



COMMITTEE ON
Housing

2019 ANNUAL REPORT

NEW YORK STATE ASSEMBLY



CARL E. HEASTIE, *Speaker*

STEVEN CYMBROWITZ, *Chair*



STEVEN H. CYMBROWITZ
Assemblyman 45th District
Kings County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIRMAN
Committee on Housing

COMMITTEES
Codes
Environmental Conservation
Health
Insurance

December 15, 2019

Honorable Carl E. Heastie
Speaker of the Assembly
State Capitol, Room 349
Albany, New York 12248

Dear Mr. Speaker,

It is my honor to present the 2019 Annual Report for the Assembly Standing Committee on Housing, reflecting the Committee's continued efforts to address the diverse housing needs of New York's low- and middle-income families by focusing on legislation relating to rent regulation, tenant protections and other affordable housing options.

Preserving rental affordability and standing up for tenants across the State have continued to be among the Committee's top priorities. This year, like minds in the Senate and Assembly came together to pass landmark rent regulation reforms and stronger tenant protections into law, many of which the Assembly has long championed. These include making the State's system of rent regulation permanent, closing several rent-raising loopholes in the laws governing rent regulation, and removing the geographical restrictions for eligibility to opt-in to rent stabilization laws. Altogether, these changes amount to a life changing moment for tenants. In our economy a secure and stable residence can have a significant payback for all.

Legislation advanced by the Committee this year also helps increase transparency between cooperative and condominium tenants and their governing boards. Moving forward, the Committee will continue to welcome input from experts, tenants and advocates as we take steps to increase access to safe, affordable housing for all.

Furthermore, the Committee continued its commitment to preserving public housing by successfully fighting to secure additional capital funding for the New York City Housing Authority (NYCHA) and other public housing authorities across the State to assess and remedy structural issues. The Committee also continued to advocate for the release of \$450 million in previously allocated State funding for NYCHA, and this year, an agreement was reached as to a spending plan for these monies.

Mr. Speaker, I thank you for the continued opportunity to uphold the Assembly's commitment to ensuring that every New Yorker has access to safe, affordable housing. I also wish to thank my fellow Committee members for their support and efforts toward achieving this goal. I look forward to continuing our work together in the coming year.

Sincerely,

Steven H. Cymbrowitz
Chair, Committee on Housing

**2019 ANNUAL REPORT
OF THE
ASSEMBLY STANDING COMMITTEE ON HOUSING**

STEVEN H. CYMBROWITZ, CHAIR

Members of the Committee

Majority

Vivian E. Cook
Linda B. Rosenthal
Robert J. Rodriguez
Walter T. Mosley
Ron Kim
Victor Pichardo
Latrice M. Walker
Latoya Joyner
Michael A. Blake
Erik Martin Dilan
Rodneyse Bichotte
Maritza Davila
Charles Barron
Carmen De La Rosa
Yuh-Line Niou
Alfred Taylor
Harvey Epstein
Simcha Eichenstein
Karines Reyes

Minority

Michael J. Fitzpatrick, *Ranking Minority Member*
Andrew P. Raia
Mark C. Johns
Doug Smith
Marjorie Byrnes
Michael LiPetri
Michael Reilly
Colin J. Schmitt

Staff

Giovanni Ramirez Warren, *Assistant Secretary for Program and Policy*
Patrick Totaro, *Associate Counsel*
Annalyse Komoroske, *Analyst*
Nicole VanAuken, *Program and Counsel Secretary*
Lena DeThomasis, *Committee Clerk*
Gianna Romano, *Legislative Aide*
Lenny Markh, *Chief of Staff*
Adrienne Knoll, *Director of Communications*

Table of Contents

I. COMMITTEE JURISDICTION AND PURVIEW3

II. 2019 LEGISLATIVE HIGHLIGHTS.....3

A. Rent Regulation & Tenant Protections.....3

 The Housing Stability & Tenant Protection Act of 20194

 Update and Expansion of Loft Laws7

B. Mitchell-Lama Housing.....7

 Additional Information Regarding Buy-Outs..... 7

 Consistency in Application 7

 Income Thresholds..... 8

 Financial Transparency 8

C. Public Housing8

 Recording Outages of Vital Services8

D. Residential Cooperatives & Condominiums9

 Refinancing Provisions in Ground Leases9

 Notice of Changes to By-Laws9

 Electric Vehicle Charging Station Installation9

D. Other Legislation.....9

 Prohibiting Collection of Rent without a Certificate of Occupancy9

 Authorizing Individuals with a Disability to Terminate Leases10

 Authorizing Tenants to Deduct Water Payments.....10

 Authorizing Victims of Domestic Violence to Terminate Leases10

III. SFY 2019-2020 BUDGET HIGHLIGHTS 11

A. Division of Housing and Community Renewal - Capital Projects.....11

B. Division of Housing and Community Renewal - Aid to Localities12

C. Division of Housing and Community Renewal - State Operations14

D. The Mortgage Insurance Fund15

E. Manufactured Home Park Registration & Reporting.....15

IV. LEGISLATIVE HEARINGS16

V. OUTLOOK FOR 2020.....16

APPENDIX A17

APPENDIX B18

APPENDIX C19

I. COMMITTEE JURISDICTION AND PURVIEW

The New York State Assembly Standing Committee on Housing is responsible for legislation on housing development and preservation. Its purview includes rent regulation, as well as legislation amending the following areas of the New York State Law:

- *Multiple Dwelling Law*, which encompasses health and safety standards for buildings with three or more families living independently of each other in New York City, and any other city, town or village that has chosen to adopt the law;
- *Multiple Residence Law*, which covers health and safety standards for buildings with three or more families living independently of each other in all cities, towns and villages outside of New York City;
- *Private Housing Finance Law*, which governs the following entities and programs: Mitchell-Lamas; Limited Dividend Housing Companies; Low Income Housing Trust Fund; Affordable Home Ownership Development; Permanent Housing for Homeless Families; Manufactured Home Cooperative Fund; Housing Development Fund Companies; Neighborhood Preservation Companies; Rural Area Revitalization; Rural Rental Assistance; Urban Initiatives; Rural and Urban Community Investment Fund; several New York City programs; and the administration of the New York State Housing Finance Agency and New York City Housing Development Corporation; and
- *Public Housing Law*, which covers the safety, management and financing of local public housing authorities throughout the State.

In addition to these laws, the Committee has jurisdiction over legislation amending housing-related sections of the Executive Law, Real Property Law, Real Property Actions and Proceedings Law, and Public Authorities Law, and the following unconsolidated areas of New York Law: the Emergency Housing Rent Control Law; the Local Emergency Housing Rent Control Law; the New York City Rent Stabilization Law; the Emergency Tenant Protection Act of 1974; sections of the New York City Administrative Code and the City of Buffalo Administrative Code; and sections of the General Business Law that relate to the conversion of real property from rental to cooperative or condominium status.

II. 2019 LEGISLATIVE HIGHLIGHTS

A. Rent Regulation & Tenant Protections

Rent regulation has traditionally protected tenants residing in rent-stabilized or rent-controlled apartments in New York City and surrounding counties. A large majority of rent-regulated tenants reside in New York City. Data from the 2017 New York City Housing and

Vacancy Survey (HVS), conducted by the U.S. Census Bureau, estimated that there are approximately 988,000 rent-regulated units within New York City, representing around 45% of the City's total rental housing stock. There are 37,560 rent-regulated units outside of New York City: 2,107 in Rockland County, 7,896 in Nassau County and 27,557 in Westchester County.

For rent regulation laws to apply, a municipality must declare a rental housing emergency, defined as a housing stock vacancy rate of 5% or lower. According to the 2017 HVS, the vacancy rate in New York City and some surrounding counties remains under 5%, with the two most recent reports showing a New York City vacancy rate of 3.45% in 2014 and 3.63% in 2017. Due to the existence of this emergency, intervention is critical to protect tenants from unreasonable rent increases and evictions.

Finding and paying an affordable rent are challenges for most New Yorkers, regardless of location or regulation status, with the challenge being most difficult to bear for low-income households. When renters voluntarily leave their apartments or are forced to move, the search for new housing is complicated by the extreme scarcity of affordable units and long waiting lists for public housing and other subsidized housing. Preserving rental affordability and protecting tenants across the State continue to be among the Assembly's top priorities.

Listed below is legislation related to rent regulation and statewide tenant protections:

1. The Housing Stability & Tenant Protection Act of 2019
A.8281 (Heastie); Chapter 36 of the Laws of 2019

The Housing Stability & Tenant Protection Act of 2019 makes several reforms to the State's system of rent regulation, including:

- Making permanent the State's rent regulation laws, which provide the process by which local governments may declare a housing emergency and administer a rent regulation program;
- Repealing the statutory vacancy bonus and the vacancy longevity bonus, which allowed landlords of regulated units to collect automatic increases upon vacancy;
- Prohibiting local rent guidelines boards (RGBs) from adjusting rent increases for reasons not in statute;
- Repealing the laws that allow units to be deregulated when they reach a certain high level of rent, and other provisions used to deregulate based on high rent and a tenant's income;
- Prohibiting owners who offer tenants a "preferential rent," or a rent below the legal regulated rent, from discontinuing the use of preferential rent or raising the rent to the full legal amount upon lease renewal;
- Extending the statute of limitations for tenants of regulated units who claim their landlords have overcharged them;
- Limiting landlord recovery of regulated housing stock to one unit for personal use and occupancy as a primary residence for the landlord or an immediate family member;

- Ensuring that units rented by not-for-profits providing housing to the homeless are not permanently removed from rent regulation; and
- Expanding eligibility for coverage under the Emergency Tenant Protection Act (ETPA) to every county in New York State, allowing any municipality to opt-in to rent stabilization in the event of a local housing emergency.

The bill also reforms the process by which landlords of regulated units may apply for a Major Capital Improvement (MCI) or an Individual Apartment Improvement (IAI) rent increase, including:

- Extending from eight or nine to 12 or 12.5 years the amortization period for an MCI rent increase, depending on building size;
- Requiring buildings to contain at least 35 percent regulated units to be eligible for an MCI rent increase;
- Capping the annual MCI rent increase at two percent statewide, down from six percent in New York City and from 15 percent in other ETPA counties;
- Limiting the types of work reimbursable by an MCI rent increase and the amount of reimbursement to reasonable costs;
- Extending from 40 or 60 months to 14 or 15 years the amortization period for an IAI rent increase, depending on building size;
- Requiring MCI and IAI rent increases to be removed from the legal regulated rent after 30 years; and
- Directing DHCR to randomly audit and inspect approved MCIs and IAIs each year.

In addition, the Housing Stability & Tenant Protection Act of 2019 provides additional protections for tenants of rent-controlled units. There are approximately 22,000 of these units remaining in New York, often occupied by seniors living on a fixed income. These protections would:

- Limit rent-controlled rent increases at the lesser of 7.5%, the previous maximum, or a level equal to the average of the previous five RGB increases for one-year stabilized renewal leases; and
- Prohibit fuel adjustments or pass-along increases in rent for rent-controlled tenants.

For tenants throughout the State, the Housing Stability & Tenant Protection Act provides stronger protections against steep rent hikes and unjust eviction actions, including:

- Strengthening existing retaliatory eviction laws by prohibiting retaliatory eviction by a landlord against a tenant who makes a good faith complaint to them alleging a violation of the warranty of habitability. The measure would require a landlord to prove that an eviction is not in retaliation if it occurs within one year of the tenant making a good faith complaint;

- Setting a standard period of time for a landlord to provide notice of intent not to renew a tenancy or to increase the rent more than five percent, depending on the length of tenancy;
- Requiring landlords to attempt to mitigate damages if a tenant vacates before their lease expires by making a reasonable, good faith effort at re-letting the unit;
- Prohibiting landlords from using court records to blacklist prospective tenants, as well as the sale of data regarding landlord-tenant proceedings to any third party;
- Banning application fees and limiting background or credit check fees to \$20;
- Increasing record-keeping requirements of landlords when receiving rent payments;
- Limiting security deposits to an amount equal to one month's rent and requiring any deposit to be refundable;
- Providing additional time for tenants to respond to an eviction action before removal from the premises; and
- Expanding circumstances under which a judge may consider a hardship in a tenant's life and stay an eviction proceeding.

Residents of manufactured home parks are also afforded greater protections under the new legislation. There are nearly 85,000 manufactured homes situated in more than 1,800 manufactured home parks throughout New York State. These tenants are at a unique disadvantage because they often own their home but rent the land underneath it:

- Rent increases are limited for manufactured home parks to three percent since the current rent first became effective, unless there are increased operating expenses, property taxes, or costs associated with capital improvements. Higher increases could be subject to court review and approval;
- The amount of time a park owner must wait to begin eviction proceedings for the purpose of changing the use of the land is extended from six months to two years after the notice date;
- Evictions for the purpose of changing the use of the land are prohibited unless the park owner paid the homeowner a stipend of up to \$15,000;
- The amount of time tenants have to make an offer to purchase the park themselves if a prospective purchaser intends to change the use of the land is extended from 120 to 140 days;
- Additional reports to DHCR and additional notices to tenants regarding their rights, responsibilities, and the rules and regulations of the park are required of park owners; and
- For the first time, rent-to-own contracts for manufactured homes are regulated.

2. Update and Expansion of the Loft Laws

A.5841-A (Glick); Chapter 41 of the Laws of 2019

This bill would update application requirements for units applying for coverage under laws relating to interim multiple dwellings (the “Loft Laws”) that were residentially occupied for 12 consecutive months between January 1, 2008 and December 31, 2009. The bill would also establish a new eligibility period to allow units residentially occupied for 12 consecutive months between January 1, 2015 and December 31, 2016 to apply for coverage under the Loft Laws, and provide for the process by which those units may attain loft status.

B. Mitchell-Lama Housing

Since the 1950s, the Mitchell-Lama program has provided affordable housing to moderate-income New Yorkers. More than 250 Mitchell-Lama developments exist throughout the State. The continued viability of this program remains a critical part of the Committee’s effort to ensure the availability of affordable housing for the citizens of New York.

To date, owners of thousands of apartments have left the program by repaying loans issued under the Private Housing Finance Law. These “buy-outs” can have a devastating impact on the families living in these developments, as rents can increase significantly when existing leases expire and the affordable housing stock further erodes.

1. Additional Information Regarding Buy-Outs

A.4898 (Blake); Chapter 539 of the Laws of 2019

This bill would require the Division of Housing and Community Renewal (DHCR) to include, in its annual report on the Mitchell-Lama program, any information regarding a limited-profit housing company that has voluntarily dissolved in the preceding calendar year as well as any limited-profit housing company that has filed a notice of its intent to dissolve in the following year. The bill specifies other additional information that must be included in the annual report in order to track the rate at which Mitchell-Lama developments are leaving the program.

2. Consistency in Application

A.5175 (Blake); Chapter 455 of the Laws of 2019

This bill would be a step toward ensuring that the process used to determine which applicants are selected for a unit in a Mitchell-Lama development is uniform and consistent throughout the various Mitchell-Lama developments, by requiring landlords to send written notice within 60 days of denial with explanation of the denial, and information for appeal. This bill would also require that an application cannot be denied if it is still active on the development’s waiting list. Lastly, this bill would require Mitchell-Lama developments to maintain basic information from their waiting lists on a

website to ensure that each applicant and potential applicant understands the application process and information on the waiting list, if applicable.

This bill would also require DHCR to submit the annual report to the State Comptroller and the Attorney General, as the information provided could aid in the oversight of the program by these offices. Currently, DHCR is required to submit its annual Mitchell-Lama program report to the State Legislature only.

3. Income Thresholds

A.5350 (Cymbrowitz); Chapter 726 of the Laws of 2019

This bill would adjust the aggregate household income threshold of persons or families in the Mitchell-Lama program to eight times the rental amount, including the value or cost of heat, light, water, and cooking fuel for their household in order to include more families and individual tenants in the Mitchell-Lama program. However, in the case of families that have three or more dependents, such ratio to determine the maximum income threshold would be adjusted to nine to one.

4. Financial Transparency

A.5351 (Cymbrowitz); Chapter 594 of the Laws of 2019

This bill would allow residents of Mitchell-Lamas to make photocopies of financial documents related to the developments they reside in, for a reasonable fee. Tenants or residents and persons acting on behalf of a tenant or resident would be able to copy the books of the company and the financial records upon which the financial documents are based.

C. Public Housing

The Committee on Housing continues to play an important role in regulating and supporting the operation of public housing. There are approximately 180 housing authorities across New York State. Of these, the largest is the New York City Housing Authority (NYCHA), which serves over 400,000 residents through more than 326 public housing developments throughout the five boroughs.

1. Recording Outages of Vital Services

A.8019-A (Crespo); Chapter 652 of the Laws of 2019

This bill would require NYCHA to coordinate with representatives of the court, public housing tenants and legal services providers to record information about unplanned outages in heat, water, electricity or elevator service conspicuously on its website and to retain the information online for six months after initial posting. Currently, inspections of warranty of habitability issues in NYCHA developments are performed internally,

making it difficult for the public and court to determine the severity or duration of any violations.

D. Residential Cooperatives and Condominiums

While most do so diligently and transparently, the boards of residential cooperatives and condominiums exercise a uniquely broad authority over the rights and financial interests of residents living in these communities. The Committee on Housing remains dedicated to protecting this critical housing stock and ensuring unit owners and shareholders are treated fairly.

1. Refinancing Provisions in Ground Leases

A.353 (Braunstein); Passed Assembly

This bill would define a residential ground lease and establish procedures related to refinancing provisions in ground leases. Ground leases are long-term leases of real property that allow the tenant to construct, improve or renovate structures upon the property.

2. Notice of Changes to By-Laws

A.456-A (Rosenthal L); Chapter 558 of the Laws of 2019

This bill would require the board of directors, when making any changes to by-laws of a residential cooperative of not-for-profit corporation, to provide conspicuous notice of the change to members, stockholders and delegates of the corporation within ten days of adoption. Members, stockholders and delegates who possess units would be required to notify affected tenants within an additional ten days of receipt of notification from the board.

3. Electric Vehicle Charging Station Installation

A.6338-A (Fahy); Chapter 597 of the Laws of 2019

This bill would give unit owners in condominiums the ability to install electric vehicle charging stations, subject to reasonable restrictions and application approval by the condominium association. A condominium association could be held liable for actual damages or reasonable attorney's fees if found to have violated this statute.

E. Other Legislation

1. Prohibiting Collection of Rent without a Certificate of Occupancy

A.1646 (Hunter); Chapter 444 of the Laws of 2019

This bill amends Multiple Residence Law, applicable to municipalities having a population of less than 325,000, to prohibit residential landlords from collecting rent for

units without a valid certificate of occupancy. The legislation would also allow the enforcing authority to require tenants to vacate any dwelling where a nuisance, or dangerous condition, exists.

2. Authorizing Individuals with Disabilities to Terminate Leases

A.2118 (Hunter); Chapter 320 of the Laws of 2019

This bill would provide protections for individuals with a disability who enter into a lease or rental agreement, and who must terminate an existing lease or rental agreement early. Persons wishing to exercise this right would have to inform the property owner, in writing, of their intent, and include documentation regarding the individual with a disability, in order to align with similar protections currently provided to seniors, in cases where the senior is: 1) no longer able to live independently (for medical reasons), or 2) is offered an opportunity to reside in an adult care facility, residential health care facility, a housing unit in a low- to moderate-income housing project, or less expensive premises in a senior housing project.

3. Authorizing Tenants to Deduct Water Payments

A.3190-A (Hunter); Passed Assembly

Current law authorizes tenants who reside in buildings of three or more units to deduct payments made to utilities for gas, electric, steam and water services from rent due when a landlord has failed to make the payment, particularly in cases where a discontinuance of service is imminent. Tenants who reside in one- or two-unit dwellings, however, are only allowed to offset payments made for gas or electric service.

This bill would explicitly authorize residential tenants of one- and two-unit dwellings to deduct payments made for water service from any future payment of rent in cases where the landlord has not made or refuses to make such payment, extending existing protections to all tenants, regardless of the number of units in the building.

4. Authorizing Victims of Domestic Violence to Terminate Leases

A.4267-A (Hevesi); Chapter 694 of the Laws of 2019

This bill would allow a tenant who is a victim of domestic violence to notify a landlord of the intent to terminate a lease after receiving a qualifying signed affidavit and set the termination date of the lease relative to the date notice is given, rather than the date a court order is issued.

III. SFY 2019-2020 BUDGET HIGHLIGHTS

APPROPRIATED AMOUNT

A. Division of Housing and Community Renewal – Capital Projects

New York City Housing Authority **\$100 million**

The New York City Housing Authority is the largest public housing authority in the nation, with more than 400,000 low-income New Yorkers calling its 326 developments throughout the five boroughs home. These funds have been made available in order to update and modernize failing boiler systems and perform other capital repairs needed to maintain the standard of living in these developments.

Governor’s Office of Storm Recovery **\$72 million**

The Governor’s Office of Storm Recovery operates a Housing Recovery Program to facilitate home repairs, rehabilitation, mitigation and elevation efforts for homeowners affected by extreme weather events in New York State. This funding will supplement projects not otherwise covered by federal grants and aid.

Low-Income Housing Trust Fund **\$44.2 million**

The Low-Income Housing Trust Fund provides funding to not-for-profits, localities and private developers for the construction or rehabilitation of affordable rental housing for low-income households.

Affordable Housing Corporation **\$26 million**

This program provides grants and loans of up to \$35,000 per unit (plus an additional \$5,000 in high-cost areas) for rehabilitation and new construction of one- to four-family dwellings for low- and moderate-income New Yorkers.

Public Housing Preservation Program **\$20 million**

The Public Housing Preservation Program will allow federally supervised public housing authorities outside of New York City to leverage funds for critical maintenance and repairs and ensure the longevity of these much-needed facilities.

Homes for Working Families Program **\$14 million**

The Homes for Working Families program helps finance the construction and rehabilitation of rental housing for low-income families and senior citizens.

Public Housing Modernization Program **\$6.4 million**

The Public Housing Modernization Program allocates funds to New York’s state-supervised public housing authorities for expenses related to maintenance, improvements and repairs.

Manufactured Home Advantage Program **\$5 million**

The Manufactured Home Advantage Program offers park owners and residents the opportunity to maintain safe, affordable communities by utilizing low-interest loans to acquire, rehabilitate and refinance manufactured homes and parks.

Main Street Program **\$4.2 million**

The Main Street Program helps revitalize and improve village centers and historic downtowns by supplying grants for building renovations, façade and streetscape improvements, and capital funding for projects that will anchor downtown districts. The appearance and functionality of main street buildings often determine the success of community revitalization efforts, and this program creates incentives for strategic investment of public and private resources.

Housing Opportunities Program for the Elderly **\$1.4 million**

The Housing Opportunities Program for the Elderly helps to provide safe, decent and affordable housing for older adults in New York State. The program offers contracts to not-for-profit corporations and municipalities to provide financial assistance for the administration of emergency home repairs programs, which deliver grants and loans in an amount of up to \$10,000 per unit for the cost of correcting any condition which poses a threat to the life, health or safety of a low-income elderly homeowner.

Access to Home Program **\$1 million**

The Access to Home Program enables individuals with disabilities to live safely and comfortably in their homes by providing funds to help outfit homes with accessibility features such as wheelchair ramps and lifts, handrails, kitchen modifications to create easy-to-reach work and storage areas, and roll-in showers with grab bars, among other improvements.

B. Division of Housing and Community Renewal – Aid to Localities

Small Cities Community Development Block Grant Program **\$40 million**

The Small Cities Community Development Block Grant Program provides financial assistance to eligible cities, towns and villages with populations under 50,000 and counties with a population under 200,000. The purpose of this program is to support the growth of

affordable housing and suitable living environments. The program also works to expand economic opportunities for persons of low- and moderate- income.

Low-Income Weatherization Program **\$32.5 million**

The Weatherization Assistance Program assists income-eligible families and individuals by reducing their heating and cooling costs and addressing health and safety issues in their homes through energy-efficiency measures. Weatherization services reduce the amount of energy required to heat and cool homes and provide hot water, thus reducing energy consumption, while minimizing the impact of higher fuel costs on low-income families.

Rural Rental Assistance Program **\$21 million**

The Rural Rental Assistance Program provides direct rental subsidies for low-income elderly and family tenants residing in multifamily projects financed using federal low-interest mortgages in rural areas of New York State.

Housing Development Fund Program **\$8.23 million**

The Housing Development Fund loan fund was established in 1966 under the Private Housing Finance Law and is administered by the New York State Division of Housing and Community Renewal. The purpose of this program is to provide loans to not-for-profit organizations to develop low-income housing projects. These loans may be used for pre-development costs, site acquisition, construction/rehabilitation financing and other project development costs and to provide short-term financing repaid from equity contributed by investors in low-income housing credit projects.

Neighborhood Preservation Program **\$4.35 million**

The Neighborhood Preservation Program (NPP) provides grants to cover the costs of not-for-profit community groups engaged in a variety of housing activities in cities, towns and villages with populations of greater than 25,000 people, ranging from housing development and rehabilitation to homebuyer counseling and tenant assistance.

Local Areas Program **\$3.06 million**

The Local Areas Program allows for the payment of periodic subsidies to cities, towns, villages and housing authorities in accordance with the public housing law.

Rural Preservation Program **\$1.82 million**

The Rural Preservation Program (RPP) provides grants to cover the costs of not-for-profit community groups engaged in a variety of housing activities in cities, towns and villages with populations of fewer than 25,000 people, ranging from housing development and rehabilitation to homebuyer counseling and tenant assistance.

C. Division of Housing and Community Renewal – State Operations

The Division of Housing and Community Renewal is an executive branch agency responsible for the supervision, maintenance and development of affordable low- and moderate-income housing in New York State. It is one of five agencies, along with the Housing Trust Fund Corporation, the Housing Finance Agency, the State of New York Mortgage Agency, and the Affordable Housing Corporation, that together constitute New York State Homes and Community Renewal. Within these five agencies are 17 offices, some of which receive funding to perform certain functions, and which are outlined below.

The Office of Finance and Development is responsible for investing billions of dollars each year to stimulate the development or preservation of affordable rental housing and to help low- and moderate-income homebuyers purchase their first home. The department's multifamily programs are driven by federal and State Low-Income Housing Tax Credits and tax-exempt bonds, and augmented by an array of State-funded programs targeted to a range of housing and community development needs.

- **Community Development Program** **\$8.97 million**

The Office of Community Renewal manages 18 housing, community and economic development programs including the Affordable Housing Corporation, the New York State Community Development Block Grant Program, the New York Main Street program, the Neighborhood and Rural Preservation programs, and the Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE).

- **Community Renewal Program** **\$327,000**

The Office of Housing Preservation (OHP) operates programs that maintain and enhance existing affordable housing, including public, privately owned, and previously subsidized housing. These include the Asset Management Unit, the Statewide Section 8 Program and Weatherization Assistance Programs.

This year, more than \$23 million in new funding was allocated to OHP's Rent Administration Program to support the agency's administration and enforcement of the state's system of rent regulation, including \$8 million to fund the addition of approximately 94 full-time employees.

- **Housing Program** **\$21.95 million**
- **Low-Income Weatherization Program** **\$4.72 million**
- **Rent Administration Program** **\$66.75 million**

The Office of Professional Services includes shared support functions such as Human Resources, Facilities, Procurement, Finance, Information Technology and Corporate Compliance.

- **Administration Program** **\$13.48 million**

D. The Mortgage Insurance Fund

In the 2019-2020 State Budget, Article VII language transferred \$17.02 million to utilize reserves in the Mortgage Insurance Fund (MIF) to support programs that target affordable housing, supportive housing, urban and rural preservation, as well as property rehabilitation. The following is a breakdown of how the funding was dispersed to various housing programs:

- \$8.48 million for the Neighborhood Preservation Program;
- \$5 million for municipal relief to the City of Albany; and
- \$3.54 million for the Rural Preservation Program.

E. Manufactured Home Park Registration & Reporting

In the 2019-2020 State Budget, Article VII language reformed the process by which manufactured home park owners file annual park registration statements, allowing those statements to be submitted electronically to the Department of Tax & Finance and transmitted to DHCR to ensure proper oversight of the park's operations. The legislation also requires the commissioner of DHCR to publish an annual, public report on its website of the data collected.

IV. LEGISLATIVE HEARINGS

Rent-Regulated Housing, Rental Housing & Tenant Protections

The Committee held a series of three hearings in May 2019 to examine the State's rent regulation laws; the renewal and reform of those laws; and ways the Legislature can protect tenants of regulated and market-rate units across the State. State and local regulatory agencies, landlords, tenants and advocates presented testimony in New York City, Albany and Rochester, highlighting the continued need for quality, affordable housing opportunities and rental protections in every community.

Affordable Housing Development

The Committees on Housing and Cities held a hearing on November 25, 2019, to review the operation of Floor Area Ratio (FAR) and other policies and programs that impact efforts to develop and preserve much-needed affordable housing units in New York City, including those relating to building density and to project financing.

Several witnesses provided testimony to the Committees regarding the efficacy of current programs in meeting the housing needs of New York City's residents, as well as the viability of altering building density and zoning restrictions in promoting the development of affordable units, stressing the continuing need for opportunities for community feedback in regards to residential development projects.

V. OUTLOOK FOR 2020

In the coming legislative session, the Assembly Standing Committee on Housing will continue its longstanding commitment to ensuring the availability of safe, affordable housing to New York's low- and middle-income families.

Residents of public housing, manufactured home parks, condominiums and cooperatives, and other specialized housing options also need our continued support, and in the coming year, the Committee will continue its work to bring stakeholders together in order to promote policies that ensure all are treated fairly and these much-needed affordable housing choices are preserved for future generations.

The Committee will also remain focused on identifying and securing capital funding, as well as leveraging private resources, to support the preservation and development of affordable and supportive housing statewide. The Committee will work to advance legislation that leads to the creation of new housing opportunities, and will reexamine existing programs to ensure that they are effective, efficient and yielding the greatest possible benefit to New York's families.

APPENDIX A

**2019 Summary Sheet
Summary of Action on All Bills Referred to the Committee on Housing**

Final Action	Assembly Bills	Senate Bills	Total Bills
Bills Reported With or Without Amendment			
To Floor; Not Returning to Committee (Favorable)	5	0	5
To Ways and Means	1	0	1
To Codes	15	0	15
To Rules	3	0	3
To Judiciary	0	0	0
Total	24	0	24
Bills Having Committee Reference Changed			
Total	1	0	1
Senate Bills Substituted or Recalled			
Substituted	0	0	0
Recalled	0	0	0
Total	0	0	0
Bills Defeated in Committee	0	0	0
Bills Held for Consideration with a Roll-Call Vote	0	0	0
Bills Never Reported, Held in Committee	1	0	1
Bills Having Enacting Clauses Stricken	4	0	4
Motions to Discharge Lost	0	0	0
Total Bills in Committee	245	14	259
Total Number of Committee Meetings Held		5	

APPENDIX B

Bills that Passed the Assembly in 2019

BILL #	SPONSOR	DESCRIPTION
A.215	Braunstein	Would clarify existing procedures and establish new procedures related to refinancing provisions in ground leases. Ground leases are long-term leases of real property that allow the tenant to construct, improve or renovate structures upon the property.
A.3190-A	Hunter	Would explicitly authorize residential tenants of one- and two-unit dwellings to deduct payments made for water service from any future payment of rent in cases where the landlord has not made or refuses to make such payment.

APPENDIX C

Chapters of 2019 – Bills Signed into Law by the Governor

CHAPTER	ASSEMBLY BILL # (SPONSOR)	SENATE BILL # (SPONSOR)	DESCRIPTION
36	A.8281 (Heastie)	S.6458 (Stewart-Cousins)	Makes several reforms to the State’s system of rent regulation, including reforming the process by which landlords of regulated units may apply for capital improvement rent increases; provides stronger protections against steep rent hikes and unjust eviction actions statewide; and affords greater protections to residents of manufactured home parks.
41	A.5841-A (Glick)	S.3655-B (Salazar)	Updates application requirements for units applying for coverage under laws relating to interim multiple dwellings (the “Loft Laws”) that were residentially occupied for 12 consecutive months between January 1, 2008 and December 31, 2009 and establishes a new eligibility period to allow units residentially occupied for 12 consecutive months between January 1, 2015 and December 31, 2016 to apply for coverage under the Loft Laws.
320	A.2218 (Hunter)	S.3891 (Sepulveda)	Provides protections for individuals with a disability who must terminate an existing lease or rental agreement early.
444	A.1646 (Hunter)	S.2576 (Bailey)	Prohibits residential landlords of properties in municipalities having a population of less than 325,000 from collecting rent for units without a valid certificate of occupancy.
455	A.5175 (Blake)	S.6499 (Comrie)	Requires Mitchell-Lama developments to follow an established process for processing applications, managing waiting lists, and denying tenancy.
539	A.4898 (Blake)	A.6200 (Persaud)	Requires the Division of Housing and Community Renewal to include, in its annual report relating to the Mitchell-Lama program, information regarding any limited-profit housing company that has voluntarily dissolved in the preceding calendar year, as well as any limited-profit housing company that has, in the current calendar year, filed a notice of its intent to dissolve.
558	A.456-A (Rosenthal L.)	S.4956-A (Benjamin)	Requires prompt, conspicuous notice of changes to by-laws of residential cooperatives to members, stockholders, delegates and affected tenants.
594	A.5351 (Cymbrowitz)	S.4131 (Kavanagh)	Allows residents of Mitchell-Lamas to make photocopies of financial documents related to the developments they reside in, for a reasonable fee.

597	A.6338-A (Fahy)	S.5157-A (Breslin)	Gives unit owners in condominiums the ability to install electric vehicle charging stations, subject to reasonable restrictions and application approval by the condominium association.
652	A.8019-A (Crespo)	S.6320-A (Bailey)	Requires NYCHA to coordinate with representatives of the court, public housing tenants and legal services providers to record information about unplanned outages in heat, water, electricity or elevator service conspicuously on its website.
694	A.4267-A (Hevesi)	S.4281-A (Biaggi)	Allows a tenant who is a victim of domestic violence to notify a landlord of the intent to terminate a lease after receiving a qualifying signed affidavit and set the termination date of the lease relative to the date notice is given.
726	A.5350 (Cymbrowitz)	S.4133 (Kavanagh)	Raises the income limits for families that would be eligible for Mitchell-Lama housing.