

Permanent Housing Policy Responses to Housing Instability, Eviction, Foreclosure, and Homelessness

A Perspective from New York

Council of State Governments - East
Housing Policy Summit
Boston, Massachusetts
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New York State Senator Brian Kavanagh

- Represent 320,000 residents of Lower Manhattan.
- Chair of Senate Committee on Housing, Construction and Community Development.
- Eighteen years in the legislature.
- In addition to housing and construction issues, work has focused on environmental sustainability, gun violence prevention, and fair elections.



New York Housing Snapshot

- Total Population: 19.9 million
- Total Housing Units: 8.6 million
 - 54% Owner Occupied
 - 46% Rental
- Residents:
 - NYCHA- 360,970
 - Non-NYCHA- 35,975 in 37 counties
- About 60% of all rental units are in New York City

New York Housing Snapshot

- Of 2.3 million rental units in New York City
 - Rent Regulated: 1 million rent regulated private housing
 - Market Rate: 1 million unregulated, without any regulation as to how much rent can be charged or whether a lease is offered
 - Subsidized: 229,000 units
 - Section 8
 - in private, for-profit buildings: 90,000
 - Project-Based Section 8
 - \$2.2 billion in rental assistance annually
 - Mitchell-Lama: 46,000 units in 93 developments in New York City (statewide 105,000 rental or limited-equity coop apartments in 269 developments were built, starting in 1955; many have since left the program).
- New York City Housing Authority: 174,000 apartments in 346 developments, housing nearly 535,000 residents, including an estimated 105,000 living doubled up.
- Extremely low vacancy rate.

Affordability



- New York State ranks 3rd in cost burdens for homeowners and 13th for renters (2022)
- 50% of renters are cost-burdened (30% or more of income goes to rent)
 - 20% of renters are severely cost-burdened (more than 50% of income on rent)

Housing Production

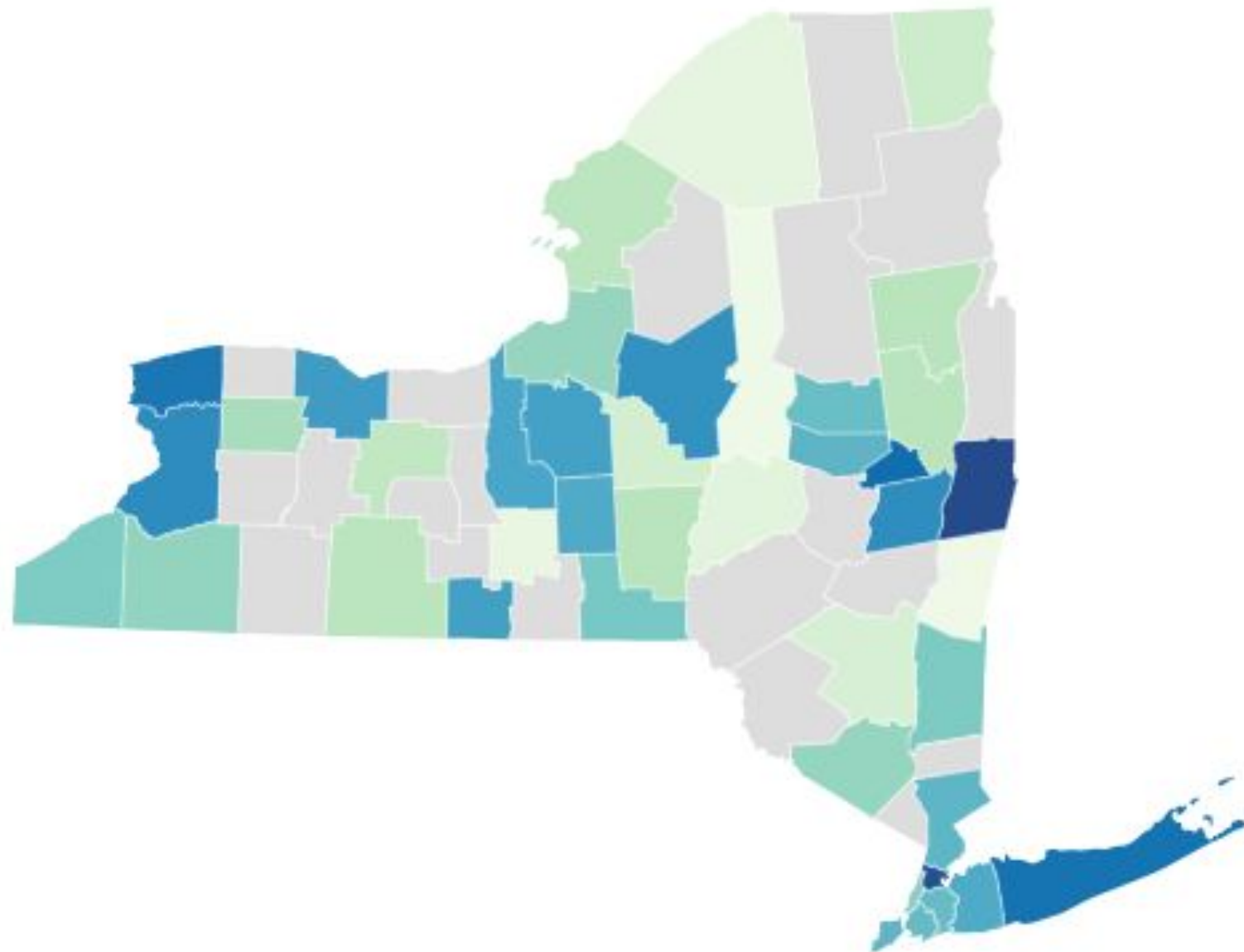


- 2012-2022: NYS added 462,000 housing units
 - 7.4% increase, compared to national average of 12%
 - Well below the rate of job creation, especially in the New York City metropolitan area
- Units of housing produced per 1,000 residents (2010s):
 - Long Island (7)
 - Lower Hudson Valley (12)
 - NYC Metro (23)
 - National average (34)
- Recent focus on interventions to prevent localities from unduly restricting housing production.
 - Some localities, including NYC ("City of Yes") are diminishing land use and zoning obstacles.
 - State incentives for "pro-housing" communities.
 - Proposed Faith Based Affordable Housing Act.

Eviction Rates

eviction filing rates by county (2022)

0.59 9.73



This map reflects the number of residential holdover eviction filings per 100 renter-occupied housing units in a county for counties with available data.

Map: Sandhya Kajeepta, Thurgood Marshall Institute • Source: [New York State Unified Court System](#) • Created with [Datawrapper](#)

- Evictions have been higher in New York than the national average for years (spikes in 2002 and 2009)
- In many parts of the state, annual rates approach 10% of all renter households

COVID-19 Housing Policy Response



- **Eviction Moratorium**
 - March 2020 to January 2022
- **Emergency Rental Assistance Program**
 - Paid nearly \$4 billion in rent arrears, including more than \$1 billion in State funds
 - Covered arrears for every eligible applicant
 - Also provided funds to cover cost of arrears incurred by property owners when tenants were no longer in place (ineligible for federal funds)
- **Linger effects** of COVID-19 are still driving a lot of instability for renters and property owners.

Huge Influx of New Arrivals



- Over 210,000 new arrivals from April 2022 through the end of 2024
- 200 emergency shelter sites
- Enrolled tens of thousands of children in schools
- Provided basic healthcare, clothing, NYC ID, and other necessities
- Asylum application assistance

Right to Shelter in New York City



- Established as a right under the State Constitution via the *Callahan* court case, 1981
- Although it's a right under the State constitution, in practice, has only been applied in New York City

Tenant Protections



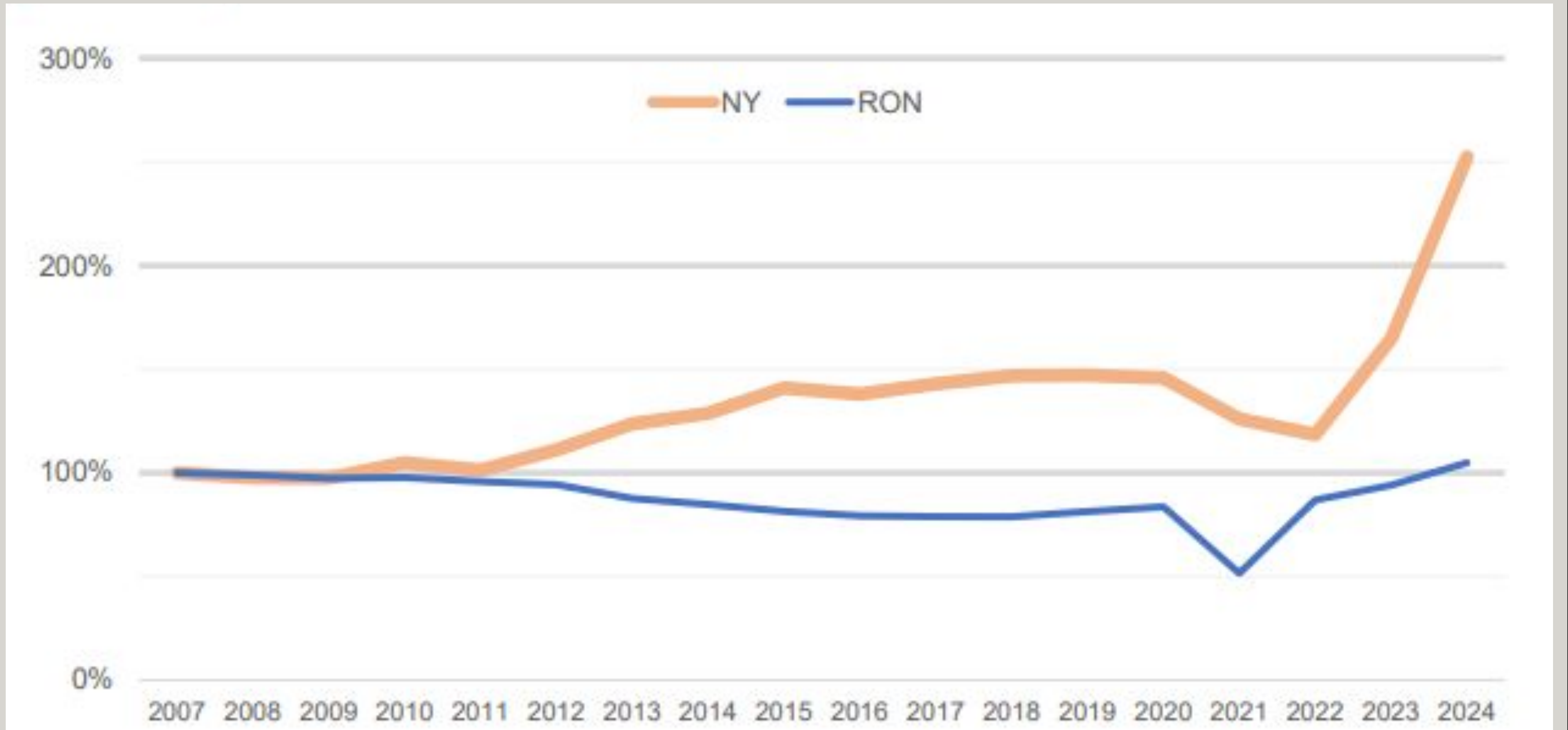
- **Rent Stabilization**
 - Available in New York City and localities that have opted in
 - Greatly strengthened in 2019 Housing Stability and Tenant Protection Act, and opt-in extended statewide
- **Good Cause Eviction**
 - Enacted April 2024
 - No eviction without specified "good cause"
 - Applies to NYC and cities, towns, and villages that opt in; 13 have opted in to date.
 - Protects residential tenants from price gouging and unreasonable non-renewal of leases
- **Legal Representation for Tenants**

Homelessness



- 158,019 people were homeless in New York as of January 2024 HUD snapshot
- More than doubled from January 2022 to January 2024
 - New York City accounted for 93% of the increase.
 - But also increased in every county in the state, with double- and triple-digit rate increases in some counties, led by Glens Falls, Saratoga.
 - Grew by 53% from January 2023 to January 2024, more than four times the rest of the nation.
- A lower percentage of New Yorkers experiencing homelessness were unsheltered, compared with other states (5%). California unsheltered rate is 68%.
- Lower rates than other states of homelessness among veterans and seniors.

Homelessness 2007-2024



Policy Response: Emergency Rental Assistance to Prevent Evictions



Existing Emergency Programs for Rent Arrears



- Emergency Assistance to Adults (EAA)
 - Temporary Need for aged, blind, or disabled individuals and couples receiving SSI
- Emergency Assistance to Families (EAF)
 - Assistance for pregnant persons and families with at least one child under 18 or under 19 and attending full-time secondary school
- Emergency Safety Net Assistance (ESNA)
 - Assistance for single adults and childless couples with a household income below 125% FPL

New York City “One Shot Deals”



- “One Shot Deals” -- officially “Emergency Assistance Rental Assistance Grants”, are one-time emergency grant to help low-income New Yorkers with rent, utilities, moving/furniture expenses, medical needs, and more
- Expenditures on emergency rental arrears:
 - City FY 2023: 43,000 households at about \$7,200 average payments (**\$310 million**)
 - FY24: 56,500 households, average payment \$9,571.68 (**\$541 million**)
 - These figures are substantially higher than in prior years, likely a result of arrears accrued during the pandemic, and court backlogs adjudicating eviction cases

Barriers to Emergency Rental Assistance

- Conditions that must be met to receive any assistance in many jurisdictions:
 - Eviction proceeding
 - Agreement to repay
 - Any previous assistance must have been fully repaid
 - Demonstration of future ability to meet rent obligations
 - Income eligibility to qualify for Emergency Assistance
 - No prior emergency rental assistance within a specified period (as much as five years)
- Emergency rental assistance limited to a certain number of months of arrears
- Localities are mandated by State law to attempt to recoup rental assistance from recipients



Shelter Arrears Eviction Forestallment Program

- \$10 million released October 2024 for first year.
 - As of February 2025, 45 of 47 (out of 57 in total) participating counties indicate that they will spend 100% of their allocation.
 - **Erie County** (launched in December 2024): Estimates \$1.5 million allocated will help about 250 households with full 6-month arrears
 - 72 households to date
- Program may be more effective if restrictions adopted by State were less stringent
- Seeking to renew and increase funding in State budget due April 1, 2025.

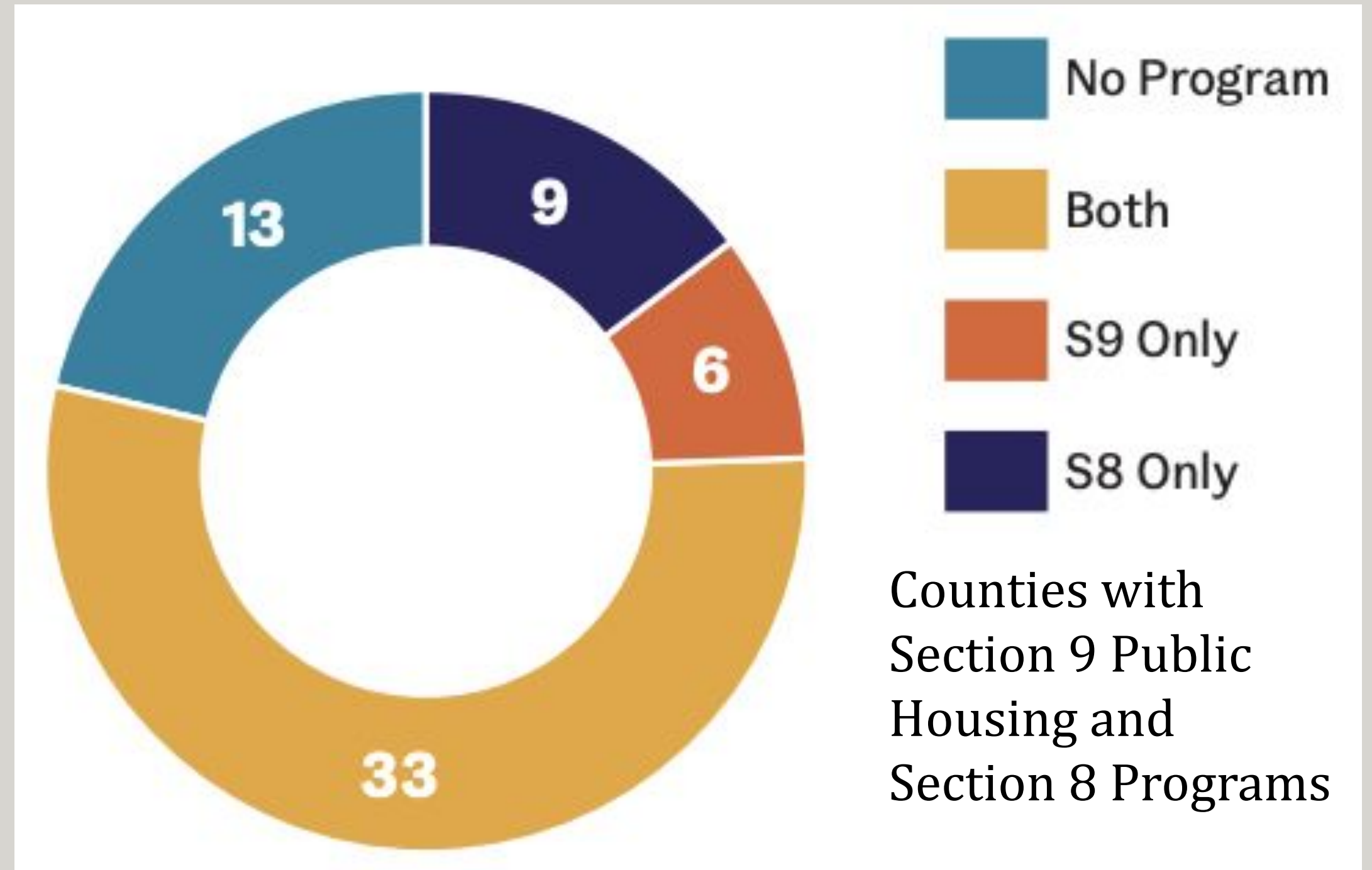
Other Rental Assistance Programs



Other Existing Rental Assistance in New York

- **Federal Section 8 Housing Choice Vouchers**

- Administered by the State housing agency throughout New York, through dozens of local agencies
- New York City housing agency and Housing Authority administer large Section 8 programs within the city
- Funding: **\$3,342,654,520**
- Vouchers: **245,798**

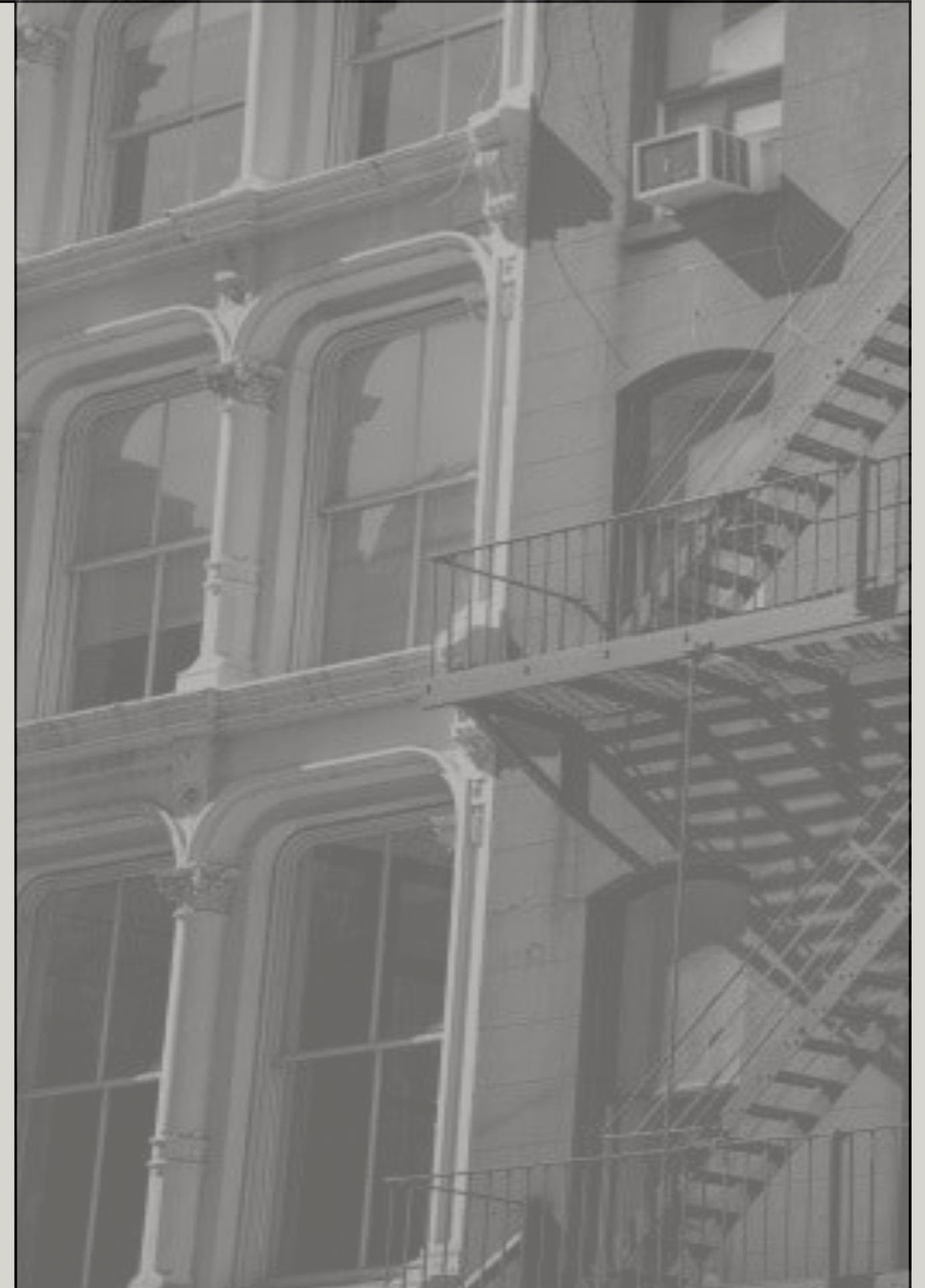


Other Existing Rental Assistance in New York

- **State Family Homelessness and Eviction Prevention Supplement (FHEPS)**
 - Can be used to remain in your home, move within NYC, or move out of a shelter if you have already lost your home
 - Pays difference between 30% of household income and actual rent, up to Fair Market Rent
- **City FHEPS**
 - \$816 million (FY 2024), 2nd largest voucher program behind Federal Section 8
 - Can be used to rent an apartment anywhere in NYS or to rent a single room in an apartment or a SRO unit within the 5 boroughs
 - Placed 14,000 families in 2024
 - A total of 41,563 households through January 2024, 87,588 individuals
- **Rental Supplement Program (RSP)**
 - Provides rental assistance to individuals and families, regardless of immigration status, experiencing homelessness or facing an imminent loss of housing
 - \$100 million allocation each year, about 60-70% to New York City

Proposed: Housing Access Voucher Program

- Provides low-income New Yorkers an ongoing subsidy representing the difference between 30% of their household income and the rent for their home, up to 90%-120% of the area's Fair Market Rent
- Proposed **\$250 million allocation** for year 1
 - NYS would be able to commit a full year of rental assistance for roughly **12,500 to 20,000 households**
 - According to Center on Budget and Policy Priorities, this initial allocation would make HAVP slightly larger than similar rental assistance programs in CT, NJ, MA, but would address a substantially smaller proportion of the state's unmet housing needs



Senior Citizen and Disability “Rent Freeze” Programs



Rent Freeze Programs

- SCRIE (Senior Citizens Rent Increase Exemption) and DRIE (Disability Rent Increase Exemption) serve seniors or people with disabilities whose household income is no more than **\$50,000 a year**, live in a **rent-regulated apartment**, and **pay more than one-third of their income** in rent
- New York City and 21 cities, towns, and villages in Nassau and Westchester counties have adopted SCRIE/DRIE



Rent Freeze Programs

- Average age of recipients in 2020: 77 (SCRIE) and 62 (DRIE)
- Average household size: 1.5 persons
- Average number of years that recipients stayed in the program: 7.2 years (Staten Island), 8.5 years (Bronx), and between 9.0 and 9.6 years (Brooklyn, Manhattan, and Queens)
- According to the 2023 NYC Housing and Vacancy Survey:
 - 31% of all rent-stabilized tenants are seniors
 - For rent-controlled housing, this is 53%
 - 28% of renters overall are seniors



Proposals to Enhance Rent Freeze Programs

- Increase maximum household income from \$50,000 to \$67,000, and index going forward
- Lower the amount at which tenant contribution is frozen. Options:
 - Freeze tenant contribution at one-third of household income
 - Set retroactively to original date of eligibility
 - Return to same level after period of ineligibility
- Expand to more households where one member has a disability
- Require better and more frequent notice of the program to potentially eligible tenants



Thank you!



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