

December 3, 2025

Speaker Adrienne Adams  
Land Use Chair Rafael Salamanca  
250 Broadway  
New York, NY 10007

Dear Speaker Adams and Chair Salamanca,

We are writing to you about four bills that would regulate affordable housing production in New York City: Intros. 958, 1433, 1437, and 1443. The bills put requirements on HPD affordable housing production, setting minimums or maximums of certain types of affordable housing, including number of bedrooms, affordability level, and homeownership units.

We greatly appreciate the Council's advocacy and partnership in securing record investments in affordable housing over the past four years. And we appreciate the goals the Council is aiming for in these bills – building more family sized units, more homeownership, and affordable housing with deeper affordability. However, we strongly believe that these changes should not be required in citywide legislation and instead should be achieved through term sheet changes or through the city's Fair Housing Framework, which can allow for neighborhood targeting.

By setting these goals in legislation, the Council unnecessarily binds Mayor-elect Mamdani's housing plan before it is even developed. While the bills set requirements citywide, in order to meet the targets, HPD will have to enforce the targets in each project. And so these bills will limit developers' ability to be responsive to community feedback and site conditions which may influence design.

Many of these bills cover both preservation and new construction. But it does not make sense to require income levels or unit types in preservation because HPD is working with existing buildings often with tenants in place.

Citywide, these bills will both add costs and will lower overall production.

Intro. 1433, which requires the number of two- and three-bedroom units in HPD affordable housing production to match the number of households with 3, 4, and 5 people, would yield fewer units overall because you can fit fewer larger units in a building because the building size is determined by the underlying zoning. The cost and unit count impact would be especially stark for senior and supportive housing, which are built with studios and one-bedrooms. Those programs should be excluded from the legislation. As currently written, this legislation could cost \$300 million per year and lead to nearly 3,000 fewer units according to HPD. The same goes for Intro. 1437, which could see 250 fewer senior units and cost the city \$30 million per year.

We estimate that Intro. 1443 would cost \$70 million per year to get deeper affordability. It could be cost-neutral but would require having higher rents for the low, moderate and middle income units to achieve the same rental income.

However, achieving current affordability levels, much less the deeper affordability targets in the bill, requires federal housing vouchers, which are at risk under the current presidential administration. Legislation binding the city to these targets while federal funding is uncertain would be unwise.

Finally, Intro. 958, which would set a minimum number of homeownership units as a percentage of total affordable production, would require building more homeownership units and therefore require more subsidy. Homeownership units require more City subsidy because they do not receive Low Income Housing Tax Credits. To meet the target under current production would require an additional 250 units at a cost of \$125 million per year.

Taken together, these bills, along with Intro. 910, which sets a minimum wage for affordable housing construction bills and would add \$750 million in costs to HPD production, would increase HPD's budget needs by \$1.3 billion per year and we would see fewer units of affordable housing.

Instead, the City Council should partner with the new mayor to achieve these goals in one of two ways. Typically, the policies the Council is seeking to address are set through HPD's term sheets. If the Council wants to increase the number of family units or get deeper affordability, the Council should work with the administration to change the city's term sheets to create incentives and appropriate funding levels to accommodate changes.

Alternatively, the City Council could address these goals through their own Fair Housing Framework. Two years ago the City Council adopted the framework, which requires HPD and DCP to produce an assessment of long-term citywide housing needs, with housing production targets for each community district, and an equity framework that includes obstacles and strategies. The City Council can modify the framework to also consider needs for family sized units and affordability levels. By including it in the Fair Housing Framework, the Council would be requiring the city to identify these needs by community and requiring strategies to address the needs.

We appreciate the Council's advocacy for affordable housing, including specific support for deep affordability, family units, and homeownership. We look forward to working with the Council on the best way to achieve these goals.

Sincerely,

New York Housing Conference

Citizens Housing and Planning Council

The Community Preservation Corporation

Enterprise Community Partners, Inc.

LiveOn New York

New York State Association for Affordable Housing

Supportive Housing Network of New York

CC: New York City Council