$14,929	\$14,766
Share of Households with:						
Female Head	74%	77%	75%	60%	64%	45%
Disability	28%	33%	27%	18%	6%	94%
Age 62 or Over	46%	43%	39%	60%	100%	30%
Minority	76%	91%	71%	67%	62%	30%

Source: HUD, Office of Policy Research and Development

The three major programs serving New Yorkers are:

- **Housing Choice Vouchers (HCV)** – The HCV program, commonly referred to as Section 8, provides vouchers that provide for the balance of rent after eligible households pay 30 percent of income toward rent and utilities, up to a HUD cap. In

general, household income may not exceed 50 percent of the median income for the county or metropolitan area (area median income), adjusted for average family size.

Available vouchers are capped by federal spending authorizations; for Federal Fiscal Year (FFY) 2023, \$3.2 billion was allocated for vouchers in New York, including \$2 billion for vouchers in New York City. In New York, the program subsidized 278,200 units housing 486,730 people, with an average household income of \$18,979 annually.⁵¹

- **Public Housing** – Grants are made to public housing authorities to operate, maintain and make capital improvements to public housing units for low-income families and individuals.⁵² In FFY 2023, \$2.1 billion was spent in New York, with \$1.9 billion allocated to NYCHA.⁵³

Residents of public housing pay no more than 30 percent of their monthly income toward rent, adjusted for permissible deductions.⁵⁴ In New York, there are approximately 185,700 federally subsidized units housing 317,600 people, with an average annual household income of \$22,816.⁵⁵

- **Project-Based Rental Assistance (PBRA)** – In contrast to HCV, which is a portable benefit provided to an individual, PBRA provides affordability for specific units through contracts with housing providers. In New York, over 108,200 units housing 159,190 people are subsidized through this program, with average annual household income of \$18,821.

These programs are well targeted and offer meaningful support to households enrolled; however, the overall demand outstrips the available funding, with eligible households waitlisted for an average of 27 months for public housing and 30 months for HCVs. In addition, while the programs effectively limit the cost burden on households, the standard of housing procured may be physically inadequate, as demonstrated by the pervasive deficiencies in NYCHA's buildings and housing units.⁵⁶

Furthermore, the State has not fully allocated existing vouchers; as a 2023 [audit](#) by the Office of the State Comptroller revealed, the Division of Homes and Community Renewal had not met HUD's standard threshold for voucher utilization, 95 percent, for several years, and the number of geographic areas with low voucher utilization increased since 2018. Between 2017 and 2021, the average number of vouchers not used monthly was approximately 4,255. Geographic locations with low utilization vary, with some areas having a high number of issued and unused vouchers and others having allocated fewer vouchers than were available.

Finally, those with HCVs (and other state and locally provided vouchers) may encounter discrimination or difficulty in finding adequate, safe housing in a desired neighborhood.⁵⁷ In addition, HUD limits the amount of rent it will pay based on Fair Market Rent (FMR), which is generally calculated for units of various sizes in a particular geography based on the 40th percentile of rental market rates.⁵⁸ There are two limitations. First, higher rents for higher quality units or for units in more desirable areas may preclude those on limited or fixed incomes from affording those apartments. Second, growing rental cost burdens may indicate a divergence between rent and wage growth in some areas of the state.⁵⁹ For example, the Center for

Housing Solutions has noted that a “rent gap” between fair market rental costs and those affordable to renters based on average wages in the Hudson Valley counties.⁶⁰

FMR is set by county for non-metro areas; in 2016, HUD established “small area” FMRs in metro areas to allow for greater access to “low-poverty and/or high-opportunity” neighborhoods.⁶¹ Research published by the Furman Center at New York University, based on early adoption of small area FMR by seven public housing authorities, found an increase in the number of units affordable to voucher holders in high-rent and high-opportunity neighborhoods, and families with children who moved were more likely to locate to a higher opportunity ZIP code.⁶²

Assistance to State and Local Governments

The federal government provides housing assistance to state and local governments through grant programs; the low-income housing tax credit; and tax-exempt private activity bonds.

Grant Programs

As shown in Figure 22, grants made to New York State and local governments totaled \$1.3 billion in FFY 2021, and included \$592 million in formula grants to fund construction, purchase and/or rehabilitation of affordable housing or homeownership or other assistance to low-income households through the HOME Investment Partnerships Program; \$289 million in funding for services addressing homelessness through Continuum of Care and Emergency Solutions Grants;⁶³ and \$333 million in Community Development Block Grants (CDBG).

Figure 22
New York Awards for Major Federal Housing Assistance Grant Programs,
Selected FFY (Millions of Dollars)

Program	2012	2019	2020	2021
HOME Investment Partnerships Program	101	118	128	592
Community Development Block Grants	282	316	804	333
Continuum of Care	191	225	246	261
Housing Trust Fund	0	19	29	73
Housing Opportunities for Persons With AIDS	62	52	61	54
Emergency Solutions Grants	27	27	524	28
Total	\$663	\$757	\$1,792	\$1,342

Source: HUD Awards and Allocations

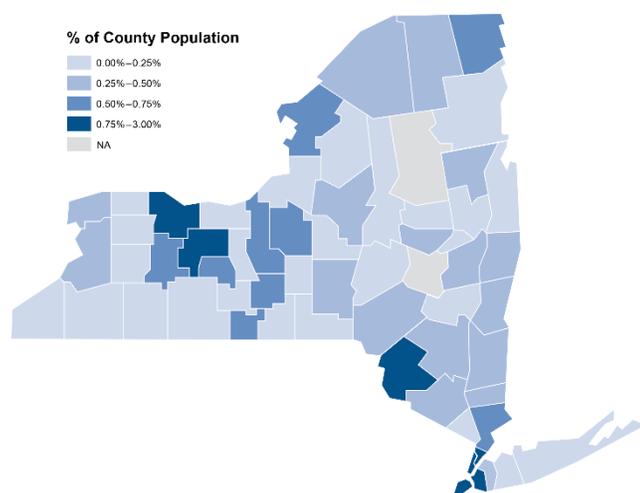
CDBG provides annual formula-based grants for which recipient communities have broad latitude to develop programs and funding priorities, but must give priority to activities that benefit low- and moderate-income individuals.⁶⁴ In the program period spanning June 1, 2021 to May 31, 2022, State and local recipient governments spent approximately 43 percent of funds on housing, with allocations by local governments varying widely between 0 and 73 percent.⁶⁵

Low-Income Housing Tax Credits

The Low-Income Housing Tax Credit (LIHTC) program is the nation’s largest source of affordable housing financing. The credits are allocated to state Housing Finance Authorities (HFAs), which in turn award credits to developers according to guidelines the states establish, within HUD requirements. In New York, the program provides a dollar-for-dollar reduction in federal tax liability for housing that serves households with less than 60 percent of area median income. LIHTCs are often used in combination with other governmental funding.⁶⁶ New York State received an allocation of \$54.9 million in FFY 2023.

Between 2010 and 2020, LIHTCs supported approximately 1,504 housing projects in New York with almost 160,000 housing units.⁶⁷ Fully 80 percent of these units were low-income housing units and about 89,500 low-income units were generated in New York City, although LIHTCs have been used throughout New York, as shown in Figure 23.

Figure 23
Housing Units as a Share of County Population Supported by Low-Income Housing Tax Credits, 2010-2020



Source: HUD

Private Activity Bonds

The federal government authorizes the issuance of a limited amount of tax-exempt “private activity bonds” (PABs) for each state on a per-capita basis. These bonds encourage development by providing financing for eligible projects at interest rates below that of the conventional market. While there are multiple eligible purposes, affordable housing programs typically comprise the largest category in New York. Of \$2.2 billion available in New York in 2022, \$2.1 billion was used for housing purposes, with \$1.9 billion for residential rental projects and \$200 million for mortgage revenue bonds.⁶⁸ Housing projects utilizing PABs are also eligible for a 4 percent LIHTC.⁶⁹

State Policies

New York State provides funding to spur development and retention of affordable housing through a variety of approaches, including low-cost loans to project developers, tax credits and grants. For example, housing-related tax credits include the State’s own Low-Income Housing Tax Credit (\$51 million in tax year 2023) and Brownfield Tax Credits (\$130 million). State housing-related tax expenditures will total an estimated \$278 million in tax year 2023.

Typically, a combination of funding sources is used to piece together sufficient assistance for an affordable housing project to become financially viable; projects geared toward more deeply affordable units often require greater subsidy (or cross-subsidy from other rents). State funds are also often combined with federal resources from programs described previously; occasionally, local funds may also be employed.

State Housing Plan

In March 2023, as part of materials supporting proposals in the Executive Budget for State Fiscal Year 2023-24, the Executive estimated New York will need 800,000 new homes to “make up for decades of underproduction, support a growing economy, and provide housing that’s affordable for New York families.”⁷⁰ These [proposals](#), which included mandating local housing production targets, establishing transit-oriented development zones and establishing new tax incentives, were not enacted. Many local officials voiced opposition to losing local autonomy.

The State’s Enacted 2023-24 Budget continues the five-year \$25 billion housing plan “to create or preserve 100,000 affordable homes” across New York. Multi-year funding for the plan includes \$5.7 billion of State capital projects funding and \$19 billion in funding from federal, local and public authorities (including some of the federal programs previously discussed).⁷¹ No further detail has been provided on the \$19 billion.

Figure 24
Capital Funding for the Five-Year Housing Plan, SFY 2023 – SFY 2027
(Millions of Dollars)

Program	Capital Funding
Supportive Housing	1,500
New Construction or Adaptive Reuse	1,000
Homeless Housing and Assistance Program	640
Multi-family Preservation	450
Affordable Home Ownership	400
Senior Rental Affordable Housing	300
Energy Efficiency/Alternative Energy	250
Low-Income Housing Trust Fund	221
Public Housing Programs	182
Affordable Housing Corporation	140
Mitchell-Lama Preservation	120
All Other Programs	472
Total	5,675

Source: Division of the Budget

As shown in Figure 24, the State’s housing capital funding is largely directed toward two fronts:

- The development and preservation of affordable multi-family housing. The capital program includes \$1 billion for construction of new affordable units, \$450 million for preservation, \$300 million for senior housing, \$182 million for public housing, and \$120 million for Mitchell-Lama developments serving mostly middle-income households. Additional capital funding outside of the “housing plan” has been appropriated for NYCHA, including \$135 million as part of the SFY 2022-23 Enacted Budget and \$250 million in the SFY 2023-24 Budget.
- The creation and preservation of supportive housing, which provides those in need of services and experiencing homelessness or housing insecurity with a home and a system of services and case management on-site. The housing plan includes \$1.5 billion in capital funding and additional funding for maintaining, operating and staffing the units with necessary resources.

Like prior “housing plans,” little detail is available to track goals, accomplishments and the status of resources committed. This lack of transparency is a hinderance to monitoring and evaluating the outcomes of the housing plan and whether it is effectively addressing affordability needs.

For example:

- The goal for 100,000 affordable homes does not include important details such as timelines, geographic targets, homeownership versus rental units, or creation and preservation.
- Capital investments are identified at the appropriation level, but details on annual or planned total spending by function or purpose – such as shelters, supportive housing units or rent supplements – are not available. Likewise, no detail is available regarding the components of the \$8.8 billion of “tax credits and other federal allocations;” therefore, it is not possible to assess which types of projects at which levels of affordability the State is supporting.
- “Housing plan” spending on operations is spread amongst multiple State agencies, including the OTDA and the Office of Mental Health, and appropriations for these purposes within these agencies are broadly written and do not discretely identify resources for the housing plan.

State Operations

The Division of Housing and Community Renewal (DHCR) is the principal State agency responsible for affordable housing and community development. For SFY 2023-24, All Funds expenditures for DHCR are estimated to total \$1.4 billion. The Office of Temporary and Disability Assistance (OTDA) is responsible for administering programs serving low-income residents, including rental assistance and homeless housing and services. The State also supports development and retention of affordable housing units with bond-financed mortgage loans made by the New York State Housing Finance Agency⁷² and low-cost mortgage program offered by the State of New York Mortgage Agency.⁷³

Some insight into operations has come from audits from the Office of the State Comptroller. For example, a 2023 [audit](#) of OTDA indicated assessments to be performed by local districts and shelter providers intended to evaluate housing and care needs and to be used to direct clients to services were frequently late or missing; as a result, some clients may have missed services and were not able to leave shelter or find permanent housing. Another 2023 [audit](#) of the Office of Mental Health found deficiencies in the agency’s monitoring of providers of supportive housing units. While these audits provide important information and accountability, they are not a substitute for regular, detailed, public reporting.

State Regulations

New York has a long history of rent regulation, pre-dating World War II. In 2019, the State enacted the Housing Stability and Tenant Protection Act (HSTPA)⁷⁴ which made the laws governing rent regulation permanent, as opposed to being subject to a sunset, and authorized municipalities statewide to opt into rent regulation should they experience an “emergency” in which rental vacancy rates fall below 5 percent. While some municipalities are currently considering opting in, according to the Division of Homes and Community Renewal, several towns, villages and cities in Nassau, Rockland, Westchester and Ulster counties, as well as the City of New York, have already declared and operated under such an emergency.⁷⁵ In addition, the HSTPA changed the laws relating to allowable increases in the legal regulated rent.⁷⁶

For non-rent-regulated housing, the HSTPA strengthened or established many protections for renters, including laws relating to conditions of tenancy and procedures for eviction. More notable protections include notices prior to a landlord’s non-renewal of a lease as well as a landlord’s duty to mitigate damages in the event of an early lease termination by the tenant.

Local Policies

Local governments also devote resources for affordable housing production, preservation and other initiatives, often providing benefits directly or through affiliated industrial development agencies and authorities. For example, New York City’s most recent 10-year capital plan includes \$19.1 billion in planned city funds for housing preservation and development.

However, the greatest and most important role played by local governments is through the governance of land use through zoning regulations or ordinances that designate permissible uses of space, including which types of housing may be created. Researchers have found overly

Homeless Shelters

Funding for the cost of operating homeless shelters in New York is a shared responsibility of State and local governments, also supported with federal funds received under the Temporary Assistance for Needy Families (TANF) block grant.

The cost of housing families with children is financed entirely with TANF block grant funding until such families have exhausted their 60-month lifetime eligibility for TANF funding. After that, costs are covered by the State’s Safety Net Assistance Program, which is jointly financed by county governments (71% of costs) and the State (29%).

Individuals residing in shelters are not eligible for TANF assistance, and such costs follow the Safety Net program formula.

restrictive zoning restricts growth in housing supply, raise housing costs, and even perpetuate racial and income segregation.⁷⁷

Many other local communities have zoning regulations or comprehensive plans that are not regularly updated. In contrast, in the last 20 years, New York City has initiated significant changes to its local zoning.⁷⁸ The Adams administration has introduced a “City of Yes” package of zoning amendments intended to boost housing supply, including for affordable units, to achieve a “moonshot” goal of 500,000 new units. In recent years, other cities have also implemented changes to improve flexibility in land use and facilitate greater development of housing, including expanding areas where multi-family homes can be built in Rochester and eliminating some parking requirements in Buffalo.⁷⁹

New York City has also implemented a program to provide low-income tenants facing eviction with legal representation in Housing Court. The program has significantly increased the number of tenants with legal representation. Furthermore, 84 percent of tenants provided with full legal representation received a judgement allowing them to remain in their homes in City Fiscal Year 2021.⁸⁰ In City Fiscal Year 2023, legal representation was provided in over 34,000 cases.⁸¹ The success of the program resulted in the State assigning \$25 million in federal ERAP funding for a similar statewide program.⁸² In SFY 2022-23, \$40 million of General Funds was appropriated for legal services outside of New York City and \$10 million for New York City.

Recommendations

Housing insecurity is growing in New York and nationally. Rates of housing cost burden greatly exceed rates of food insecurity and poverty; while low-income New Yorkers suffer from the most severe cost burdens, households have become increasingly burdened across income groups. The financial pressures presented by high housing costs on household budgets often lead to trade-offs on other critical necessities, such as food and medical care, and can result in living in housing with substandard conditions, crowding or in segregated neighborhoods, with serious implications for physical health, mental health and economic opportunities.

Addressing this critical crisis will require action by all levels of government. The actions must be geared toward increasing the supply and diversity of housing in our state; and providing increased assistance to renters to ease housing insecurity, including homelessness. The scale of housing insecurity, and particularly cost burdens, is beyond the capacity of solely State government to solve; the pervasiveness of the problem nationally requires the federal government to take a leading role in crafting solutions and providing resources to bolster a portion of the safety net that is letting too many Americans fall through its tattered pieces.

Increased Federal Assistance and Discretion

Federal programs such as Housing Choice Vouchers have been highly effective at providing a targeted response to low-income renters and ensuring their housing costs remain affordable. However, the demand for these vouchers greatly outstrips available funding and wait lists are long. Additional federal funding is needed to increase the number of HCVs available to states and public housing authorities. Additional study and consideration should be given to increases in the fair market rents in areas where gaps in wages and market rents appear to have grown.

In addition, the federal government should authorize additional Low-Income Housing Tax Credits (LIHTCs), and consider whether changes are necessary to the structure of the program to further incentivize the development of units that are more deeply affordable. Additional “volume cap” for affordable housing for Private Activity Bonds (PABs) is also necessary. These incentives are central to the State’s ability to continue to produce affordable rental units.

New York’s “housing plan” allocates significant funding for homelessness and incorporates a new substantial investment in supportive housing. As part of work conducted by the Medicaid Redesign Team, the State Department of Health (DOH) requested a waiver from the federal Centers for Medicare & Medicaid Services to allow for use of federal Medicaid dollars for the provision of supportive housing; the waiver was denied.⁸³ DOH subsequently published evaluation reports indicating positive savings and other outcomes after enrollment in supportive housing funded with State-only dollars.⁸⁴ Housing is recognized by the U.S. Department of Health and Human Services as a “social determinant of health,” and housing insecurity and mental health issues have increased in the wake of the COVID-19 pandemic. The merit of allowing for use of federal Medicaid funding for housing is compelling. In fact, the \$7.5 billion Medicaid waiver amendment recently approved by the federal government allows New York to use federal Medicaid dollars to provide housing-related services and supports “such as recuperative care and short-term pre-procedure and post-hospitalization housing, rent and/or

temporary housing, pre-tenancy services, and tenancy-sustaining services.”⁸⁵ Other states are also seeking such discretion; for example, California is requesting that Medicaid be allowed to cover a “transitional rent” of six months of rent or temporary housing for Medicaid enrollees.⁸⁶ The federal government should grant states wider discretion in use of Medicaid dollars for these purposes, with requisite mechanisms for reporting and accountability.

State and Local Policies

Improve Transparency and Effectiveness of Current Resources and Programs

While the State has devoted enormous resources to affordable housing production and housing assistance, improving housing insecurity will require it to operate more efficiently, effectively and transparently.

First, it must greatly enhance reporting around resources allocated for housing, targets and goals for spending, geographic distribution, and actual spending, subsidy and/or completion rates on a per-unit basis. This must be done for all types of State resources: operating spending, local assistance, capital contributions and tax credits. This information can then be used to evaluate the State’s programs and consider where additional resources may merit consideration, particularly with respect to expanding rental assistance.

Second, the State must better administer and assess the programs it is currently operating. For example, as recommended by audits by the Office of the State Comptroller, the State should improve its distribution of available Housing Choice Vouchers, better monitor and enforce maintenance and other conditions at Mitchell-Lama and other regulated units, aggregate data on persons experiencing homelessness and ensure those clients are properly assessed and receive the services and shelter assistance to which they are entitled. Similarly, the Office of the State Comptroller has [previously](#) called for improvements in the promotion of and reporting on programs intended to facilitate affordable homeownership and enforcement against discriminatory practices; to the extent minority homeowners are better able to access these programs, they may alleviate some racial disparities and, potentially, burdens for homeowners.

Spur and Approve Local Actions

New York is a large state with a remarkable diversity, ranging from the nation’s largest city to small towns and villages in rural areas. The character and nature of housing varies between and within these local communities, and the experience with growth has varied – some have increased the amount of housing, while others have been stagnant or even contracted. Community control and input into the growth and development of their localities is essential.

The Executive announced in July 2023 several measures intended to boost housing production, including a new data dashboard, regulatory review, review of State-owned sites suitable for housing and, through Executive Order 30, preference for communities that are determined to be “pro-housing communities” in the allocation of discretionary economic development funding.⁸⁷ This strategy seeks to provide incentives rather than mandates. The Executive Budget included a proposal to further enhance this preference.

The State must take additional action to stimulate community-appropriate development actions across the state and enhance the supply and diversity of the housing stock. First, each local government should conduct a review of local zoning rules, which would allow communities an opportunity for a holistic analysis of regulations, which for many local governments has not been conducted in decades.

Second, the State can provide planning and logistical support and other resources to communities willing to update zoning regulations and take meaningful actions to eliminate restrictive zoning practices or facilitate increased development. These actions will look different in every community, but communities willing to take action can be prioritized in the allocation of private activity bonds or other funding.

Third, the Governor and Legislature can approve legislation advanced by cities and other communities asking for statutory changes that would allow for the development of more housing, when such bills are accompanied by home rule messages.

Mitigate Evictions and Homelessness

The State has supplemented federal dollars for emergency rental assistance; OTDA should perform an analysis to determine to what extent such support should continue and whether the thresholds for eligibility should be adjusted. The most recent SFY 2023-24 Enacted Budget provided \$391 million in ERAP funding. This analysis should also encompass other major rental assistance programs funded by the State; there may be opportunities to harmonize or improve the programs.

In addition, the State should continue funding for legal representation for low-income households facing eviction; this has helped low-income New York City tenants remain in their homes, and can be scaled up to other parts of the State, where eviction filings are also on the rise.

Endnotes

- ¹ The Universal Declaration of Human Rights was ratified by the United Nations General Assembly, including the United States, in 1948. See Article 25, which states, “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” Full text available at United Nations, “Universal Declaration of Human Rights,” <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
- ² New York State Constitution, Article XVII, section 1 and Article XVIII.
- ³ Discussions of housing security and insecurity definitions can be found in Robynn Cox, Suzanne Christine Wenzel, and Eric Rice, “Roadmap to a Unified Measure of Housing Insecurity,” January 1, 2017, Center for Economic and Social Research, University of Southern California, <https://doi.org/10.2139/ssrn.2817626>; and Josh Leopold, Mary Cunningham, Lily Posey, and Tiffany Manuel, “Improving Measures of Housing Insecurity,” Urban Institute, 2016, https://www.urban.org/sites/default/files/publication/101608/improving_measures_of_housing_insecurity_2.pdf.
- ⁴ See Cox, Wenzel, and Rice.
- ⁵ Centers for Disease Control and Prevention, “Social Determinants of Health,” accessed September 12, 2023, <https://health.gov/healthypeople/priority-areas/social-determinants-health>; and “Social Determinants of Health at CDC,” accessed September 12, 2023, <https://www.cdc.gov/about/sdoh/index.html>.
- ⁶ For literature reviews, see U.S. Department of Health and Human Services, Office of Disease Prevention and Health Promotion, “Housing Instability: Literature Summary,” accessed December 12, 2023, <https://health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/housing-instability>; and “Quality of Housing: Literature Summary,” accessed December 12, 2023, <https://health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/quality-housing>.
- ⁷ Lauren A Taylor, “Housing And Health: An Overview Of The Literature,” June 7, 2018, *Health Affairs*, <https://www.healthaffairs.org/doi/10.1377/hpb20180313.396577/full/>.
- ⁸ Office of Disease Prevention and Health Promotion, “Quality of Housing: Literature Summary,” accessed December 12, 2023, <https://health.gov/healthypeople/priority-areas/social-determinants-health/literature-summaries/quality-housing>; and Kevin S. Blake and Rebecca L. Kellerson, “Measuring Overcrowding in Housing,” U.S. Department of Housing and Urban Development, Office of Policy Development and Research, 2007, https://www.huduser.gov/publications/pdf/measuring_overcrowding_in_hsg.pdf.
- ⁹ Taylor, 2018.
- ¹⁰ Mathew Desmond and Rachel Tolbert Kimbro, “Eviction’s Fallout: Housing, Hardship, and Health,” *Social Forces*, https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf.
- ¹¹ Taylor, 2018.
- ¹² Taylor, 2018; see also HUD, “Promoting Mental Health Through Housing Stability,” May 31, 2022, accessed October 13, 2023, <https://www.huduser.gov/portal/pdredge/pdr-edge-trending-053122.html>.
- ¹³ See Taylor, 2018.
- ¹⁴ For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs,” which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.
- ¹⁵ These rates exclude housing units for which costs were not computed. If these households are included, the rate of cost-burdened New York homeowners is 27.8 percent and renter households is 49.4 percent in 2022.
- ¹⁶ These rates exclude housing units for which costs were not computed. If these households are included, the rate of cost-burdened U.S. homeowners is 22.6 percent and renter households is 48.2 percent in 2022.
- ¹⁷ These rates exclude housing units for which costs were not computed. If these households are included, the rate of severely cost-burdened U.S. homeowners is 15.0 percent and New York households is 19.9 percent in 2022.
- ¹⁸ Analysis based on data from the HUD CHAS for the period of 2015 to 2019.
- ¹⁹ For a discussion of these factors in New York, see Office of the State Comptroller, “Housing Affordability in New York State,” June 2019, <https://www.osc.ny.gov/files/reports/special-topics/pdf/housing-affordability-2019.pdf>.
- ²⁰ Lida R. Weinstock, “U.S. Housing Supply: Recent Trends and Policy Considerations,” July 7, 2023.
- ²¹ U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2022, Table CP04.

- ²² Robin Hood Foundation, “Deep Dive: New York’s Affordable Housing Crisis.”
- ²³ U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2012-2028, Tables B25105 and B25088.
- ²⁴ U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2012-2022, Tables B25088 and B25087 and S2506 and S2507.
- ²⁵ The values for owner-occupied housing without a mortgage were \$2,409 nationally and \$5,562 in New York in 2022. U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2012-2022, Tables B25088 and B25087 and S2506 and S2507.
- ²⁶ See, for example, Andrey Yushkov, “Where Do People Pay the Most in Property Taxes?” September 12, 2023, Tax Foundation, <https://taxfoundation.org/data/all/state/property-taxes-by-state-county-2023>; and Lincoln Land Institute of Land Policy, “50-State Property Tax Comparison Study: For Taxes Paid in 2022,” August 2023, <https://go.lincolnst.edu/50-state-property-tax-comparison-for-2022.pdf>.
- ²⁷ Office of the State Deputy Comptroller, “Residential Real Estate in NYC: Rising Tax Bills During COVID Fuel Disparities,” <https://www.osc.ny.gov/files/reports/osdc/pdf/residential-real-estate-in-nyc.pdf>; Citizens Budget Commission, “Strategies to Boost Housing Production in the New York City Metropolitan Area,” August 2020, <https://cbcny.org/research/strategies-boost-housing-production-new-york-city-metropolitan-area>; NYU Furman Center, “Distribution of the Burden of New York City’s Property Tax,” May 2012, <https://furmancenter.org/research/publication/distribution-of-the-burden-of-new-york-citys-property-tax>.
- ²⁸ Inflation adjusted 2022 dollars. U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2022, Table B25119.
- ²⁹ U.S. Census Bureau, American Community Survey, 1-Year Estimates for 2022, Table B25106.
- ³⁰ There is no universally accepted threshold of persons-per-room above which a housing unit is considered crowded. Some studies have used a cutoff of 1 person per room, some have used a cutoff of 1.5 persons, and others have used different thresholds depending on specific health risks being examined. In their review for HUD, Blake and Kellerson (20027) used a cutoff of 1 person per room. Crowding measures based on alternative thresholds tend to be highly correlated.
- ³¹ NYC Department of Housing Preservation and Development, “2021 New York City Housing and Vacancy Survey: Selected Initial Findings,” May 16, 2022, p. 39, <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/2021-nychvs-selected-initial-findings.pdf>.
- ³² New York City Housing Authority, “Physical Needs Assessment 2023,” June 22, 2023, <https://www.nyc.gov/assets/nycha/downloads/pdf/2023-PNA-Report-Physical-Needs-Assessment-NYCHA.pdf>.
- ³³ Office of State Comptroller analysis of data from the U.S. Census Bureau, Housing Pulse Survey, weeks 13 through 63 of data collection, available for download at https://www.census.gov/data-tools/demo/hhp/#/?measures=EVICTFOR&s_state=00036&periodSelector=63.
- ³⁴ Eviction proceedings are filed by landlords to remove tenants from rental properties, often to collect past-due rent, for monetary damages, or due to a violation of the lease. Tenants must respond to the filing, and the landlord and tenant may come to voluntary mutual agreement or proceed to a court trial. See New York State Unified Court System, “Evicting a Tenant,” <https://nycourts.gov/courthelp/Homes/evictingTenant.shtml>; and Division of Homes and Community Renewal, “Eviction,” accessed July 15, 2023, <https://hcr.ny.gov/eviction>.
- ³⁵ Chapter 127 of 2020. Protections were in effect while Executive Order 202 remained in effect.
- ³⁶ New York State COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020, <https://www.nysenate.gov/legislation/bills/2019/S9114>.
- ³⁷ The eviction moratorium for all residential properties was initially promulgated through the Centers for Disease Control and Prevention (CDC) and was extended by Congress through January 2021. Subsequently the CDC extended the moratorium through March, June, and then July 31st. After that, the CDC announced a more limited moratorium in areas with high transmission rates that was to remain in effect until October 3, 2021 but overruled by the Supreme Court on August 26, 2021. See Centers for Disease Control and Prevention, “Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19,” September 4, 2020, Federal Register, 85 FR 55292; “CDC Issues Eviction Moratorium Order in Areas of Substantial and High Transmission,” August 3, 2021, <https://www.cdc.gov/media/releases/2021/s0803-cdc-eviction-order.html>; and Supreme Court of the United States, *Alabama Association of Realtors et. al. v. Department of Health and Human Services et. al.*, https://www.supremecourt.gov/opinions/20pdf/21a23_ap6c.pdf.
- ³⁸ Data from Office of Court Administration for towns, villages, city and district courts. Includes data for residential properties and those with an “unknown” identifier; excludes commercial properties. Town and Village data from CourtRoom program application and excludes Riverhead, Western, Columbia, Lapeer, Lincklaen, and Ward.

- ³⁹ Warrants of eviction issued are only available for city and district courts, and a few small city courts do not issue warrants of eviction using the Office of Court Administration case management system. Warrants of evictions issued could have been vacated, rejected by the marshal or remained unexecuted subsequently to issuance.
- ⁴⁰ City of New York, “Mayor’s Management Report,” September 2023, https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/2023_mmr.pdf.
- ⁴¹ Office of the New York State Deputy Comptroller, “DiNapoli: Emergency Rental Assistance Program Rebounds After Slow Start,” July 24, 2023, <https://www.osc.state.ny.us/press/releases/2023/07/dinapoli-emergency-rental-assistance-program-rebounds-after-slow-start>.
- ⁴² In New York, the lender must sue the borrower to initiate a foreclosure, but must first provide the borrower with information at least 90 days prior to starting any court case. When the lawsuit is filed, the home is considered in foreclosure. New York has a process for a mandatory conference intended to avoid foreclosure and achieve resolution; however, if judgement is rendered and the lender wins the lawsuit, it may possess the property and sell it, which is known as a final disposition. See New York State Unified Court System, “The Foreclosure Process in New York State: For Residential Cases,” <https://www.nycourts.gov/courthelp/pdfs/Foreclosureflowchart.pdf>; and Division of Homes and Community Renewal, “Understanding New York State’s Mortgage Foreclosure Process,” <https://hcr.ny.gov/system/files/documents/2018/10/factsheetnysforeclosure.pdf>.
- ⁴³ New York State COVID-19 Emergency Eviction and Foreclosure Prevention Act (EEVA) of 2020, <https://www.nysenate.gov/legislation/bills/2019/S9114>.
- ⁴⁴ The EEVA protections initially took effect when the legislation was enacted on December 28, 2020 and were subsequently extended by Governor Cuomo in May 2021 and by the Legislature in September 2021. On January 16, the Chief Administrative Judge directed that residential and commercial foreclosure matters resume “in the normal course.” See New York Unified Court System, “Administrative Order of the Chief Administrative Judge of the Courts,” January 16, 2022, <https://www.nycourts.gov/whatsnew/pdf/ExhibitA-AO35-22.pdf>.
- ⁴⁵ Coalition for the Homeless, “Basic Facts About Homelessness in New York City,” updated December 2023, accessed January 4, 2024, <https://www.coalitionforthehomeless.org/basic-facts-about-homelessness-new-york-city/>.
- ⁴⁶ Centers for Disease Control and Prevention, Office of Readiness and Response, “About Homelessness,” <https://www.cdc.gov/orr/science/homelessness/about.html>; Lilanthi Balasuriya and Eliza Buel, “The Never-Ending Loop: Homelessness, Psychiatric Disorder, and Mortality,” *The Psychiatric Times*, May 29, 2020, <https://www.psychiatristimes.com/view/never-ending-loop-homelessness-psychiatric-disorder-and-mortality>; and Substance Abuse and Mental Health Services Association, “Behavioral Health Services for People Who are Homeless,” <https://store.samhsa.gov/sites/default/files/pep20-06-04-003.pdf>;
- ⁴⁷ National Institutes of Health, “The Methodology of Counting the Homeless,” *Homelessness, Health and Human Needs*, 1988, <https://www.ncbi.nlm.nih.gov/books/NBK218229/#:~:text=Counting%20the%20homeless%20population%20is,of%20homelessness%20for%20many%20individuals>.
- ⁴⁸ Because it is based on only a single day, the Count has weaknesses related to idiosyncrasies in data collection methods, weather, and other factors; nonetheless it is the most widely used and most comparable dataset for comparing homelessness across states.
- ⁴⁹ See *Callahan v. Carey*, Index No. 42582/79 (Sup. Ct. N.Y. County 1979); and “Consent Decree in Callahan v. Carey, Supreme Court of the State of New York,” August 1981, available through the Coalition for the Homeless, <https://www.coalitionforthehomeless.org/wp-content/uploads/2014/08/CallahanConsentDecree.pdf>.
- ⁵⁰ *Callahan v. Carey* was the first in a series of lawsuits that extended the right to shelter to homeless people in New York City: Eldredge extended the right to single homeless women, McCain/Boston to homeless families with minor children and pregnant women, and *C.W. v. The City of New York*, extended it to runaway and homeless youth. See The Legal Aid Society, Homeless Rights Project, <https://legalaidnyc.org/programs-projects-units/homeless-rights-project>.
- ⁵¹ Analysis based on 2022 data for New York based on 2020 census, and reflect total subsidized units not occupied subsidized units. See U.S. Department of Housing and Urban Development (HUD) Office of Policy Development and Research (PD&R), “Assisted Housing: National and Local – Query Tool,” <https://www.huduser.gov/portal/datasets/assthsq.html>.
- ⁵² In FFY 2023, more than \$7.8 billion was spent to support the operation, development and maintenance of public housing facilities operated by more than 2,700 local public housing authorities across the country that housed more than 1.6 million residents. See HUD, “2023 Budget in Brief,” https://www.hud.gov/sites/dfiles/CFO/documents/2023_BudgetInBriefFINAL.pdf.
- ⁵³ The \$2.1 billion in federal funding included almost \$840 million for capital purposes and nearly \$1.3 billion for operating purposes.

- ⁵⁴ HUD, “HUD’s Public Housing Program,” accessed November 12, 2023, https://www.hud.gov/topics/rental_assistance/phprog.
- ⁵⁵ There are approximately 935,000 affordable public housing units funded in federal fiscal year 2023.
- ⁵⁶ New York City Housing Authority, Physical Needs Assessment 2023, June 22, 2023, <https://www.nyc.gov/assets/nycha/downloads/pdf/2023-PNA-Report-Physical-Needs-Assessment-NYCHA.pdf>.
- ⁵⁷ Source of income discrimination is illegal in New York State. Nevertheless, a recent report found hundreds of such complaints in New York City. See UnlockNYC, “Serial Discriminators List,” October 2023, <https://public-unlock.nyc3.cdn.digitaloceanspaces.com/pdfs/SerialDiscrimination-Report-2023.pdf>.
- ⁵⁸ HUD PD&R, “Fair Market Rents (40th Percentile Rents),” accessed November 1, 2023, https://www.huduser.gov/portal/datasets/fmr.html#documents_2024.
- ⁵⁹ In the aggregate, average wage growth in New York State for all industries has been 42.7 percent between 2012 and 2022, growing from \$62,766 to \$89,561 according to the Quarterly Census of Employment and Wages.
- ⁶⁰ Hudson Valley Pattern for Progress, Center for Housing Solutions and Community Initiatives, “Out of Reach,” 2023, <https://www.pattern-for-progress.org/portfolio/out-of-reach-2023/?portfolioCats=104%2C106%2C65%2C58%2C59%2C56%2C110%2C57%2C131%2C107%2C82>.
- ⁶¹ FY 2024 Small Area Fair Market Rent Schedule is available at https://www.huduser.gov/portal/datasets/fmr/fmr2024/FY2024_Small_Area_FMR_Schedule.pdf.
- ⁶² NYU Furman Center, “Getting Low-Income Families to High-Opportunity Neighborhoods: Results from Small Area FMR,” December 5, 2019, <https://furmancenter.org/thestoop/entry/getting-low-income-families-to-high-opportunity-neighborhoods-results-from>.
- ⁶³ Continuums of Care programs provide regional coordination and services to assist sheltered and unsheltered homeless people move into transitional and permanent housing. Emergency Solutions Grants (ESG) can be employed for a range of uses including to engage homeless individuals and families living on the street; improve the number and quality of emergency shelters for homeless individuals and families; help operate these shelters; provide essential services to shelter residents; rapidly re-house homeless individuals and families; and prevent families and individuals from becoming homeless. See HUD, “ESG Requirements,” <https://www.hudexchange.info/programs/esg/esg-requirements>; “Emergency Solutions Grants Program,” updated December 27, 2023, accessed January 4, 2024, https://www.hud.gov/program_offices/comm_planning/esg; and “Continuum of Care Structure and Governance for State ESG Recipients,” <https://files.hudexchange.info/resources/documents/Homelessness-Programs-Toolkits-for-State-ESG-Recipients-Structure-Governance.pdf>.
- ⁶⁴ HUD, “Community Development Block Grant Program,” updated December 22, 2022, accessed December 1, 2023, https://www.hud.gov/program_offices/comm_planning/cdbg; and “CDBG Entitlement Program,” updated June 2, 2022, accessed December 1, 2023, https://www.hud.gov/program_offices/comm_planning/cdbg/entitlement-program.
- ⁶⁵ Includes funding categorized as housing in the 2021 CDBG Activity Expenditure Reports; housing-related activities in other categories not captured. Office of the State Comptroller analysis of Reports available on HUD Exchange, CDBG Activity Expenditure Reports, <https://www.hudexchange.info/programs/cdbg/cdbg-expenditure-reports>.
- ⁶⁶ Division of Homes and Community Renewal, “Low-Income Housing Tax Credit Program,” <https://hcr.ny.gov/low-income-housing-credit-program-9pctRFP>.
- ⁶⁷ Based on credits allocated or properties placed in service in this time period.
- ⁶⁸ New York State Division of the Budget, “2022: Industrial Development Bond (IDB) Cap Final Allocation Report,” <https://www.budget.ny.gov/pubs/supporting/idbcap/2022-final-usage-report.pdf>.
- ⁶⁹ The 4 percent low-income housing tax credit program is another source of federal financing for affordable homes. The 4 percent credit is available to any housing development that is financed with tax-exempt private activity bonds and offers rents affordable to families making less than 60 percent of area median income. While some additional subsidy is usually necessary to make a project work, the equity generated through 4 percent tax credits contributes substantially to the costs of providing affordable rental homes.
- ⁷⁰ New York State, “New York Housing Compact,” March 2023, https://www.governor.ny.gov/sites/default/files/2023-03/NY_Housing_Compact_info_deck_March_2023.pdf.
- ⁷¹ New York State Division of the Budget, “New York State Fiscal Year 2024 Enacted Capital Program and Financing Plan.”
- ⁷² Outstanding HFA mortgage revenue bonds have grown from \$8.2 billion in 2009 to \$18 billion in 2022. From Office of the State Comptroller, Public Authorities Reporting Information System.

- ⁷³ Between 2009 and 2022, outstanding SONYMA mortgage revenue bonds declined from \$3.1 billion to \$2.8 billion. From Office of the State Comptroller, Public Authorities Reporting Information System.
- ⁷⁴ Chapter 36 of the Laws of 2019.
- ⁷⁵ Division of Homes and Community Renewal, “Fact Sheet: Emergency Tenant Protection Act (EPTA) of 1974,” accessed December 15, 2023, <https://hcr.ny.gov/system/files/documents/2023/11/fact-sheet-08-11-2023.pdf>.
- ⁷⁶ The legal regulated rent is the maximum allowable rent to be collected by law for a given rental unit. Prior to the HSTPA, the legal regulated rent governed whether the rental unit would remain under rent regulation; if the legal regulated rent exceeded an amount prescribed in statute, then the unit could become de-regulated (and become a market rate unit) after the appropriate tenant vacated the unit. The HSTPA repealed this mechanism for removing rent-regulated units, whether it was through the high legal regulated rent threshold or because of the tenant’s income. Allowable increases to the legal regulated rent due to vacancy were also repealed by the HSTPA, whereas allowable increases due to major capital improvements and/or individual apartment improvement were scaled back. The enactment of these measures was intended to maintain the number of rent-regulated units, which tend to house tenants with median incomes lower than the State median income. Lastly, the HSTPA made changes to “preferential rents,” which are rents offered to tenants that are below the legal regulated rent; specifically, the HSTPA prohibits renewal leases to raise the rent to the legal regulated rent if a preferential rent has already been established with the tenant.
- ⁷⁷ For a summary of the research, see Urban Institute, “Housing Matters,” <https://housingmatters.urban.org/articles/how-zoning-shapes-our-lives>; see also NYU Furman Center, “Ending Exclusionary Zoning in New York City’s Suburbs,” November 2020, <https://furmancenter.org/research/publication/ending-exclusionary-zoning-in-new-york-city8217s-suburbs>.
- ⁷⁸ Under the Bloomberg Administration, 37 percent of New York City was rezoned; however, according to the Citizens Budget Commission, while some portions of the city were upzoned to allow for greater housing density, others were downzoned to limit development. Notable changes under the de Blasio Administration included the implementation of some mandatory affordable housing requirements and also a handful of neighborhood-level rezonings. See Citizens Budget Commission, “Strategies to Boost Housing Production in the New York City Metropolitan Area,” August 2020, <https://cbcny.org/research/strategies-boost-housing-production-new-york-city-metropolitan-area>.
- ⁷⁹ John Pouliot, “Rochester’s Housing Efforts Offer Lessons for Other cities,” *Times Union*, September 13, 2023.
- ⁸⁰ Human Resources Administration, “Universal Access to Legal Services,” Fall 2021, https://www.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ_UA_Annual_Report_2021.pdf.
- ⁸¹ Mayor’s Management Report, Human Resources Administration, Fiscal Year 2023, <https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/hra.pdf>.
- ⁸² Governor of New York, “Governor Hochul Announces \$25 Million to Provide Free Legal Assistance for Struggling Tenants,” November 12, 2021, <https://www.governor.ny.gov/news/governor-hochul-announces-25-million-provide-free-legal-assistance-struggling-tenants>.
- ⁸³ New York State Department of Health, “New York State Medicaid Redesign Team (MRT) Waiver Amendment,” https://www.health.ny.gov/health_care/medicaid/redesign/docs/2012-08-06_waiver_amendment_request.pdf.
- ⁸⁴ New York State Department of Health, “Housing is Healthcare: Supportive Housing Evaluation,” https://www.health.ny.gov/health_care/medicaid/redesign/supportive_housing/evaluation.htm.
- ⁸⁵ Centers for Medicare & Medicaid Services news release, “CMS Approves New York’s Groundbreaking Section 1115 Demonstration Amendment to Improve Primary Care, Behavioral Health, and Health Equity,” January 9, 2024, <https://www.cms.gov/newsroom/press-releases/cms-approves-new-yorks-groundbreaking-section-1115-demonstration-amendment-improve-primary-care>.
- ⁸⁶ Angela Hart, “Prescription for housing? California wants Medicaid to cover 6 months of rent,” *Los Angeles Times and Kaiser Health News*, <https://www.latimes.com/california/story/2023-03-20/prescription-for-housing-california-wants-medicaid-to-cover-6-months-of-rent>.
- ⁸⁷ Governor of New York, “Governor Hochul Announces New Executive Action on Housing Crisis to Increase Supply, Create Affordable Housing, and Promote Broader Housing Growth,” July 18, 2023, <https://www.governor.ny.gov/news/governor-hochul-announces-new-executive-action-housing-crisis-increase-supply-create>; and Executive Order 30, <https://www.governor.ny.gov/executive-order/no-30-directing-state-agencies-authorities-and-entities-prioritize-allocation>.

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