

Immigrants' Day of Action in Albany, March 2, 2010

ENSURE AFFORDABLE HOUSING & ACCESS TO ESSENTIAL HOUSING SERVICES

The current economic downturn is exacerbating the already critical lack of safe and affordable housing in New York State. In communities where the cost of living is high, like New York City, the lack of affordable housing has been at a crisis level for years now.

- The percentage of low-income households facing one or more housing hardships (e.g., falling behind in rent or mortgage payments, utility cut-offs, doubling-up, or seeking shelter) grew from 36% to 52% from 2002 to 2006.ⁱ
- The number of safe and affordable units for low- to middle-income families decreased by nearly 17% from 2002 to 2008.ⁱⁱ
- In 2008, 4 out of 5 low-income tenants in the private market were paying more than 30% of their income on rent; nearly 1 in 2 were paying more than 50% of their income on rent.ⁱⁱⁱ
- These housing challenges are disproportionately affecting the city's minority and ethnic communities: increases in rent burdens were most significant in black, Hispanic, and Asian households.^{iv}

Immigrants are more likely to face severe housing hardships and to be impacted by the tight housing market than other New Yorkers.

- Immigrants make up a disproportionate share of the low-wage workforce in New York and are less likely to live in publicly subsidized affordable housing.
- Nearly 82% of low-income immigrants pay more than 30% of their income on rent.

The current economic downturn forces many immigrant families to struggle to avoid foreclosure and eviction, often unsuccessfully, resulting in increased danger of homelessness and other housing difficulties. As a consequence, poor housing is a widespread problem in the immigrant community.

- 70% of NYC immigrants surveyed by the Immigrant Housing Collaborative (coordinated by the NYIC) reported that "most" or "a lot" of immigrants they know live in poor or dangerous housing conditions.
- 71% reported that housing was "unaffordable".^v

Compounding the affordability crisis, many immigrants are unable to access the very agencies that can help them because of linguistic and cultural barriers and a lack of outreach in their communities. Two-thirds of immigrants surveyed by the Immigrant Housing Collaborative indicated that they do not have access to housing services in their communities in a language they can understand.

The lack of affordable housing and inadequate access to housing services leave many low-income immigrant families with few good housing options and huge rent burdens.

Recommendations:

We urge Governor Paterson and the State Legislature to ensure that rents do not spiral beyond the reach of working families by preserving the existing affordable housing stock and creating new affordable housing. We also urge them to ensure full access to state housing services for non-English-speaking tenants.

1. **Develop and implement a comprehensive translation and interpretation system that ensures language assistance services for non-English-speaking tenants at every level of interaction with the NYS Division of Housing and Community Renewal's services.** Ensure language access to all services, including in agency correspondence, forms and fact sheets at DHCR's Office of Rental Administration and Office of Fair Housing and Equal Opportunity, in-person communication at local offices, informational materials, and the website.
2. **Restore Home Rule (S1673 Krueger / A4069 Lopez).** Repeal the 1971 Urstadt Law, thereby restoring full home rule powers to New York City. This would allow the New York City Council and mayor to adopt rent and eviction protection laws that are most appropriate for New York City.
3. **Preserve New York's supply of affordable housing, and stop predatory equity abuses.**
 - A. **Strengthen Rent Regulation Laws (S5149 Stewart-Cousins / A7416 Rosenthal).** Repeal high-rent vacancy decontrol. Currently, landlords can permanently deregulate rent-controlled and rent-stabilized apartments if the legal rent reaches \$2,000 per month or higher. It is estimated that New York City and the suburban counties of Nassau, Westchester, and Rockland have lost at least 200,000 apartments to this decontrol mechanism. The tenants moving into the apartments have no rent or tenure protections.
 - B. **Reform Major Capital Improvement Rent Increase System (S745-A Krueger / A1928 O'Donnell).** This bill turns rent increases for building-wide Major Capital Improvements into temporary surcharges, so that once tenants have paid them off, the rent increase disappears.
 - C. **Reform Individual Apartment Improvement Rent Increase System (S5296 Squadron / A5316-A Silver).** This bill addresses key problems in the system to assess rent increases for individual apartment improvements. It reduces the cost burden on tenants by lengthening the amortization period for rent increases from 40 to 84 months, thus bringing it into line with the MCI program; it also allows direct agency oversight of such rent increases to discourage fraud, and strengthens tenant notification.
 - D. **Preserve Subsidized Housing (S5284 Stewart-Cousins / A7811 Pretlow).** Allows New York City and any municipality in Nassau, Westchester, or Rockland counties to declare a housing emergency, thereby bringing under the rent stabilization system any former Mitchell-Lama and project-based Section 8 buildings that were taken out of those government subsidy programs by their landlords.
4. **Counter Demolition by Neglect.** Landlords routinely ignore municipal Department of Buildings violations, causing buildings to fall into severe deterioration. Predatory landlords of rent-regulated buildings intentionally neglect their buildings in order to obtain demolition rights to remove tenants and replace these buildings with other capital projects. DHCR should reform the demolition clause of the Rent Stabilization Code, removing a loophole that allows landlords who demolish rent-regulated buildings to build whatever they want on the site. The law must close this loophole to require that in the event of demolition due to intentional neglect, the landlord must replace the affordable housing that has been lost.

ⁱ Victor Bach and Tom Waters, (2006) *Making the Rent, 2002 to 2005: Changing Rent Burdens & Housing Hardships Among Low-Income New-Yorkers*, Community Service Society.

ⁱⁱ 2009 Key Findings on the Affordability of Rental Housing from New York City's Housing and Vacancy Survey 2008, Furman Center for Real Estate & Urban Policy.

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^{iv} 2009 Key Findings on the Affordability of Rental Housing from New York City's Housing and Vacancy Survey 2008, Furman Center for Real Estate & Urban Policy.

^v Pratt Center for Community Development and the New York Immigrant Housing Collaborative (2008), *Confronting the Housing Squeeze: Challenges Facing Immigrant Tenants, and What New York Can Do*.