

NEW YORK STATE ASSEMBLY

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Committee On Housing

Carl E. Heastie • Speaker
Steven H. Cymbrowitz • Chair



ANNUAL REPORT



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, 2022

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 to you the 2022 Annual Report of the Assembly Standing Committee on Housing, reflecting the Committee's continued efforts to address the myriad housing needs of New York's low- and middle-income families by focusing on legislation relating to public housing, tenant protections and other affordable housing options.

Preserving New York's public housing and ensuring the safety of its residents has been among my top priorities as Chair, and this year we advanced legislation to address long-term infrastructure problems within the New York City Housing Authority (NYCHA) through the establishment of the New York City Public Housing Preservation Trust. The Committee also secured new capital funding for NYCHA to continue addressing capital repairs.

The Committee has continued its important work to protect tenants and promote the development and preservation of affordable housing. Critically, the State Fiscal Year (SFY) 2022-23 budget included the adoption of a new five-year capital spending plan for housing with \$4.5 billion in funding to support the creation and preservation of affordable housing as well as investing in homeownership programs. In addition, we advanced legislation to support the conversion of vacant and underutilized hotel properties for affordable housing, to allow small rental buildings to be converted to condominium ownership, and to eliminate surcharges on rent regulated tenants for the use of a tenant-installed air conditioner when the tenant pays for electric utility service.

The Assembly Majority successfully fought to provide further relief to those renters most in need by delivering an additional \$1.1 billion in funding for the Emergency Rental Assistance Program (ERAP) and the Landlord Rental Assistance Program (LRAP) to aid eligible renters with rental arrears, utility and home energy costs or arrears, and future rent.

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 wish to thank my fellow Committee members for their support and efforts toward achieving this goal.

Sincerely,

A handwritten signature in blue ink that reads "Steven H. Cymbrowitz".

Steven H. Cymbrowitz
Chair, Committee on Housing

**2022 ANNUAL REPORT
OF THE
ASSEMBLY STANDING COMMITTEE ON HOUSING**

STEVEN H. CYMBROWITZ, CHAIR

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Ron Kim
Latrice Walker
Latoya Joyner
Erik M. Dilan
Rodneyse Bichotte Hermelyn
Maritza Davila
Yuh-Line Niou
Alfred Taylor
Harvey Epstein
Simcha Eichenstein
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Jonathan D. Rivera
Chantel Jackson
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Marjorie Byrnes
Michael Reilly
Colin Schmitt
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Meghan Furcick, *Analyst*
Sally Block, *Program and Counsel Secretary*
Lena DeThomasis, *Committee Clerk*
Lenny Markh, *Chief of Staff*
Adrienne Knoll, *Director of Communications*

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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. 2022 LEGISLATIVE HIGHLIGHTS

A. State and City Agencies

State and City housing agencies, including but not limited to the Division of Housing & Community Renewal and the New York City Department of Housing, Preservation and Development (HPD), continue to play an integral role in meeting the State's affordable housing needs through the creation, preservation and rehabilitation of low- and moderate-income homes and units.

The following is legislation advanced by the Committee this year relating directly to these and associated agencies:

1. Affordability Plus

A.3669-B (Cymbrowtiz); Reported to Rules

This bill enacts comprehensive reforms to the various loan granting authorities for New York City Housing Preservation and Development (HPD). The reforms remove restrictions on loans for ground leases and trusts, allow loans for acquisition and refinancing, remove statutory limits on the lengths of loans HPD can provide, remove statutory limits on loan amounts, and allow loans for non-residential uses.

2. Bonding Authority of the State of New York Mortgage Agency (SONYMA)

A.10223 (Tapia); Chapter 704 of the Laws of 2022

This law authorizes the State of New York Mortgage Agency (SONYMA) to increase the maximum aggregate principal amount of its outstanding bonds and notes from \$1 billion to \$1.5 billion, an increase of \$500 million, in order to allow the continuation of critical affordable housing initiatives.

3. Bonding Authority of the New York City Housing Development Corporation

A.10228 (Anderson); Chapter 546 of the Laws of 2022

This law authorizes the New York City Housing Development Corporation ("HDC") to increase the maximum aggregate principal amount of its outstanding bonds and notes from \$17 billion to \$18 billion, an increase of \$1 billion, in order to allow the continuation of critical affordable housing initiatives in the City.

4. SONYMA Lending Authorities

A.8829 (Burdick); Chapter 65 of the Laws of 2022

Chapter 628 of the Laws of 2021 expanded the authority of SONYMA to purchase mortgage loans from community development financial institutions and other not-for-profit corporations licensed by the New York State Department of Financial Services; purchase mortgages secured by new construction loans for single-family modular or

manufactured housing; and modify its mortgages to assist financially distressed homeowners. It included a fix to a citation of an outdated provision of the tax law, however cited an incorrect section of law. This law corrects the citation.

B. Affordable Housing Development

1. Sustainable Affordable Housing Incentive Program

A.3798 (Cymbrowitz); Passed Assembly

This bill would direct the HTFC to develop and administer a program to promote, through the issuance of payments, grants, and loans, the creation, preservation or improvement of affordable multi-family housing using green design, construction, materials and energy sources to reduce greenhouse gas emissions during both construction and operation of the project.

2. Hotel Conversion

A.6262-B (Cymbrowitz); Chapter 214 of the Laws of 2022

This law allows occupancy of a Class B hotel as a permanent residence, regardless of State or local laws and ordinances, as long as the units are within 400 feet of a residential area and not in an industrial business zone. The permanent occupancy is subject to discretionary approval by the local housing agency, and where a collective bargaining agreement exists for a hotel, this requires union sign-off before conversion.

3. The Housing Our Neighbors with Dignity Act (HONDA)

A.8792 (Reyes); Chapter 450 of the Laws of 2022

Chapter of the Laws of 2021 established the HONDA Program. This law makes technical revisions to ensure that the HONDA program is implemented with the original intent that the program can utilize funds to acquire and convert hotels and commercial office properties. This law also increases the area median income to 60% and modifies the required refrigerator size to 7-cubic feet capacity.

4. RESTORE Program Grant Maximums

A.10271 (Woerner); Chapter 487 of the Laws of 2022

This law increases the amount that can be spent on a repair project through the Residential Emergency Services To Offer Home Repairs to the Elderly Program (RESTORE) to \$20,000 from \$10,000 and increases the amount that can be spent on administrative costs to 10% from 7.5%. This law also removes the requirement that eligible applicants respond within 5 days of a referral and begin repairs within 14 days.

C. Rent Regulation

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 2021 New York City Housing and Vacancy Survey (HVS), conducted by the U.S. Census Bureau, estimated that there are approximately 1,006,000 rent-regulated units within New York City, representing around 44% of the City's total rental housing stock. There are 33,406 rent-regulated units outside of New York City: 1,870 in Rockland County, 6,625 in Nassau County and 24,911 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 2021 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 3.63% in 2017 and 4.54% in 2021. Due to the existence of this emergency, intervention is critical to protect tenants from unreasonable rent increases and evictions.

1. Biennial Maximum Base Rent Adjustment Hearings

A.655 (Rosenthal L); Passed Assembly

This bill repeals current law requiring hearings to establish biennial maximum base rents for rent controlled tenants in New York City. The Housing Stability and Tenant Protection Act (HSTPA) limited rent increases for rent controlled to the lesser of 7.5% or the average of the last five Rent Guidelines Board increases for one-year stabilized renewals making these hearings unnecessary.

2. Air Conditioner Surcharges

A.992-A (Dinowitz); Chapter 619 of the Laws of 2022

This law prohibits a landlord from imposing a surcharge on a tenant for the use of a tenant-installed air conditioner if the tenant pays for electric utility service. This applies to rent controlled and rent stabilized tenants.

3. Study of Non-Rental Fees

A.1194-A (Dinowitz); Passed Assembly

This bill requires DHCR to prepare a report on non-rental fees imposed by landlords of housing accommodations subject to rent regulations. The report would include a description of fees commonly or frequently charged, the amounts of such fees, how fees are determined, and any other data or information deemed pertinent. The report would be required to be submitted to the legislature by April 1, 2024.

4. Rental Assistance Above the Legal Regulated Rent

A.8098 (Cymbrowitz); Chapter 685 of the Laws of 2022

This bill allows federal, state, or local programs that provide rental assistance to provide assistance in amounts above the legal regulated rent without impacting the legal regulated rent. The rental assistance provided would be up to the maximum payment standard or contract rent the rental assistance program may provide.

5. E-Signatures for Rent-Regulated Leases

A.8753 (Cymbrowitz); Chapter 74 of the Laws of 2022

Chapter 677 of the Laws of 2021 required the commissioner of the New York State Division of Housing and Community Renewal (DHCR) to promulgate rules that allow for the use of electronic records and signatures for leases and lease renewals of rent stabilized units on a voluntary basis by the tenant. This law clarifies that DHCR will develop regulations to make tenants aware of their rights regarding electronic leases, will eliminate the requirement to file all consent forms with DHCR, and will require that the consent form be submitted to courts or DHCR for them to accept electronic records as evidence.

6. Occupancy of Joint Live-Work Quarters for Artists (JLWQA)

A.9675-A (Glick); Chapter 420 of the Laws of 2022

This law provides any permanent resident of JLWQA limited to artists' occupancy who were in residence on or before 12/15/2021 shall be deemed to meet such occupancy requirements under the same rights as an artist so certified in accordance with applicable law.

D. Tenant Protections

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.

1. Lease and Landlord Fraud Awareness Program

A.5869 (Joyner); Passed Assembly

This bill would require the Division of Housing and Community Renewal (DHCR) to create a lease and landlord fraud awareness program to demonstrate the potential risks of signing a fraudulent lease with an individual misrepresenting him or herself as a landlord. DHCR would be required to develop written materials and brochures to be made available to the general public and local municipalities.

2. Warranty of Habitability Enforcement

A.5546-A (Walker); Reported to Rules

This bill provides the court may award punitive damages to a tenant upon finding the landlord's breach of warranty was intentional and malicious or demonstrates a conscious disregard of severe risks to the life, health, or safety of the tenant. The court may not award punitive damages of this nature to tenants of any multiple dwelling owned or operated by a municipal housing authority.

3. Lease Termination for a Deceased Tenant

A.6954-C (Epstein); Passed Assembly

This bill would allow the estate of a deceased tenant the option to terminate a lease for premises for residential use or partly residential use and partly professional use for such tenant upon notice given to the landlord. The termination is effective on the date the tenant's estate notifies the landlord of the election to terminate and surrenders possession of the premises.

4. Legal Fees for Residential Tenants

A.8750 (Dinowitz); Chapter 162 of the Laws of 2022

Chapter 695 of the Laws of 2021 prohibited landlords from collecting any fee, surcharge, or other charges for legal services related to the operation or rental of a residential unit, unless authorized pursuant to a court order. This law clarifies cooperative housing corporations are not subject to Chapter 695 of the Laws of 2021. This law also clarifies that a shareholder cannot impose unauthorized legal fees as provided by this new law on a tenant or subtenant living in their cooperative housing unit.

E. 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. Access to Public Housing for Formally Incarcerated Individuals

A.7053-A (Burgos); Chapter 750 of the Laws of 2022

This law prohibits NYCHA from denying someone occupancy in a dwelling in any project or subjecting someone to eviction from any such dwelling on the sole ground that person is a formally incarcerated individual, except where required pursuant to any federal law, rule, or regulation.

2. NYC Public Housing Preservation Trust

A.7805-D (Cymbrowitz); Chapter 225 of the Laws of 2022

This law establishes a new public benefit corporation, the New York City Public Housing Preservation Trust. The law allows NYCHA to transfer properties totaling up to 25,000 units to the Trust allowing the properties to switch from receiving a federal Section 9 subsidy to Section 8 Tenant Protection Vouchers which provides better funding. Residents of the development must vote on the options for modernization and have selected the Trust for modernization.

The Trust is authorized to issue bonds, notes, or other obligations to facilitate capital repairs and maintenance of the units. To expedite repairs, the Trust is authorized to use alternative project delivery methods as well as best value contracts for procurement.

3. Community Centers Eligibility for Non-profit Infrastructure Capital Investment Program

A.7831 (Anderson); Veto 164 of 2022

The bill allows a community center physically located within a NYCHA facility to apply for and receive funding from the nonprofit infrastructure capital investment program.

4. Searchable Database of Ticket Numbers

A.8612-A (Barnwell); Chapter 385 of the Laws of 2022

This law requires NYCHA to create a searchable online database for complaint ticket numbers. The database will show: an explanation of the complaint; the status of the complaint; whether the complaint is open or closed; any actions taken on the complaint; any actions taken towards solving the complaint; any next steps to be taken; and any other pertinent information as it relates to the complaint.

5. Open Code Violations Data

A.9387-A (Mitaynes); Chapter 383 of the Laws of 2022

This law requires HPD and NYC Department of Buildings (DOB) to maintain data on their websites regarding open code violations in NYCHA developments in the same way they keep data relating to other code violations in the City.

6. ERAP for Public Housing Residents

A.9979 (Cymbrowitz); Reported to Ways and Means

This bill removes the restriction on occupants of federal or state subsidized housing receiving Emergency Rental Assistance Program (ERAP) funds only if there are funds remaining after serving all other eligible populations.

F. Mitchell-Lama Housing

Since the 1950s, the Mitchell-Lama program has provided affordable housing to moderate-income New Yorkers. Approximately 220 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. Standardized Training for Board Members

A.8749 (Cymbrowitz); Chapter 41 of the Laws of 2022

This law clarifies the training requirements enacted in Chapter 684 of the Laws of 2021 only apply to boards of directors of Mitchell-Lama cooperative housing companies under the supervision of the Division of Homes and Community Renewal or the New York City Office of Housing Preservation and Development.

2. Voting and Dissolution Reform

A.8840 (Rosenthal L); Chapter 167 of the Laws of 2022

This law amends Chapter 749 of the Laws of 2021 by making amendments to the voting procedures, clarifying the duties of the board of directors to share information with shareholders, and thresholds for votes to approve dissolution or steps related to dissolution. In addition, this law requires DHCR to promulgate regulations requiring use of a dwelling unit as a tenant's primary residence.

G. 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. Remote Meetings for Condominium Boards

A.8185-B (Rozic); Chapter 249 of the Laws of 2022

This law authorizes condominium board of managers to hold unit owner meetings via electronic means.

2. Small Building Condo Conversion

A.8809-B (Eichenstein); Chapter 696 of the Laws of 2022

This law changes the number of purchasing tenants needed to declare a noneviction plan effective for the conversion to a cooperative or condominium ownership in buildings with five or fewer units from 51% to 15%. This change only applies when the building is occupied by the owner or an immediate family member.

H. Other Legislation

1. Housing Access Voucher Program

A.3701-B (Cymbrowitz); Reported to Ways and Means

This bill establishes the Housing Access Voucher Program. It would direct HCR to implement a rental assistance program for eligible individuals/families who are homeless or at risk of homelessness. Assistance would be paid directly to the landlord in the form of a voucher, which could be used anywhere in the state.

2. Mold Disclosure

A.3714 (Rosenthal L); Chapter 690 of the Laws of 2022

This law adds a question of if the property has been tested for indoor mold to the Property Condition Disclosure Statement required as part of the sale of residential property.

3. Electric Vehicles Rights Act

A.6165-A (Epstein); Chapter 627 of the Laws of 2022

This law prohibits homeowners' associations from unreasonably restricting the installation or use of electric vehicle charging stations. An unreasonable restriction includes any provision which inhibits the electric vehicle charging station from functioning at its intended maximum efficiency or increases installation or maintenance costs (including labor and equipment) by more than 10 percent.

The homeowners' association retains the authority to restrict the installation or use of an electric vehicle charging station on property owned by the association or in common by members of the association.

3. Manufactured Homes Right of First Refusal

A.6231 (Thiele); Veto 177 of 2022

This bill removes a requirement that the purchaser of a manufactured home park intends to change the use of the land in order for homeowners to have the right to purchase the home park. Homeowners in manufactured home parks would have the right to purchase the manufactured home park when the park owner has received a bona fide offer to purchase the park.

4. Manufactured Homes Rent Increase Justification

A.6755-C (Barrett); Passed Assembly

This bill requires manufactured home park owners to provide written justification of rent increases of 3% of the current rent.

For an increase in costs to justify a rent increase above 3%, the community owner must demonstrate the work performed was necessary to meet the community owner's warranty of habitability and demonstrate the increase imposed was no more than necessary to cover the actual and reasonable cost of the work performed.

5. Battery Park City Authority Sublease Amendments

A.8146-A (Niou); Reported to Ways and Means

This bill requires the Battery Park City Authority (BPCA) to offer amendments to certain subleases to limit the annual adjustment and extend the expiration date of the sublease.

The BPCA would be required to offer to each building with residential condominiums amendments to the residential subleases that: limit the annual adjustment starting in January 2022 to the lessor of the currently scheduled rent increase, or to no more than the annual adjustment of rent pursuant to the New York City rent guidelines board; extend the expiration date of the sublease to 6/17/2168; and remove any language from the sublease inconsistent the prior two provisions.

6. State Obligation to Affirmatively Further Fair Housing

A.8748 (Cymbrowitz); Chapter 88 of the Laws of 2022

Chapter 690 of the Laws of 2021 included a requirement for DHCR to issue fair housing reports on an annual basis. This law changes the timing and frequency of these fair housing reports. Under this law, the draft fair housing reports are due on February 1st every five years and the final reports are due on March 10th. On February 1st of the second and fourth year, DHCR is required to submit an interim report.

7. ERAP Payments

A.9337 (Cymbrowitz); Reported to the Floor

This bill reduces the amount of time from 180 to 90 days that ERAP Funds will be held aside for landlords that do not provide the necessary information to receive a payment.

8. Affordable Housing Commission

A.10494 (Cymbrowitz); Veto 85 of 2022

This bill establishes a special joint legislative commission on affordable housing. The commission will assess the effectiveness of current affordable housing programs and provide recommendations for improvements as well as new programs to increase the supply and production of affordable housing. The report from the commission is due by December 31, 2022.

III. SFY 2022-23 BUDGET HIGHLIGHTS

APPROPRIATED AMOUNT

A. Division of Housing and Community Renewal – Capital Projects

Multi-Year Housing Program **\$4.505 billion**

These funds will be made available in accordance with a multi-year housing plan to support the preservation or creation of 100,000 affordable housing units and the creation and operation of 10,000 supportive housing units. The funding will be spent as follows:

- **\$1.5 billion** for providing capital and operating subsidies for the development or preservation of 10,000 supportive housing units throughout the state;
- **\$1 billion** for providing capital subsidies for the new construction or adaptive reuse of rental housing that advance one or more specific housing priorities of the state;
- **\$450 million** for substantial or moderate rehabilitation of site-specific multi-family rental housing;
- **\$400 million** for promoting home ownership among families of low and moderate income for whom there are few affordable home ownership alternatives in the private market, and the stimulate the development, stabilization, and preservation of New York communities;
- **\$300 million** for the purpose of developing or rehabilitating senior rental affordable housing targeted to low-income seniors, aged 60 and above;
- **\$250 million** for capital projects including all-electric, high-performance equipment for heating and for capital projects to utilize high-performance building envelope design, and alternative energy sources;
- **\$150 million** for substantial or moderate rehabilitation and/or the demolition and replacement through new construction of site-specific multi-family rental housing currently owned by federally-supervised or state-supervised public housing authorities outside of New York City;
- **\$120 million** for providing capital subsidies to preserve and improve Mitchell-Lama properties in the state;
- **\$90 million** for providing capital subsidies for the new construction, adaptive reuse, or reconstruction of rental housing affordable to households that earn between 60 percent and 130 percent of AMI and that advance one or more of the specific housing priorities of the state;
- **\$85 million** for the purposes of creating and upgrading accessory dwelling units across the state;
- **\$80 million** for the Rural and Urban Community Investment Fund;
- **\$60 million** for substantial or moderate rehabilitation and new construction of buildings of 5 to 50 units; and
- **\$20 million** for the Mobile and Manufactured Home Replacement Program.

Public Housing Assistance Program

\$400 million

There are approximately 180 housing authorities across New York State, with the largest being the New York City Housing Authority (NYCHA). This funding can be used for weatherization, heating needs, elevators, lead remediation, and other crucial maintenance projects in public housing authorities, with \$350 million dedicated to NYCHA and \$50 million to other public housing.

Housing Our Neighbors with Dignity Program

\$100 million

The Housing Our Neighbors with Dignity Program provides funding support to not-for-profits for the purchase and conversion of distressed hotels and vacant commercial space for use as permanent affordable housing.

Mitchell-Lama Preservation and Homeownership Program

\$100 million

This funding supports the preservation and improvement of Mitchell-Lama properties as well as the creation of permanently affordable homeownership in the state.

Governor’s Office of Storm Recovery

\$77 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.

Affordable Housing Corporation

\$36 million

This program provides grants and loans of up to \$50,000 per unit (plus an additional \$25,000 in high-cost areas) for rehabilitation and new construction of one- to four-family dwellings for low- and moderate-income New Yorkers.

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.

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.

Small Rental Housing Development Initiative **\$7 million**

The Small Rental Housing Development Initiative supports capital developments under 20 units.

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 **\$3.4 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

Low-Income Weatherization Program **\$282.5 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.

Land Banks **\$50 million**

Hurricane Ida Relief Program **\$41 million**

The Hurricane Ida Relief Program provides assistance to flooding victims of Hurricane Ida in the event that expected federal funding does not materialize.

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 less than 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.

Homeowner Protection Program **\$35 million**

The Homeowner Protection Program provides critical foreclosure prevention and housing counseling services to homeowners in order to promote community stabilization and help homeowners avoid foreclosure.

Legal Representation for Eviction Cases Program **\$35 million**

The Legal Representation for Eviction Cases Program provides legal services and representation for renters living outside of New York City who cannot afford to pay for counsel during eviction proceedings.

Governor's Office of Storm Recovery **\$32 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 is to repay the Federal government for expenses of the Community Development Block Grant - Disaster Recovery that did not meet Federal criteria under the program.

Housing Development Fund Program **\$15 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.

Local Areas Program **\$2.98 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.

Fair Housing Testing **\$2 million**

The Fair Housing Testing Program provides additional fair housing testing and education, including in counties that have not been previously served by local fair housing organizations.

Community Controlled Affordable Housing **\$1 million**

This fund supports the operating expenses and provides technical assistance for the boards of Community Controlled or Social Affordable Housing developments.

Fair Chance Housing Reforms **\$250,000**

This fund provides for services and expenses of fair chance credit check reform and improving access to housing for people with prior arrests or conviction records.

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.

- **Housing Program** **\$21.95 million**
- **Low-Income Weatherization Program** **\$4.72 million**
- **Rent Administration Program** **\$85.24 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 2022-2023 State Budget, Article VII language transferred \$40 million to utilize reserves in the Mortgage Insurance Fund (MIF) and available resources from the Housing Finance Agency (HFA) to support programs that target affordable housing, supportive housing, urban and rural preservation, and property rehabilitation. The following is a breakdown of how the funding was dispersed to various housing programs:

- \$12.83 million for the Neighborhood Preservation Program;
- \$5.36 million for the Rural Preservation Program; and
- \$21.6 million for the Rural Rental Assistance Program.

E. The COVID-19 Emergency Rental Assistance Program (ERAP)

The 2021-22 State budget created a rent relief program, under the statewide administration of the Office of Temporary and Disability Assistance (OTDA) partnered with municipalities and community-based organizations, to utilize up to \$2.3 billion in federal funding to assist renters earning up to 80 percent of the Area Median Income (AMI) with up to 12 months of rent and utility arrears, plus three months' prospective rent where the household is rent burdened and the payment is needed to ensure housing stability. The 2022-23 State budget

provided \$800 million in state funds and an additional \$150 million in federal aid for a total of an additional \$950 million in funding for the program. In addition, \$125 million in funding was provided for the Landlord Rental Assistance Program (LRAP).

IV. OUTLOOK FOR 2023

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

This will include residents of public housing, manufactured home parks, condominiums and cooperatives, and other specialized housing options. These families, too, need our continued support, and in the coming year, the Committee will continue its work to bring stakeholders together to develop and promote policies that help ensure these much-needed affordable housing choices are preserved for generations to come.

The Committee will also remain focused on identifying and securing funding to support the preservation and development of affordable and supportive housing statewide. The Committee will also 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

**2022 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)	7	0	7
To Ways and Means	10	0	10
To Codes	3	0	3
To Rules	9	0	9
To Judiciary	0	0	0
Total	29	0	29
Bills Having Committee Reference Changed			
Total	5	0	5
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	3	0	3
Bills Having Enacting Clauses Stricken	8	0	8
Motions to Discharge Lost	0	0	0
Total Bills in Committee	208	12	220
Total Number of Committee Meetings Held		4	

APPENDIX B

Bills that Passed the Assembly in 2022

BILL #	SPONSOR	DESCRIPTION
A.655	Rosenthal L	Would repeal current law requiring hearings to establish biennial maximum base rents for rent controlled tenants in New York City.
A.1194-A	Dinowitz	Would require DHCR to prepare a report on non-rental fees imposed by landlords of housing accommodations subject to rent regulations statewide. The report would include a description of fees commonly or frequently charged, the amounts of such fees, how fees are determined, and any other data or information deemed pertinent.
A.3798	Cymbrowitz	Would require HTFC to create a Sustainable Affordable Housing Incentive Program to provide assistance for expenses related to sustainable affordable housing activities.
A.5869	Joyner	Would require DHCR to create a lease and landlord fraud awareness program to demonstrate the potential risks of signing a fraudulent lease with an individual misrepresenting him or herself as a landlord.
A.6231	Thiele	Would provide homeowners in manufactured home parks the right to purchase the manufactured home park when the park owner has received a bona fide offer to purchase including if the purchaser has not certified that he or she intends to change the use of the land.
A.6755-C	Barrett	Would bill require manufactured home park owners to provide written justification of rent increases of 3% of the current rent.
A.6954-C	Epstein	Would allow the estate of a deceased tenant to terminate a lease.
A.7831	Anderson	Would allow a community center physically located within a NYCHA facility to apply for and receive funding from the nonprofit infrastructure capital investment program.
A.10494	Cymbrowitz	Would establish a special joint legislative commission on affordable housing. The commission would assess the effectiveness of current affordable housing programs and provide recommendations for improvements as well as new programs to increase the supply and production of affordable housing.

APPENDIX C

Chapters of 2022 – Bills Signed into Law by the Governor

CHAPTER	ASSEMBLY BILL # (SPONSOR)	SENATE BILL # (SPONSOR)	DESCRIPTION
41	A.8749 (Cymbrowitz)	S.7831 (Kavanagh)	Amends Chapter 684 of the Laws of 2021 to clarify the training requirements only apply to boards of directors of Mitchell-Lama cooperative housing companies under the supervision of the DHCR or NYC HPD.
65	A.8829 (Burdick)	S.7834 (May)	Amends Chapter 628 of the Laws of 2021 to correct a citation of a provision of Tax Law.
74	A.8753 (Cymbrowitz)	S.7701 (Kaminsky)	Amends Chapter 677 of the Laws of 2021 to clarify DHCR will develop regulations to make tenants aware of their rights regarding electronic leases, will eliminate the requirement to file all consent forms with DHCR, and will require that the consent form be submitted to courts or DHCR for them to accept electronic records as evidence.
88	A.8748 (Cymbrowitz)	S.7727 (Kavanagh)	Amends Chapter 690 of the Laws of 2021 to change the timing and frequency of fair housing reports from DHCR. Under this law, the draft fair housing reports are due on February 1st every five years and the final reports are due on March 10th. On February 1st of the second and fourth year, DHCR is required to submit an interim report.
162	A.8750 (Dinowitz)	S.7801 (Jackson)	Amends Chapter 695 of the Laws of 2021 to clarify cooperative housing corporations are not subject to Chapter 695 of the Laws of 2021 which limits legal fees imposed on a tenant. It also clarifies that a shareholder cannot impose unauthorized legal fees as provided by this new law on a tenant or subtenant living in their cooperative housing unit.
167	A.8840 (Rosenthal L)	S.7830 (Kavanagh)	Amends Chapter 749 of the Laws of 2021 to make amendments to the voting procedures, duties of the board of directors, and thresholds for votes to approve dissolution or steps related to dissolution.
214	A.6262-B (Cymbrowitz)	S.4937 (Kavanagh)	Allows the occupancy of a Class B hotel as a permanent residence, regardless of State or local laws and ordinances and without requiring a new certificate of occupancy when certain conditions are met.
225	A.7805-D (Cymbrowitz)	S.9409-A (Salazar)	Establishes the New York City Public Housing Preservation Trust for properties owned or operated by NYCHA.

249	A.8185-B (Rozic)	S.7278-B (Krueger)	Authorizes condominium board of managers to hold unit owner meetings via electronic means.
383	A.9387-A (Mitaynes)	S.72-A (Hoylman)	Requires HPD and NYC DOB to maintain data on their websites regarding open code violations in NYCHA developments in the same way they keep data relating to other code violations in the City.
385	A.8612-A (Barnwell)	S.7859-A (Ramos)	Requires NYCHA to create a searchable online database for complaint ticket numbers.
420	A.9675-A (Glick)	S.8793-A (Kavanagh)	Permits permanent residents of Joint Live-Work Quarters for Artists (JLWQA) units who were in residence as of 12/15/2021 to continue occupying such unit even if they're not certified as an artist.
450	A.8792 (Reyes)	S.7772 (Gianaris)	Amends Chapter 396 of the Laws of 2021 to ensure implementation in accordance with the original intent, increases the area median income to 60%, and modifies the required refrigerator size.
487	A.10271 (Woerner)	S.9193 (Hinchev)	Increases the amount that can be spent on a repair project through the RESTORE Program to \$20,000 and increases the amount that can be spent on administrative costs to 10%. This law also removes the requirement that eligible applicants respond within 5 days of a referral and begin repairs within 14 days.
546	A.10228 (Anderson)	S.6916-A (Kavanagh)	Authorizes the New York City Housing Development Corporation ("HDC") to increase the maximum aggregate principal amount of its outstanding bonds and notes by \$1 billion.
619	A.992-A (Dinowitz)	S.2012-A (Jackson)	Prohibits a landlord from imposing a surcharge on a tenant for the use of a tenant-installed air conditioner if the tenant pays for electric utility service.
627	A.6165-A (Epstein)	S.8518-A (Hinchev)	Prohibits homeowners' associations from unreasonably restricting the installation or use of electric vehicle charging stations.
685	A.8098 (Cymbrowitz)	S.7235 (Kavanagh)	Allows federal, state, or local programs that provide rental assistance to provide assistance in amounts above the legal regulated rent without impacting the legal regulated rent
690	A.3714 (Rosenthal L)	S.5097-A (Sanders)	Adds a question of if a property has been tested for indoor mold to the Property Condition Disclosure Statement required as part of the sale of residential property.
696	A.8809-B (Eichenstein)	S.8564 (Goundares)	Changes the number of purchasing tenants needed to declare a noneviction plan effective for the conversion to a cooperative or condominium ownership in buildings with five or fewer units from 51% to 15%.

704	A.10223 (Tapia)	S.9052 (Kavanagh)	Increases the aggregate bond cap for the State of New York Mortgage Agency (SONYMA) by \$500 million to \$1.5 billion
750	A.7053-A (Burgos)	S.6895-A (Rivera)	Prohibits NYCHA from denying someone occupancy on the sole ground of being formally incarcerated, except where required by federal law, rule, or regulation.